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LEGISLATIVE JOURNAL

TUESDAY, DECEMBER 12, 2023

SESSION OF 2023

207TH OF THE GENERAL ASSEMBLY

No. 58

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (JOANNA E. McCLINTON) PRESIDING

PRAYER

HON. ABIGAIL SALISBURY, member of the House of Representatives, offered the following prayer:

Yehee ratzon milfanecha, Adonai Eloheinu veilohei avoteinu, May it be Your will, Lord our God and the God of our ancestors, that the lights we kindle tonight for the sixth night of Chanukah cast much-needed light in this time of darkness, marking our gratitude for the miraculous victory of survival and religious freedom over 2,000 years ago.

Aveenu she-bashamayim, God in heaven, as we invoke the words of the traditional blessing over those candles:

Baruch atah, Adonai Eloheinu, Melech haolam, she-asa nisim la-avoteinu v'imoteinu bayamim ha-heim u-vazman hazeh,

Blessed are You, Adonai our God, sovereign of all, who performed miracles for us in those ancient times and who continues to do so in this time. May these words also be fulfilled as we all must strive to bear the burden of bringing light into the world. May the Omnipresent One have mercy upon those who are not yet free, who do not yet live in safety, who do not yet know peace.

Grant us elected Representatives of our fellow citizens of the Commonwealth of Pennsylvania the strength to stand united in shining the light of justice and freedom on all of our citizens. Grant us the courage to illuminate the darkest days. Grant us the strength to ensure that all of our constituents have the safety and the voice that they deserve. May we in this hallowed hall join together to fulfill Your commandment to bring light into the darkness.

And let us say, Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, December 11, 2023, will be postponed until printed.

GUESTS INTRODUCED

The SPEAKER. Colleagues, we have some very special guests who are here today. We would like to have your attention as we acknowledge them.

Seated to the left of the Speaker's rostrum, our colleagues, Representatives Munroe and Brennan, bring Eagle Scouts Sanjay Nair and Blaise Slifer, along with their parents. Please stand, Eagle Scouts. We are so glad to welcome you and your families.

Also seated to the left of the Speaker's rostrum, our colleague, Representative Kenyatta, brings Louis King II, the president of the Philadelphia chapter of OIC (Opportunities Industrialization Centers) of America, along with so many of its members, to the Capitol today. OIC of America was formed in 1964 by the late Rev. Leon Sullivan of Zion Baptist Church in North Philadelphia. And I will add, my grandmother was a very proud graduate when she came up from North Carolina in the 1960s. OIC, please stand. Welcome to the floor of the House.

In almost every seat in the gallery, we are so excited that Representatives Curry and Boyd have brought the Upper Darby Marching Band, the Royals. They captured first place during the 2023 USBands Competition, and they are the current State 4A champions. And I will add, every Veterans Day, it is an honor to see you all in Media. Please stand, champs. Thank you for all your hard work.

In the back of the House, our colleague, Representative Gleim, brings the Spouses of the International Fellows Program Military Members at the United States Army War College in her district, in Carlisle, Pennsylvania. Each year about 80 senior military officers from around the world are extended an invitation from the chief of staff of the United States Army to attend the U.S. Army War College. These guests here are from 28 different countries. Please stand. Thank you so very much for being here today.

Also in the back of the House, our colleagues, Representative Krueger and Representative Kazeem, bring eighth grade students and teachers from the charter schools and STEM (Science, Technology, Engineering, and Mathematics) programs in Chester; also from Upper Darby, from my district in Yeadon, from Aston, Sharon Hill, and Philadelphia. They are here to learn how our government works. Students from the STEM program, please stand. Welcome to the floor of the House.

Also in the rear of the House, our colleague, Representative Armanini, has brought the 2023 PIAA 1A State Champions from the Elk County Catholic Girls Cross Country and Volleyball Teams. They are here with their coaches. Both of these teams won District 9 titles along the way to becoming the PIAA Pennsylvania Champions. Congratulations. Please stand, team. Welcome.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 974, PN 2412 (Amended) By Rep. CONKLIN

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.

STATE GOVERNMENT.

HB 1543, PN 1795 By Rep. PASHINSKI

An Act repealing obsolete provisions of law relating to crossing bridge with horse faster than a walk, driving cattle faster than a walk, carrying fire over a bridge and a supplement to an act relating to roads, highways and bridges.

AGRICULTURE AND RURAL AFFAIRS.

HB 1748, PN 2413 (Amended) By Rep. DAWKINS

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

LABOR AND INDUSTRY.

HB 1834, PN 2414 (Amended) By Rep. DAWKINS

An Act amending the act of June 19, 2018 (P.L.229, No.36), known as the Employment First Act, further providing for Employment First Oversight Commission.

LABOR AND INDUSTRY.

HB 1839, PN 2280 By Rep. CONKLIN

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in merit system employment, further providing for regulations.

STATE GOVERNMENT.

HB 1885, PN 2448 By Rep. CONKLIN

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, in general provisions relating to corporation bureau and UCC fees, further providing for fee schedule; in incorporation, providing for exemption from certain fees; and imposing penalties.

STATE GOVERNMENT.

HB 1889, PN 2367 By Rep. PASHINSKI

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in weights and measures, further providing for meter required.

AGRICULTURE AND RURAL AFFAIRS.

SB 379, PN 272 By Rep. CONKLIN

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for the prohibition of unauthorized applications.

STATE GOVERNMENT.

RESOLUTIONS REPORTED FROM COMMITTEES

HR 170, PN 1789 By Rep. CONKLIN

A Resolution directing the Joint State Government Commission to establish an advisory committee to conduct a study on the field of artificial intelligence and its impact and potential future impact in Pennsylvania.

STATE GOVERNMENT.

HR 242, PN 2147 By Rep. SOLOMON

A Resolution urging the United States Department of Defense, Defense POW/MIA Accounting Agency to continue its arduous, noble and honorable work of bringing home all prisoners of war and those listed as missing in action.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HR 260, PN 2274 By Rep. CONKLIN

A Resolution designating January 21, 2024, as "AmeriCorps Day" in Pennsylvania.

STATE GOVERNMENT.

HR 261, PN 2282 By Rep. CONKLIN

A Resolution recognizing the Lost 74 and all sailors who ever served aboard the Destroyer USS Frank E. Evans (DD 754).

STATE GOVERNMENT.

HR 267, PN 2314 By Rep. CONKLIN

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

STATE GOVERNMENT.

HR 271, PN 2352 By Rep. SOLOMON

A Resolution urging the Congress of the United States to adequately and immediately replenish the Federal Emergency Management Agency's Disaster Relief Fund.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HR 274, PN 2382 By Rep. CONKLIN

A Resolution recognizing January 13, 2024, as "Korean American Day" in Pennsylvania.

STATE GOVERNMENT.

HR 275, PN 2386

By Rep. SOLOMON

A Resolution designating December 16, 2023, as "Battle of the Bulge Day" in Pennsylvania.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HR 277, PN 2388

By Rep. SOLOMON

A Resolution recognizing December 16, 2023, as "Wreaths Across America Day" in Pennsylvania.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HR 282, PN 2402

By Rep. CONKLIN

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.

STATE GOVERNMENT.

HR 283, PN 2405

By Rep. CONKLIN

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.

STATE GOVERNMENT.

GUESTS INTRODUCED

The SPEAKER. Colleagues, in the rear of the House, our colleague, Representative Venkat, brings some very special guests from his district in Allegheny County. If I could have everyone's attention.

In the rear of the House, we are so grateful and appreciative for the bravery and heroism of Vietnam veteran Cpl. Harry VanRiper, who is here along with his wife, Susan. Corporal VanRiper is one who not only survived war, but survived an explosion that resulted in him losing his left arm and portions of his leg at the young age of 18 years old. He was later awarded the Presidential Unit Citation, the Purple Heart, and most recently, the Martoni Veterans Service Award in Allegheny County. Corporal VanRiper, we are so grateful for your service to our nation. Welcome.

Also, the Chair is in receipt of updated information from Representative Kazeem. In the rear of the House, we are so grateful to have students from Toby Farms STEM Academy and the Edgmont Scholars, eighth grade students from the Chester Upland School District who just arrived. Will you please stand. We are so glad to have you students here in the hall of the House.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1278, PN 2303**, 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 1058, PN 1471**, with information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

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

HB 1058, PN 1471

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, further providing for definitions and for notice and hearing.

SB 607, PN 657

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.

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

LEAVES OF ABSENCE

The SPEAKER. Are there requests for leaves of absence?
The Chair recognizes the majority whip, who indicates there are none.
The Chair recognizes the minority whip, who indicates there are none.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—203

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

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.

RULES COMMITTEE MEETING

DEMOCRATIC CAUCUS

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

Mr. SCHLOSSBERG. Thank you, Madam Speaker.

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

House Democrats will caucus at 12:30. We will be prepared to return to the floor at 2:30.

The SPEAKER. The Chair thanks the gentleman.

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

REPUBLICAN CAUCUS

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

Mr. DUNBAR. Thank you, Madam Speaker.

Republicans will also caucus at 12:30. Republicans will caucus at 12:30.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

EDUCATION COMMITTEE MEETING

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

Mr. SCHWEYER. Thank you, Madam Speaker.

The House Education Committee will hold a voting meeting immediately in room 515 of the Irvis Office Building. We will be considering six bills: HB 1542, HB 1686, HB 1743, HB 1745, HB 1875, and for good measure, HB 1886, and any other business that comes before the committee, of which I expect no more additional business.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Education Committee will hold a voting meeting immediately in room 515 of the Irvis Office Building.

FINANCE COMMITTEE MEETING

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

Mr. SAMUELSON. Thank you, Madam Speaker.

I would like to call a meeting off the floor of the House of the House Finance Committee. This will be a voting meeting, to take place immediately at the first break. We will be considering SB 654 and any other business that may come before the committee. The meeting will be held in room 523, Irvis.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

There will be a meeting of the Finance Committee immediately at the first break in room 523, Irvis.

RECESS

The SPEAKER. The House will stand in recess until 2:30 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 3 p.m.; further extended until 3:15 p.m.

AFTER RECESS

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

CALENDAR**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 140, PN 684**, entitled:

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

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

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

HB 1542, PN 2415 (Amended) By Rep. SCHWEYER

An Act establishing the Electric School Bus Grant Program and the Electric School Bus Grant Program Fund; providing for duties of the Department of Education; and making an appropriation.

EDUCATION.

HB 1686, PN 2416 (Amended) By Rep. SCHWEYER

An Act requiring disclosure of mandatory fees by institutions of higher education.

EDUCATION.

HB 1743, PN 2112 By Rep. SCHWEYER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school directors, further providing for school director training programs.

EDUCATION.

HB 1745, PN 2417 (Amended) By Rep. SCHWEYER

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 classes of income; and providing for 529 savings account employer contribution tax credit.

EDUCATION.

HB 1875, PN 2418 (Amended) By Rep. SCHWEYER

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.

EDUCATION.

HB 1886, PN 2419 (Amended) By Rep. SCHWEYER

An Act providing for the Pennsylvania Promise Pilot Program; prescribing powers and duties of the Pennsylvania Higher Education Assistance Agency; providing for scholarships for tuition and fees, scholarships for room and board and aid for adult reeducation; and establishing the Pennsylvania Promise Pilot Program Fund.

EDUCATION.

SB 654, PN 1294 By Rep. SAMUELSON

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 classes of income.

FINANCE.

BILL REREPORTED FROM COMMITTEE

HB 181, PN 2445 By Rep. BRADFORD

An Act establishing the Family and Medical Leave Program and the Family and Medical Leave Fund; conferring powers and imposing duties on the Department of Labor and Industry; and imposing penalties.

RULES.

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 1278, PN 2303 By Rep. BRADFORD

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

RULES.

GUESTS INTRODUCED

The SPEAKER. Colleagues, we have a very special guest on the floor of the House from the 10th Legislative District. Please join me in welcoming the newest district office team member for our colleague, Representative Brown, Andrew Ankamah, Jr. It is his first time visiting the Capitol. He is seated to the left of the Speaker's rostrum. Let us welcome him. Thank you for your hard work.

RESOLUTIONS

Mr. BELLMON called up **HR 279, PN 2393**, entitled:

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.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—179

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

NAYS—24

Banta	Grove	Leadbeter	Rapp
Borostine	Hamm	Mackenzie, M.	Roae
Borowicz	Jones, M.	Mackenzie, R.	Rossi
D'Orsie	Keefer	Metzgar	Rowe
Fink	Kephart	Owlett	Stehr
Gleim	Krupa	Pickett	Warner

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. RABB called up **HR 224, PN 2061**, entitled:

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.

On the question,
Will the House adopt the resolution?

Ms. **RAPP** offered the following amendment No. **A03201**:

Amend Resolution, page 2, by inserting between lines 6 and 7
WHEREAS, Solar panels have no reliable way of being recycled, so it is essential that panels located on farms only be placed there with bonding and decommissioning requirements so that farmers do not end up paying to have them disposed of at the end of their usable lives; and

Amend Resolution, page 3, lines 13 and 14, by striking out all of said lines and inserting

(4) Methods to facilitate the complementary nature of agrivoltaic farming and solar energy production.

(5) Suggestions for ensuring that recycling or decommissioning requirements are in place for solar panels installed on farms, including possible State legislative solutions, solutions at the municipal level and solutions within individual solar leases;

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

The **SPEAKER**. On that question, the Chair recognizes the gentlelady from Warren County, Representative Rapp.

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

My amendment states that solar panels have no reliable way of being recycled and that it is essential that farmers who chose to put solar panels on their land not be stuck with them when they reach the end of their useable lives. I have worked hard on legislation that would create bonding and decommissioning requirements for solar panels and had worked with many in the industry to come to a product which is agreed upon by many.

If we are studying putting solar panels on farms, it is critical that decommissioning be an important part of the study and conversation. Solar panels do not last forever, and many solar panels end up in landfills now, and farmers should not have to pay to have them disposed of properly.

I would ask for support for my amendment, and thank you, Madam Speaker.

The SPEAKER. The Chair thanks the minority chair of the Health Committee.

Will the House agree to the amendment?

On that question, the Chair recognizes the maker of the resolution, the gentleman from Philadelphia, Representative Rabb.

Mr. RABB. Thank you, Madam Chair.

This is not an agreed-to amendment. I urge a "no" vote.

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 adopt the resolution?

Mr. **KEPHART** offered the following amendment No. **A03202**:

Amend Resolution, page 2, by inserting between lines 6 and 7
WHEREAS, Solar energy is an intermittent source of energy, and the electric grid requires reliable, continuously producing forms of energy to run without disruption; and

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from Clearfield, Representative Kephart.

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

My amendment merely states that solar is an intermittent resource and the electric grid requires reliable, continuously producing energy to run without disruption. I would ask for support for my amendment.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—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	Kinthead	Powell	McClinton,
Donahue	Kinsey	Probst	Speaker

NOT VOTING—0

EXCUSED—0

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

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

Members are reminded, to be recognized, the preferred option for the Chair is that you utilize the high technology. It is very accessible at your seats; very, very accessible at your seat. If you want to be recognized, the Chair may not see you waving in the middle of a vote.

The Chair encourages all members, if you know there is a resolution you would like to speak on, please hit the button. It is very accessible at your seat.

The Chair recognizes the gentleman from Adams, Representative Moul.

Mr. MOUL. Thank you, Madam Speaker.

My apologies; I will consider myself chastised. I have not spoken in quite a while, so I totally forgot about the speak button. I am still getting used to that, but thank you once again.

HR 224 directs the Joint State Government Commission to conduct a study and establish an advisory committee to review, analyze, and report on the opportunities for benefits of agrivoltaic farming systems in Pennsylvania. Respectfully, Madam Speaker, another study is unnecessary. It is already well documented that the only livestock that can successfully coexist with solar panels

without damaging them are sheep, and due to the desire of solar companies to place solar panels in close proximity to each other, cultivating traditional agricultural crops is impossible.

Madam Speaker, along with Chairman Pashinski, I serve on the board of the Center for Rural Pennsylvania. The center is currently conducting not one, but two studies on agrivoltaics. Penn State has installed a utility scale, ground-mounted solar array, using over 150,000 solar panels sited on roughly 500 acres across 3 locations in Franklin County, which provides opportunities to use the site as a living research laboratory for students and faculty. Penn State's Center for Agricultural and Shale Law conducts regular seminars for farmers on this subject, including the basics of solar leasing. Other organizations offer similar educational opportunities for farmers to learn about the impact of agrivoltaics on farmland.

Madam Speaker, even the Department of Agriculture has published guidance for farmers in siting grid scale solar panels. Therefore, a study by the Joint State Government Commission is duplicative and unnecessary, and I urge a "no" vote.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the minority chair of the Agriculture and Rural Affairs Committee.

On that question, the Chair recognizes the maker of the resolution, Representative Rabb.

Mr. RABB. Thank you, Madam Speaker.

For all the reasons that the chairman said, I actually hope that you would support this resolution. Instead of it being considered duplicative, it can be cumulative, so that all the efforts of other entities that are studying this, that are doing pilot projects, etc., can be amassed in a collaborative manner so that the ultimate study can benefit from everything else that has come before it.

So in many ways, this is more collaborative than it is duplicative, and for that reason I urge a "yes" vote on HR 224.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes the gentleman from Somerset, Representative Metzgar.

Mr. METZGAR. Thank you, Madam Speaker.

I genuinely believe and appreciate the work of the good gentleman from Philadelphia; I think that he wants to do great things. But I can save us all a bunch of time and money on this study. The answer is, you cannot do both. You cannot do both. If you use the power of the sun to make photovoltaic energy, you cannot do photosynthesis. The yields are too low. Nobody will do it. That is why they do not do it now. We do not need a study to figure that out. You can only do one; you cannot do both.

Thank you, Madam Speaker.

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

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	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 resolution was adopted.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1700, PN 2231**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for endangerment of public safety official.

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 44, PN 1264**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in human trafficking, further providing for definitions, for the offense of trafficking in individuals and for the offense of patronizing a victim of sexual servitude; in minors, further providing for unlawful contact with minor; and, in domestic and sexual violence victim address confidentiality, further providing for definitions and for persons eligible to apply.

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 414, PN 361**, entitled:

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

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

SUPPLEMENTAL CALENDAR A**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 181, PN 1461**, entitled:

An Act establishing the Family and Medical Leave Program and the Family and Medical Leave Fund; conferring powers and imposing duties on the Department of Labor and Industry; and imposing penalties.

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

Mr. **MACKENZIE** offered the following amendment No. **A00893**:

Amend Bill, page 1, lines 1 through 16; page 2, lines 1 through 19; by striking out all of said lines on said pages and inserting Amending the act of March 4, 1971 (P.L.6, No.2), entitled "An act relating to tax reform and State taxation by codifying and enumerating certain subjects of taxation and imposing taxes thereon; providing procedures for the payment, collection, administration and enforcement thereof; providing for tax credits in certain cases; conferring powers and imposing duties upon the Department of Revenue, certain employers, fiduciaries, individuals, persons, corporations and other entities; prescribing crimes, offenses and penalties," providing for paid family and medical leave tax credit; and establishing the Family and Medical Leave Tax Credit Program.

Amend Bill, page 2, lines 22 through 30; pages 3 through 30, lines 1 through 30; page 31, lines 1 through 5; by striking out all of said lines on said pages and inserting

Section 1. The act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, is amended by adding an article to read:

ARTICLE XVII-M

PAID FAMILY AND MEDICAL LEAVE TAX CREDIT

Section 1701-M. Scope of article.

This article relates to paid family and medical leave tax credits.

Section 1702-M. Definitions.

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

"Business firm." An entity authorized to do business in this Commonwealth and subject to taxes imposed under Article III, IV, VI, VII, VIII, IX or XV.

"Department." The Department of Community and Economic Development of the Commonwealth.

"Federal family and medical leave tax credit." The tax credit authorized under 26 U.S.C. § 45S (relating to employer credit for paid family and medical leave).

Section 1703-M. Family and Medical Leave Tax Credit Program.

(a) Establishment.—The Family and Medical Leave Tax Credit Program is established to supplement, not supplant, existing Federal tax incentives for providing paid family and medical leave to employees.

(b) Information.—To qualify for a tax credit under this article, a business firm must submit information to the department that enables the department to confirm the amount of the Federal family and medical leave tax credit that the business firm has received for providing paid family and medical leave to employees in this Commonwealth.

(c) Application.—The following apply to an application for a tax credit under this article that is submitted to the department by a business firm:

(1) The application must account for the wages paid to employees for which the business firm claimed the Federal family and medical leave tax credit.

(2) The application must be on a form provided by the department.

(3) The department shall consult with the United States Internal Revenue Service as necessary to determine that the business firm provides paid family and medical leave for employees.

(4) The department shall review and approve or disapprove the application.

(d) Notification.—The department shall notify the business firm that the business firm meets the requirements under this article for that fiscal year no later than 60 days after the business firm has submitted the application required under this section.

Section 1704-M. Availability of tax credits.

(a) Application and receipt.—A business firm may:

(1) Apply to the department for a tax credit in accordance with section 1705-M.

(2) Receive a tax credit under this article equal to the amount of the Federal family and medical leave tax credit received for the most recently completed tax year.

(b) Limitations.—Tax credits under this section shall be made available by the department on a first-come, first-served basis within the limitation established under section 1706-M(a).

Section 1705-M. Grant of tax credits.

(a) Tax credit certificate.—In accordance with section 1706-M(a), the department shall grant a tax credit certificate. The following apply:

(1) The certificate may be used against a tax liability owed to the Commonwealth by a business firm that provides proof of receipt of the Federal family and medical leave tax credit in the taxable year in which the paid family and medical leave was granted to an employee in this Commonwealth.

(2) The business firm may apply the credit against any tax due under Article III, IV, VI, VII, VIII, IX or XV, excluding any tax withheld by an employer under Article III.

(b) Limitation.—The tax credit shall not exceed 100% of the total amount of the Federal family and medical leave tax credit received by a

business firm for granting paid family and medical leave to an employee in this Commonwealth for the taxable year in which the paid family and medical leave was granted.

Section 1706-M. Amount of tax credits.

(a) Aggregate amount.—The total aggregate amount of all tax credits approved under this article shall not exceed \$100,000,000 in a fiscal year.

(b) Tax liability.—A tax credit granted for any one taxable year may not exceed the tax liability of a business firm.

(c) Use.—A tax credit not used in the taxable year the paid family and medical leave was granted to an employee in this Commonwealth may not be carried forward or carried back and is not refundable or transferable.

Section 1707-M. Guidelines.

The department, in conjunction with the Department of Revenue, may establish guidelines as necessary to implement this article.

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

On the question,

Will the House agree to the amendment?

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

Mr. MACKENZIE. Thank you, Madam Speaker.

The amendment that is being offered here would mirror a Federal tax credit program to incentivize the expansion of family and medical leave here in the Commonwealth. So the tax credit program that we are mirroring is already in place at the Federal level. It passed the U.S. House with over 400 votes – strong bipartisan support – and was ultimately signed into law by the former President in 2019. What this would do is, we would double that tax credit here in Pennsylvania to further incentivize businesses to offer paid family medical leave.

I think this is a better alternative than the underlying bill, which is a massive tax increase on workers here in the Commonwealth. So as opposed to burdening our workers, our employees, with a tax increase, what this would do is it would give a tax credit to the businesses that offer paid family medical leave to help them offset the cost of a worker who is out for various reasons.

So I think this is a much better avenue, a much better opportunity for us to expand paid family medical leave here in the Commonwealth, and instead of placing the burden on the backs of working Pennsylvanians, this is putting the onus on businesses, incentivizing them to expand their paid family medical leave.

And again, if we go forward with the underlying bill as it is written, any business that has paid family medical leave is going to be getting a huge break. Do we want to give big corporations a big break and shift that burden over to the working Pennsylvanians? The answer is no, and so the amendment that I have offered is the solution to that problem, and again, making it a tax credit instead of a tax increase on working Pennsylvanians. Thank you.

The SPEAKER. The Chair thanks the minority chair of Labor and Industry.

On that question, the Chair recognizes Representative Dawkins, on the amendment.

Mr. DAWKINS. Thank you, Madam Speaker.

I just want to thank the gentle minority chair on bringing this amendment up. As he mentioned, this was offered in committee. This particular amendment would make the paid family and medical care leave completely voluntary, which would rob every

Pennsylvania worker of the benefit if the employer chooses not to offer or cannot afford to offer this.

So I would ask all of our members to oppose this amendment, A00893. Thank you.

The SPEAKER. The Chair thanks the majority chair of Labor and Industry.

Those in favor of the amendment will be voting aye—

And he pressed his button. The Chair apologizes. Autopilot is happening. The Chair apologizes.

On the amendment, the Chair recognizes the gentleman from Lancaster, the minority leader, Representative Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

I understand the urge to get to the vote; I certainly do.

But first of all, I would like to stand up in support of the good gentleman's amendment. He outlined what is a very successful Federal program that already exists, and rather than create a new program and entrust a department that failed us during the COVID pandemic with creating and standing up that program, I think it would be wiser to attach, as he has outlined, to an existing and very successful Federal program on this. So I would urge a "yes" vote.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—100

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

NAYS—103

Abney	Fiedler	Kosierowski	Rabb
Bellmon	Fleming	Krajewski	Rozzi
Benham	Frankel	Krueger	Salisbury
Bizzarro	Freeman	Kulik	Samuelson
Borowski	Friel	Madden	Sanchez
Boyd	Gallagher	Madsen	Sappery
Boyle	Galloway	Malagari	Schlossberg
Bradford	Gergely	Markosek	Schweyer

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

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. HB 181 is temporarily over.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County for a committee announcement, Representative Harris.

Mr. HARRIS. Thank you, Madam Speaker.

Madam Speaker, there will be an immediate meeting of the House Appropriations Committee in the majority caucus room; immediate meeting of the House Appropriations Committee in the majority caucus room. Thank you, Madam Speaker.

The SPEAKER. There will be an immediate meeting of the House Appropriations Committee in the majority caucus room.

The House will be at ease for the purpose of the Appropriations meeting.

The House will come to order. The House will come to order.

CONSIDERATION OF HB 181 CONTINUED

The SPEAKER. The Chair recognizes the majority leader who calls up HB 181, PN 1461, on page 1 of supplemental calendar A.

The clerk will read a summary of the bill.

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

Mr. SCHEMEL offered the following amendment No. A00895:

Amend Bill, page 2, line 17, by striking out all of said line Amend Bill, page 30, lines 12 through 30; page 31, line 1; by striking out all of said lines on said pages

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Franklin County, Representative Schemel.

Mr. SCHEMEL. Thank you, Madam Speaker.

Madam Speaker, this amendment is a simple amendment. It simply takes the limits off of claims after filed, and I would ask for the members' consideration. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes Representative Dawkins on amendment A0895.

Mr. DAWKINS. Thank you, Madam Speaker.

I rise in opposition of A00895. This amendment removes the ability for an individual who has been denied benefits from pursuing justice through the court system. So I would ask the members to oppose this amendment.

The SPEAKER. The Chair thanks the majority chair of Labor and Industry.

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

The following roll call was recorded:

YEAS—101

Table listing names of members who voted 'YEAS' (101 total). Includes Adams, Armanini, Banta, Barton, Benninghoff, Bernstine, Bonner, Borowicz, Brown, M., Cabell, Causer, Cook, Cooper, Cutler, D'Orsie, Davanzo, Delozier, Diamond, Dunbar, Ecker, Emrick, Fee, Fink, Flick, Flood, Fritz, Gaydos, Gillen, Gleim, Gregory, Greiner, Grove, Hamm, Heffley, Hogan, Irvin, James, Jones, M., Jones, T., Jozwiak, Kail, Kaufer, Kauffman, Keefer, Kephart, Kerwin, Klunk, Krupa, Kutz, Kuzma, Labs, Lawrence, Leadbeter, Mackenzie, M., Major, Mako, Maloney, Marcell, Marshall, Mehaffie, Mentzer, Mercuri, Metzgar, Mihalek, Miller, B., Moul, Mustello, Nelson, E., O'Neal, Oberlander, Orbitay, Owlett, Pickett, Rader, Rapp, Rigby, Roae, Rossi, Rowe, Ryncavage, Schemel, Scheuren, Schlegel, Schmitt, Scialabba, Smith, Staats, Stambaugh, Stehr, Stender, Struzzi, Tomlinson, Topper, Twardzik, Warner, Watro, Wentling, White, Williams, C., Zimmerman.

NAYS—102

Table listing names of members who voted 'NAYS' (102 total). Includes Abney, Bellmon, Benham, Bizzarro, Borowski, Boyd, Evans, Fiedler, Fleming, Frankel, Freeman, Friel, Kosierowski, Krajewski, Krueger, Kulik, Madden, Madsen, Rabb, Rozzi, Salisbury, Samuelson, Sanchez, Sappey.

Table listing names of members who were NOT VOTING or EXCUSED. Includes Boyle, Bradford, Brennan, Briggs, Brown, A., Bullock, Burgos, Burns, C Freytiz, Cephas, Cerrato, Cirese, Conklin, Curry, Daley, Davis, Dawkins, Deasy, Dellosa, Donahue, Gallagher, Galloway, Gergely, Giral, Green, Guenst, Guzman, Haddock, Hanbidge, Harkins, Harris, Hohenstein, Howard, Isaacson, Kazeem, Kenyatta, Khan, Kim, Kinkead, Kinsey, Malagari, Markosek, Matzie, Mayes, McAndrew, McNeill, Merski, Miller, D., Mullins, Munroe, Neilson, Nelson, N., O'Mara, Otten, Parker, Pashinski, Pielli, Pisciotano, Powell, Probst, Schlossberg, Schweyer, Scott, Shusterman, Siegel, Smith-Wade-El, Solomon, Steele, Sturla, Takac, Venkat, Vitali, Warren, Waxman, Webster, Williams, D., Young, McClinton, 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. D'ORSIE offered the following amendment No. A00905:

Amend Bill, page 3, lines 26 through 28, by striking out "or was" in line 26, all of line 27 and "separation from employment" in line 28

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

The SPEAKER. On that question, the Chair recognizes the gentleman from York.

Mr. D'ORSIE. Thanks, Madam Speaker.

My amendment, A00905, would simply limit the definition of "covered individual" in this act to people who are currently working in the State.

Thinking logically, providing a wage replacement benefit to someone who has no wages does not really strike me as something that makes a lot of sense. Surely if a claimant is not employed, then they are not on family and medical leave from their employment. I think it is critical that this amendment is adopted, as I would hope we would all agree that wage replacement benefits under this act should be reserved to wage earners.

Thanks, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes Representative Dawkins on amendment A00905.

Mr. DAWKINS. Thank you, Madam Chair.

I rise to oppose amendment A00905. This amendment would prevent individuals who recently became unemployed from receiving paid family and medical leave benefits, even if they have paid into the system and are eligible to receive these benefits. For those reasons I would ask for members to oppose this amendment.

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	
Deloso	Kinthead	Powell	McClinton,
Donahue	Kinsey	Probst	Speaker

NOT VOTING—0

EXCUSED—0

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

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

Mr. **ROWE** offered the following amendment No. **A00907**:

Amend Bill, page 2, by inserting between lines 17 and 18
Section 512. Preemption.

Amend Bill, page 31, by inserting between lines 1 and 2
Section 512. Preemption.

The following apply:

(1) This act shall preempt and supersede any local ordinance or rule concerning the subject matter of this act, including any local ordinance or rule that requires an employer to pay an employee for time that the employee did not work.

(2) This section shall not be construed to preempt:

(i) a mandate enacted by a political subdivision affecting an employee or class of employees of the political subdivision; or

(ii) the terms and conditions of a collective bargaining agreement.

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

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

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

Madam Speaker, this is a very simple amendment. It simply inserts a new section that will preempt local ordinances on the subject matter of the act, specifically as it involves paid leave ordinances.

Madam Speaker, the underlying bill is a very large tax increase on employers and employees. It will create a benefit program for paid family and medical leave. But this burden that it is placing on the private sector, and employers and employees alike, is already going to be enough of a burden, so my amendment intends to eliminate any sort of confusing patchwork of ordinances that might exist on the local level because, Madam Speaker, sweeping policies like these should be made on the State level. We should not have the municipal governments creating different patchworks that just make it harder for employers to do business, any harder than this bill already will.

Madam Speaker, I do want to clarify, this will not apply to a mandate concerning a political subdivision's own employees or the terms of any collective-bargaining agreements.

So, Madam Speaker, I would ask for us to just try to make life a little bit easier on our employers and their employees. Thank you, Madam Speaker.

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

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

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

I rise to oppose amendment A00907. This amendment would essentially rob local governments from enacting paid leave policy, including sick leave. This would likely invalidate any existing paid sick leave policies that exist in Allegheny County or the cities of Pittsburgh and Philadelphia. So I would simply ask folks to oppose.

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?

Ms. FLOOD offered the following amendment No. A00908:

Amend Bill, page 18, by inserting between lines 20 and 21
(3) If the actuarial experience study determines that the premium contribution rate in effect under this subsection is less than the amount necessary to ensure the solvency of the fund, the department shall reduce benefits calculated under section 305 on a pro rata basis by the percentage necessary to ensure continued operation of the program.

Amend Bill, page 18, line 29, by striking out "(3)" and inserting
(4)

Amend Bill, page 18, line 29, by inserting after "rate"
determined under paragraph (1) and the rate of any
benefit reduction implemented under paragraph (3)

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

The SPEAKER. On that question, the Chair recognizes the gentelady from Northampton, Representative Flood.

Ms. FLOOD. Thank you, Madam Speaker.

My amendment provides for a pro rata benefit reduction if the actuarial experience study determines that the contribution rate is not enough to ensure solvency.

When the bill was considered in the Labor and Industry Committee back in June, I asked what would happen if the maximum 1-percent tax rate was reached on workers and there was still not enough money to pay benefits. I was informed at that time that there would be a benefit reduction if the maximum tax did not generate enough revenue.

There is no language in this bill to provide for the benefit reduction, so I am offering this amendment to simply bring the bill in line with what I was told at the committee meeting, and it should not be a controversial issue.

Thank you, Madam Speaker.

The SPEAKER. On that question, the Chair recognizes the gentleman from Philadelphia County, Representative Dawkins.

Mr. DAWKINS. Thank you, Madam Speaker.

I rise in opposition of amendment A00908. Simply, this amendment contradicts the intent of the bill, which requires the contribution to be set via an actuarial assessment sufficient to cover the prescribed benefits. The amendment would reduce benefits if the contributions are not enough to cover the mandated benefits.

For those reasons I ask for a "no" vote.

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?

Mrs. GLEIM offered the following amendment No. A00911:

Amend Bill, page 7, line 26, by inserting after "act."

An employer responsible for providing employment protections under section 308 or coordination of benefits under section 309 may appeal the approval of the claim by sending notice on a form provided by the department within 21 days of notice of the approved claim on the basis that the employee is not eligible for paid family and medical leave benefits under this act. If the employee is found ineligible after a hearing, the department shall attempt to recover any erroneous payments made to the employee in accordance with section 502.

Amend Bill, page 10, line 7, by striking out "a denial of" and inserting
eligibility determinations for
Amend Bill, page 12, line 14, by inserting after "certification."

The claim application shall require employees to certify that the employee notified the current employer of the need for leave in accordance with section 501(d).

Amend Bill, page 23, line 23, by striking out "or verbal"
Amend Bill, page 23, lines 28 through 30, by striking out "practicable," in line 28 and all of lines 29 and 30 and inserting
practicable. Notice under this subsection shall be provided to the employer on a form prescribed by the department and shall include the reasons for requesting leave under this act. The employee shall provide any documentation of the need for leave requested by the employer within three business days unless the employer's request for specific documents or information is prohibited by Federal or State law.

(e) Employer notice to department.—Within 21 days of receipt of written notice from an employee under subsection (d), an employer may notify the department if the employer believes that the employee is not eligible for paid family and medical leave benefits under this act. The notice shall be on a form prescribed by the department and shall be accompanied by any relevant information in the employer's possession. The following apply:

(1) If the department has not determined whether the employee is eligible for benefits when notice from the employer is received, the department shall consider the information provided by the employer when making an eligibility determination.

(2) If the department has already determined that the employee is eligible for benefits, the department shall review its eligibility determination in consideration of the information provided by the employer.

(3) If an employee is determined ineligible after a review in accordance with paragraph (2), the department shall cease benefit payments to the employee and attempt to recover any erroneous payments made to the employee in accordance with section 502.

Amend Bill, page 26, line 5, by striking out "the denial of" and inserting
eligibility for

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

The SPEAKER. On that question, the Chair recognizes the gentlelady from Cumberland County, Representative Gleim.

Mrs. GLEIM. Thank you, Madam Speaker.

HB 181 does not provide any mechanism for an employer to appeal a claim or provide information to the Labor and Industry Department if they believe an employee received leave benefits that were not eligible under the law. So my amendment, 911, allows the employer to appeal the notice of approved claim within 21 days. It aligns this bill with the unemployment comp law that all of us are familiar with.

It also combats the all-too-familiar fraud and abuse that we encountered during our days with COVID. We all know that we had issues under COVID and the UC (unemployment compensation) Law. This amendment just aligns all of those checks and balances that are under that law with this law. It would require notice to the employer to be on a department form with reasons for leave, and requires employees to comply with lawful requests for documentation by the employer.

It also adds a new subsection to allow employers to notify the department after receiving notice from employees if the employer believes the employee is not eligible.

I, please, urge all my colleagues to vote "yes" to this amendment.

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

Mr. DAWKINS. Thank you, Madam Speaker.

I rise in opposition of amendment A00911. Simply put, this creates additional barriers for individuals in the ability to receive these benefits. For those reasons I ask folks to oppose this amendment. Thank you.

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?

Mrs. GLEIM offered the following amendment No. A00918:

Amend Bill, page 24, by inserting between lines 15 and 16

(2) If benefits under this act are paid as the result of a circumstance that is the fault of a recipient, the recipient shall be liable to repay a sum equal to the amount of benefits received as the result of that circumstance and interest at the rate determined by the Secretary of Revenue in accordance with section 806 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, per month or fraction of a month, from 15 days after notice of the overpayment was issued until the sum and any interest are repaid.

Amend Bill, page 24, line 16, by striking out "(2)" and inserting (3)

Amend Bill, page 24, line 19, by inserting after "and" interest at the rate determined by the Secretary of Revenue in accordance with section 806 of The Fiscal Code, per month or fraction of a month, from 15 days after notice of the overpayment was issued until the sum and any interest are repaid, and

Amend Bill, page 24, line 22, by striking out "(3) IF" and inserting

(4) In addition to repayment under paragraph (1) and disqualification under subsection (a), if

Amend Bill, page 24, lines 26 through 29, by striking out "THE DEPARTMENT MAY SEEK REPAYMENT OF BENEFITS FROM" in line 26, all of lines 27 and 28 and "PENALTY IN THE" in line 29 and inserting

in the case of willful misrepresentation, the employee:

(i) Shall be required to pay a penalty in the

Amend Bill, page 25, by inserting between lines 2 and 3

(ii) Is guilty of a summary offense. The

following apply:

(A) Upon conviction, the individual shall be sentenced to pay a fine of not less than \$500 nor more than \$1,500 or to imprisonment for not more than 30 days, or both.

(B) Each false statement, misrepresentation or failure to disclose a material fact shall constitute a separate offense.

(5) The department may collect money owed under paragraph (2), (3) or (4) in the manner provided in section 308.1 of the Unemployment Compensation Law, for the collection of past due contributions.

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

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

Mrs. GLEIM. Thank you, Madam Speaker.

This amendment, 918, adds additional consequences for fault overpayments to more closely mirror the provisions of the UC Law. Again, this combats fraud that we know does happen under the UC Law.

For an overpayment that is the claimant's fault, the claimant will be required to repay the money with interest and may be subject to a property lien. In addition to the above, if the overpayment was the result of willful misrepresentation by the

claimant, the claimant may be charged with a summary offense for each misrepresentation.

So, Madam Speaker, we do need these specific overpayment provisions in place, just like they have in the UC Law. I urge my colleagues for an affirmative vote.

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

Mr. DAWKINS. Thank you, Madam Speaker.

I rise today to oppose amendment A00918. This amendment adds unnecessary penalties under the bill. The department already has the ability to retrieve funds that were paid out incorrectly. So for those reasons I would ask for folks to "no" vote.

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	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	Kazem	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. MACKENZIE offered the following amendment
No. A00929:

Amend Bill, page 13, by inserting between lines 13 and 14
(j) Violation of Federal law.—Benefits under this act shall not be payable to an individual who does not have the legal right or authorization under Federal law to work in the United States. If the department has reasonable cause to suspect that an employee does not have the legal right or authorization under Federal law to work in the United States, the department shall do the following:

(1) Transmit notice to the United States Immigration and Customs Enforcement of a possible violation of 8 U.S.C. § 1324a (relating to unlawful employment of aliens). The notice shall identify the employee and employer and shall include any other relevant information in the department's possession.

(2) Initiate an investigation under the act of October 7, 2019 (P.L.454, No.75), known as the Construction Industry Employee Verification Act, if the employer is a construction industry employer as defined in section 2 of that act.

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

The SPEAKER. The Chair recognizes Representative Mackenzie.

Mr. MACKENZIE. Thank you, Madam Speaker.

This amendment is important to the integrity of the program because it would ensure that benefits are not being paid to illegal or undocumented immigrants who are not authorized to work here in the United States.

Under the current legislation, the criteria basically says that you have to work for a certain period of time and have a qualifying event and then you would be eligible for these benefits, and part of that qualifying criteria is that you could just provide some kind of documentation or contemporaneous proof of wages.

And so as we have seen with individuals that are being misclassified and paid under the table, if we are trying to crack down on worker misclassification, if we are trying to crack down on illegal immigrants who are being abused and human trafficked, being exploited, being paid under the table, this amendment would make sure that that practice is not going to continue here in Pennsylvania. And then also, it would protect— If workers are being taxed, they are being paid a benefit, let us also make sure that they are not being taxed and paying for an illegal immigrant's benefit.

So this amendment is very important to the integrity of the program, and I would ask for a "yes" vote on this amendment.

The SPEAKER. The Chair thanks the gentleman.

GERMANENESS QUESTIONED

The SPEAKER. On that question, the Chair recognizes the gentleman from Allegheny County, the prime sponsor of the bill, Representative Dan Miller.

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

I rise to make a motion.

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

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

I rise to make a motion that amendment A00929 is not germane to HB 181.

The SPEAKER. Representative Miller has raised the question of whether amendment A00929 is germane to the bill.

Under House rule 27, questions of whether or not an amendment is germane to the subject of the bill shall be decided by the House.

On the question,

Will the House sustain the germaneness of the amendment?

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

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

Madam Speaker, House rule 27 requires a proposed amendment to be germane to the subject of the bill or resolution. According to section 402 of Mason's Manual, the question of whether an amendment is germane is determined by whether the amendment is "...relevant, appropriate, and in a natural and logical sequence to the subject matter" of the underlying bill or resolution.

The subject of HB 181 is the creation of the family and medical leave insurance program. The subject of amendment A00929 is the unlawful employment of undocumented workers. Therefore, amendment A00929 is not relevant, appropriate, and in natural and logical sequence to the subject matter of HB 181, which creates the family and medical leave insurance program. As such, this amendment is not germane to the legislation.

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

Mr. MACKENZIE. Thank you, Madam Speaker.

This amendment is most certainly germane to this program that is proposed to be created here today. The explanation that was just given by the gentleman that the amendment is about illegal or undocumented workers is simply inaccurate. What we have seen in similar programs, like the UC program, unemployment compensation here in the State, they have a provision in that program which prevents the payment to illegal or undocumented workers. So when you are creating a program, you need to have safeguards in place. That is what this is. This is a safeguard to the program in the underlying bill. The gentleman is misinterpreting the amendment, and I think it is disingenuous, in my opinion, to say that it is about the employment of those workers. Most certainly we should be stopping the employment of those workers, but also, we should be making sure they are not getting paid benefits from the hardworking, legal Pennsylvanians here in the Commonwealth.

So it is germane, and I would encourage a vote to declare that it is germane to the underlying bill. Thank you.

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

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, I was feeling really good about the progress we were making on considering amendments, but this motion seems a little too convenient.

Madam Speaker, let us talk about what is actually in the amendment and why it would apply. You do not have to look any further but on the second line of the bill, where it specifically says, "...benefits under this act...."

That is what applies.

The good gentleman who made the motion would try to imply that it is only about illegal immigration or undocumented workers. That is simply not true. This is about program integrity. This is about who qualifies for those benefits.

Madam Speaker, as the good chairman, Republican chairman of the Labor Committee has already pointed out, there are lots of integrity provisions in all of our programs. To support this motion that it is not germane is simply saying that this body can no longer do so, and that would be very bad precedent, because I stand with the legal workers here in Pennsylvania, the legal workers that we are going to ask to fund this program, Madam Speaker. That is who we are protecting, that is who is funding the benefits that will be paid, and it is clearly outlined on the second line.

Make no mistake about it: If this safeguard is not put in place, these benefits could be paid out to people who do not legally qualify.

The SPEAKER. Those who believe the amendment is germane will be voting "aye." Those who believe the amendment is not germane will be voting "no."

On the question recurring,

Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

YEAS—101

Adams	Gaydos	Lawrence	Rigby
Armanini	Gillen	Leadbeter	Roae
Banta	Gleim	Mackenzie, M.	Rossi
Barton	Gregory	Mackenzie, R.	Rowe
Benninghoff	Greiner	Major	Ryncavage
Bernstine	Grove	Mako	Schemel
Bonner	Hamm	Maloney	Scheuren
Borowicz	Heffley	Marcell	Schlegel
Brown, M.	Hogan	Marshall	Schmitt
Cabell	Irvin	Mehaffie	Scialabba
Causar	James	Mentzer	Smith
Cook	Jones, M.	Mercuri	Staats
Cooper	Jones, T.	Metzgar	Stambaugh
Cutler	Jozwiak	Mihalek	Stehr
D'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	Sappey
Boyle	Gallagher	Malagari	Schlossberg
Bradford	Galloway	Markosek	Schweyer
Brennan	Gergely	Matzie	Scott
Briggs	Giral	Mayes	Shusterman
Brown, A.	Green	McAndrew	Siegel
Bullock	Guenst	McNeill	Smith-Wade-El
Burgos	Guzman	Merski	Solomon
Burns	Haddock	Miller, D.	Steele
C Freytiz	Hanbidge	Mullins	Sturla
Cephas	Harkins	Munroe	Takac
Cerrato	Harris	Neilson	Venkat
Ciresi	Hohenstein	Nelson, N.	Vitali
Conklin	Howard	O'Mara	Warren
Curry	Isaacson	Otten	Waxman
Daley	Kazeem	Parker	Webster
Davis	Kenyatta	Pashinski	Williams, D.
Dawkins	Khan	Pielli	Young
Deasy	Kim	Pisciottano	
Delloso	Kinthead	Powell	McClinton,
Donahue	Kinsey	Probst	Speaker

NOT VOTING—0

EXCUSED—0

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

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

Mr. **ECKER** offered the following amendment No. **A03212**:

Amend Bill, page 2, line 1, by striking out "Contributions" and inserting
Funding

Amend Bill, page 8, lines 26 through 30, by striking out "Provide information to employees and employers on" in line 26, all of lines 27 through 29 and "(3)" in line 30

Amend Bill, page 9, line 5, by striking out "(4)" and inserting
(3)

Amend Bill, page 9, line 8, by striking out "(5)" and inserting
(4)

Amend Bill, page 9, line 12, by striking out "(6)" and inserting
(5)

Amend Bill, page 9, line 13, by striking out "(7)" and inserting
(6)

Amend Bill, page 9, lines 13 and 14, by striking out "PAYROLL PREMIUM CONTRIBUTIONS AND MAXIMUM EMPLOYEE CONTRIBUTIONS" and inserting
funding needed

Amend Bill, page 9, line 16, by striking out "(8)" and inserting
(7)

Amend Bill, page 9, line 18, by striking out "(9)" and inserting
(8)

Amend Bill, page 9, line 19, by striking out "(10)" and inserting
(9)

Amend Bill, page 9, line 23, by striking out "(11)" and inserting
(10)

Amend Bill, page 9, line 25, by striking out "(12)" and inserting

(11)

Amend Bill, page 9, line 27, by striking out "(13)" and inserting
(12)

Amend Bill, page 9, line 29, by striking out "(14)" and inserting
(13)

Amend Bill, page 10, line 2, by striking out "(15)" and inserting
(14)

Amend Bill, page 10, line 4, by striking out "(16)" and inserting
(15)

Amend Bill, page 17, lines 28 through 30; page 18, lines 1 through 30; page 19, lines 1 through 10; by striking out all of said lines on said pages and inserting

Section 306. Funding.

(a) Actuarial experience study.—

(1) No later than March 15 each year, the department shall issue an actuarial experience study, which shall take into account all available data and shall include an estimate of the cost to administer the program and pay benefits under this act for the next fiscal year.

(2) Each actuarial report under paragraph (1) shall be submitted to:

(i) The chairperson and minority chairperson of the Appropriations Committee of the Senate.

(ii) The chairperson and minority chairperson of the Appropriations Committee of the House of Representatives.

(b) Appropriation.—The amount of annual funding for the program shall be determined by the General Assembly in an annual appropriation.

Amend Bill, page 26, lines 16 and 17, by striking out "from employee payroll premium contributions paid" and inserting
appropriated

Amend Bill, page 27, lines 20 through 22, by striking out all of said lines and inserting

(iv) The amount of money appropriated for the current and previous fiscal years and the projected cost of the program for the next three fiscal years.

Amend Bill, page 27, line 24, by striking out "calendar" and inserting

fiscal

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

The **SPEAKER**. On that question, the Chair recognizes the maker of the amendment, the gentleman from Adams, Representative Ecker.

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

Madam Speaker, let us get straight to the point. This amendment gets rid of a \$4 billion tax that will be imposed on every working family in Pennsylvania; \$4 billion. Families in my district are already struggling.

They are hurting with the all-time-high inflation; each trip to the grocery store costs them more money. The last thing they need is another tax.

This amendment would do away with this tax and put the proposal back on us to have the financial burden to determine whether or not this should be funded out of our General Fund, but not on the backs of hardworking Pennsylvania families. A vote against this amendment today is a vote for a new tax on workers, a vote that puts Pennsylvania families in peril. That is why I would ask you to support this amendment and protect Pennsylvania families.

Thank you, Madam Speaker.

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

Mr. DAWKINS. Thank you, Madam Speaker.

I rise in opposition to A03212. This amendment would no longer require each employer or employee to pay into a system, and it would be unclear how that program would be funded. But what the gentleman stated is around families in his community that need more funding. I would simply suggest that we should maybe raise the minimum wage so those families could have a little bit more money to put into their coffers. So I ask you to oppose this amendment.

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	Oritay	Watro
Fee	Krupa	Owlett	Wentling
Fink	Kutz	Pickett	White
Flick	Kuzma	Rader	Williams, C.
Flood	Labs	Rapp	Zimmerman
Fritz			

NAYS—102

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

NOT VOTING—0

EXCUSED—0

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

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

Mr. DAWKINS offered the following amendment
No. A03247:

Amend Bill, page 1, line 1, by striking out "Insurance"
Amend Bill, page 1, line 2, by striking out "Insurance"
Amend Bill, page 1, line 10, by striking out "Insurance"
Amend Bill, page 1, line 11, by striking out "Insurance"
Amend Bill, page 1, line 13, by striking out "insurance"
Amend Bill, page 2, by inserting between lines 4 and 5
Section 310. Employer waiver to use private plan.
Amend Bill, page 2, line 12, by striking out "Insurance"
Amend Bill, page 2, line 26, by striking out "Insurance"
Amend Bill, page 2, line 29, by striking out "insurance"
Amend Bill, page 3, line 1, by striking out "insurance"
Amend Bill, page 3, line 6, by striking out "insurance"
Amend Bill, page 3, line 14, by striking out "insurance"
Amend Bill, page 3, by inserting between lines 14 and 15
"Attesting third party." A law enforcement official, licensed
health care professional, licensed social worker, victim advocate or
victim service provider.
"Authorized reason for leave for a qualifying act of violence."
Any of the following:

- (1) To seek or obtain medical attention, rehabilitative services, accessibility equipment or other treatment related to a physical or mental injury or disability caused or aggravated by the applicable qualifying act of violence.
 - (2) To recover from a physical or mental injury or disability caused or aggravated by the applicable qualifying act of violence.
 - (3) To seek or obtain services from a victim service provider in relation to the applicable qualifying act of violence.
 - (4) To seek or obtain mental health treatment or other counseling in relation to the applicable qualifying act of violence.
 - (5) To relocate or engage in the process of securing a new residence due to the applicable qualifying act of violence, including securing temporary or permanent housing or enrolling children in a new school.
 - (6) To seek or obtain financial services or meet with a financial professional to address financial issues resulting from the applicable qualifying act of violence.
 - (7) To seek, obtain or provide child care or care to a care-dependent adult necessary as a result of the applicable qualifying act of violence.
 - (8) To seek or obtain legal services related to or resulting from the applicable qualifying act of violence.
 - (9) To prepare for, participate in or attend a civil, administrative or criminal legal proceeding relating to or resulting from the applicable qualifying act of violence.
 - (10) To make modifications to a home or vehicle necessary to create usability of and accessibility to the home or vehicle due to an injury sustained in a qualifying act of violence.
 - (11) To take any other action necessary to protect or restore physical, mental, emotional or economic well-being as a result of the applicable qualifying act of violence.
- Amend Bill, page 3, line 16, by striking out "as" and inserting

for
 Amend Bill, page 3, line 16, by striking out "insurance"
 Amend Bill, page 3, line 19, by striking out "Insurance"
 Amend Bill, page 4, by inserting between lines 21 and 22
 "Domestic violence." The occurrence of any of the following
 acts between family or household members as defined in 23 Pa.C.S. §
 6102(a) (relating to definitions):

(1) Intentionally, knowingly or recklessly causing, or
 attempting to cause, bodily injury, serious bodily injury or sexual
 violence.

(2) Placing another individual in reasonable fear of
 imminent serious bodily harm.

(3) An act of domestic and other violence as defined in
 55 Pa. Code § 3041.3 (relating to definitions).

(4) The infliction of false imprisonment under 18
 Pa.C.S. § 2903 (relating to false imprisonment).

"Eligible employee." An employee who meets the requirements
 of section 303(b)(1) and (2).

Amend Bill, page 5, line 28, by striking out "insurance"

Amend Bill, page 5, line 30, by striking out "Insurance"

Amend Bill, page 6, line 16, by striking out "Insurance"

Amend Bill, page 6, by inserting between lines 17 and 18

"Qualifying act of violence." An act, conduct or pattern of
 conduct that could constitute any of the following, regardless of
 whether anyone is arrested or charged with committing a crime:

(1) Domestic violence.

(2) Sexual violence.

(3) Stalking.

(4) An act or conduct in which a person uses force to
 cause or attempt to cause physical or mental injury to another.

For purposes of this paragraph, the act or conduct does not
 include an act or conduct arising out of the ownership,
 maintenance or use of a motor vehicle, except when the person
 engaging in the act or conduct:

(i) intended to cause, or intended to threaten to
 cause, physical or mental injury; or

(ii) was under the influence of alcohol or a
 controlled substance.

(5) An act or conduct in which a person makes a
 reasonably perceived or actual threat of physical or mental injury
 to another. For purposes of this paragraph, the act or conduct
 does not include an act or conduct arising out of the ownership,
 maintenance or use of a motor vehicle, except when the person
 engaging in the act or conduct:

(i) intended to cause, or intended to threaten to
 cause, physical or mental injury; or

(ii) was under the influence of alcohol or a
 controlled substance.

Amend Bill, page 6, by inserting between lines 21 and 22

"Retaliatory personnel action." As follows:

(1) Any threat, discipline, discharge, suspension,
 demotion, reduction of hours or other adverse action taken
 against an employee for exercising the rights and protections
 afforded by this act.

(2) The term includes interference with or punishment
 for participating in or acting on a complaint or appeal under this
 act.

Amend Bill, page 6, by inserting between lines 27 and 28

"Sexual violence." As defined in 42 Pa.C.S. § 62A03 (relating to
 definitions).

"Stalking." Conduct in which an individual does any of the
 following:

(1) Engages in a course of conduct or repeatedly
 commits acts toward another individual, including following the
 other individual without proper authority:

(i) under circumstances which demonstrate
 either an intent to place the other individual in reasonable
 fear of bodily injury or to cause substantial emotional

distress to the other individual; or

(ii) which, as a result, intentionally, knowingly
 or recklessly places the other individual in reasonable
 fear of bodily injury or causes substantial emotional
 distress to the other individual.

(2) Engages in a course of conduct or repeatedly
 communicates to another individual:

(i) under circumstances which demonstrate or
 communicate either an intent to place the other
 individual in reasonable fear of bodily injury or to cause
 substantial emotional distress to the other individual; or

(ii) which, as a result, intentionally, knowingly
 or recklessly places the other individual in reasonable
 fear of bodily injury or causes substantial emotional
 distress to the other individual.

Amend Bill, page 7, by inserting between lines 5 and 6

"Victim." Any of the following:

(1) An individual against whom a qualifying act of
 violence was committed.

(2) An individual who was physically present at the
 scene of a qualifying act of violence and witnessed the qualifying
 act of violence, who did not commit the qualifying act of
 violence and who as a direct result:

(i) suffers physical or mental injury; or

(ii) reasonably believes that the individual is
 under the threat of physical harm.

"Victim advocate." An individual, whether paid or serving as a
 volunteer, who provides services to victims under the auspices or
 supervision of a victim service provider, a court or law enforcement or
 prosecution agency.

"Victim service provider." As follows:

(1) An agency or organization that provides services to
 victims.

(2) The term includes:

(i) A rape crisis center as defined in 42 Pa.C.S. §
 5945.1(a) (relating to confidential communications with
 sexual assault counselors).

(ii) A domestic violence program as defined in
 23 Pa.C.S. § 6102(a).

(iii) An agency or organization with a
 documented history of providing services to victims.

Amend Bill, page 7, line 9, by striking out "INSURANCE"

Amend Bill, page 7, line 10, by striking out "Insurance"

Amend Bill, page 7, line 14, by striking out "Insurance"

Amend Bill, page 7, line 15, by striking out "No" and inserting

Except as provided under section 310, no

Amend Bill, page 7, line 17, by striking out "insurance"

Amend Bill, page 7, line 20, by striking out "and" and inserting a
 comma

Amend Bill, page 7, line 22, by inserting after "condition"
 and any certification required from a victim of a qualifying act
 of violence to support a claim

Amend Bill, page 8, line 27, by striking out "premium"

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

Amend Bill, page 9, line 25, by striking out "any and"

Amend Bill, page 10, line 7, by striking out "insurance"

Amend Bill, page 10, line 8, by inserting after "benefits"

, denial of a waiver under section 310, denial of family and
 medical leave benefits provided through a private plan under section
 310

Amend Bill, page 10, line 17, by striking out "insurance"

Amend Bill, page 11, by inserting between lines 6 and 7

(6) Is a victim of a qualifying act of violence or is caring
 for a family member who is a victim of a qualifying act of
 violence and is taking leave for an authorized reason for leave for
 a qualifying act of violence.

Amend Bill, page 11, line 9, by striking out "have"

Amend Bill, page 11, line 10, by striking out "Worked" and

inserting

Have worked

Amend Bill, page 11, line 12, by striking out "Earned" and inserting

Have earned

Amend Bill, page 11, by inserting between lines 19 and 20

(3) Not be employed by an employer that has been issued a waiver under section 310.

Amend Bill, page 12, line 8, by striking out "cannot" and inserting

may not

Amend Bill, page 12, line 14, by inserting after "certification" or qualifying act of violence certification

Amend Bill, page 12, line 19, by striking out "and (4) that justify" and inserting

or (4) that justifies

Amend Bill, page 12, line 29, by striking out "SHALL" and inserting

may

Amend Bill, page 13, by inserting between lines 1 and 2

(g) Qualifying act of violence certification.—The department may require that an employee, within a reasonable period after the absence, provide documentation that the employee or family member of the employee is a victim of a qualifying act of violence. The following apply:

(1) The employee may satisfy the certification requirement by providing to the department any of the following:

(i) A copy of a valid court order that restrains the person alleged to have committed the qualifying act of violence from contact with the employee or family member of the employee.

(ii) Medical or mental health records indicating that the employee or family member of the employee is a victim of a qualifying act of violence.

(iii) A police report documenting the act of which the employee or family member of the employee is a victim of a qualifying act of violence.

(iv) Evidence that the person alleged to have committed the qualifying act of violence has been charged with or convicted of an act of which the employee or family member of the employee is a victim.

(v) A written certification signed by an attesting third party that affirms that the employee or family member of the employee is a victim of a qualifying act of violence.

(vi) Any other form of documentation that reasonably verifies that the employee or family member of the employee is a victim of a qualifying act of violence, including a written statement signed by the employee or an individual authorized to act on behalf of the employee.

(2) Furnishing documentation or providing a certification under this subsection shall not waive any confidentiality or privilege that may exist between the employee or victim and a third party.

(3) The department may not require:

(i) That the employee provide a certification that explains the details of the qualifying act of violence.

(ii) Disclosure of details relating to a qualifying act of violence or the details of the medical condition of the employee or family member of the employee as a condition of providing leave under this act.

(4) All information provided to the department under this subsection shall be retained in the strictest confidence by the department, except to the extent that disclosure is:

(i) requested or consented to in writing by the employee; or

(ii) otherwise required by applicable Federal or

State law, in which case the department shall provide the employee notice prior to any authorized disclosure.

Amend Bill, page 13, line 2, by striking out "(G)" and inserting

(h)

Amend Bill, page 13, line 7, by striking out "(H)" and inserting

(i)

Amend Bill, page 13, line 8, by inserting after "AN" eligibility

Amend Bill, page 13, line 10, by striking out "(I)" and inserting

(j)

Amend Bill, page 13, line 17, by striking out "or" and inserting a comma

Amend Bill, page 13, line 17, by inserting after "(3)" or (6)

Amend Bill, page 13, line 22, by striking out "cannot" and inserting

may not

Amend Bill, page 16, line 26, by striking out all of said line and inserting

dependents.

(ix) The amount of any

Amend Bill, page 17, line 19, by striking out "insurance"

Amend Bill, page 17, line 22, by striking out "insurance"

Amend Bill, page 18, line 2, by striking out "premium"

Amend Bill, page 18, line 3, by striking out "premium"

Amend Bill, page 18, line 5, by striking out "any"

Amend Bill, page 18, line 6, by striking out "premium"

Amend Bill, page 18, line 7, by striking out "premium"

Amend Bill, page 18, line 11, by striking out "PREMIUM"

Amend Bill, page 18, line 13, by inserting after "ALL" applicable

Amend Bill, page 18, line 18, by striking out "premium"

Amend Bill, page 18, line 29, by striking out "premium"

Amend Bill, page 19, by inserting between lines 1 and 2

(4) An employer may deduct up to 50% of the contribution required for an employee by this section from that employee's wages and shall remit 100% of the contribution required by this section from both the employer and those employees to the fund, as follows:

(i) An employer with fewer than 15 employees may deduct up to 50% of the contribution required for an employee by this section from that employee's wages and shall remit 50% of the contribution required by this section to the fund.

(ii) To determine an employer's number of employees under this subsection, all of an employer's employees shall be counted, including full-time, part-time and temporary in-State employees and all out-of-State employees.

Amend Bill, page 19, line 4, by striking out "premium"

Amend Bill, page 19, line 5, by striking out "An" and inserting

Except for an employer issued a waiver under section 310, an

Amend Bill, page 19, line 6, by striking out "premium"

Amend Bill, page 19, line 17, by striking out "insurance"

Amend Bill, page 19, line 20, by striking out "shall" and inserting may

Amend Bill, page 19, line 27, by striking out "Any" and inserting A

Amend Bill, page 20, line 8, by striking out "was"

Amend Bill, page 20, line 18, by striking out "shall" and inserting may

Amend Bill, page 21, lines 3 through 9, by striking out all of said lines

Amend Bill, page 22, by inserting between lines 18 and 19 Section 310. Employer waiver to use private plan.

(a) Waiver.—An employer may apply to the department for a waiver to meet the employer's obligations under this chapter through a private plan. The application shall be submitted on a form and in a

manner prescribed by the department. The department may approve a private plan and issue a waiver under this section if a private plan confers at least all of the same rights, protections and benefits provided to employees under this chapter and if the employer provides evidence that it has in effect a self-funded plan governed under the Employee Retirement Income Security Act of 1974 (Public Law 93-406, 88 Stat. 829) or an insurance policy issued by an entity that has a certificate of authority to do the business of insurance as required by section 208 of the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921. The private plan shall comply with all of the requirements under this chapter, including the following:

- (1) Benefits to a covered individual under section 303(a)(1), (3) and (6) for the maximum number of weeks required under section 304(a) in a benefit year.
- (2) Benefits to a covered individual under section 303(a)(2), (4) and (5) for the maximum number of weeks required under section 304(b) in a benefit year.
- (3) Covered individuals, in the aggregate, the maximum number of weeks of benefits in a benefit year as required under section 304(c).
- (4) A weekly wage replacement rate for each week of benefits of the amount required by section 305(a).
- (5) A maximum weekly benefit for each week of benefits of the amount specified in section 305(b).
- (6) Payment of benefits in accordance with section 303(f) and (i).
- (7) The allowance of leave and benefits to be taken intermittently or on a reduced schedule as authorized by section 307.
- (8) For the adjustment of the maximum benefit cap in accordance with the notice published annually in the Pennsylvania Bulletin under section 305(c).
- (9) That no additional conditions or restrictions on the use of leave or benefits beyond those explicitly authorized by this act or regulations promulgated under this act shall be imposed.
- (10) An employee covered under the private plan who is eligible to receive benefits under this act, with benefits under the private plan.
- (11) That the cost to employees covered by a private plan shall not be greater than the cost charged to employees under section 306(c) and posted on the department's publicly accessible Internet website under section 306(c)(3).
- (12) Coverage consistent with section 303(b)(1) and (2).

(b) Construction.—Nothing in this act shall prohibit an employer from providing benefits greater than those listed in subsection (a).

(c) Additional employer duties.—To be eligible for a waiver under subsection (a), an employer shall meet all of the following requirements:

- (1) If the private plan is in the form of self-funded coverage, an employer must furnish a bond running to the Commonwealth, issued by an entity authorized to transact surety business in this Commonwealth under Article VI(e) of the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921. The form of surety shall be on a form approved by the Insurance Department and in an amount required by the department.
- (2) The private plan shall provide for all eligible employees throughout the employee's period of employment.
- (3) An employer that provides a private plan under this section shall provide each employee with a notice of the availability of the program. The notice shall be provided to each employee within five days of approval of a waiver, upon hire and annually thereafter.

(d) Additional documentation to be submitted upon approval.—Upon approval of an application for an exemption:

- (1) The employer shall provide to the department all reports required by regulations promulgated by the department.
- (2) If an exemption is based on the employer having a

self-funded plan, the employer shall provide satisfactory evidence of maintenance of the form of surety as required by the department under subsection (c)(1).

(e) Termination of waiver.—The department may terminate approval to use a private plan granted under subsection (a) if the secretary finds that the terms and conditions have been violated or that the employer or private plan has failed to confer any right, protection or benefit afforded to employees under this chapter. The department shall be required to notify an employer of a terminated waiver. Causes for termination of a waiver shall include:

- (1) failure to pay benefits;
- (2) failure to pay benefits timely and in a manner consistent with the program;
- (3) failure to maintain an adequate security deposit;
- (4) misuse of private plan trust funds;
- (5) failure to submit any and all reports as required by regulations promulgated by the department; or
- (6) failure to comply with this section or regulations promulgated by the department.

(f) Appeal.—If the secretary terminates a waiver for a private plan under subsection (e), the employer shall have the ability to appeal the decision of the secretary through the regulatory process established under section 302.

(g) Protections and enforcement.—An employee covered under a private plan shall retain all employee protections under section 308 and enforcement procedures and the appeals process under section 302(c). The following shall apply:

- (1) Applicable enforcement procedures and the appeals process for benefits by an employer-funded plan shall be subject to an appeal under section 302(c).
- (2) Applicable enforcement procedures and the appeals process for benefits by an insurance policy shall be subject to review as outlined in the policy of insurance and applicable insurance law.
- (3) If all appeals under the policy of insurance have been exhausted, an individual may appeal to the department on a form and in a manner prescribed by the department.

Amend Bill, page 22, line 22, by striking out "Upon" and inserting

Except for an employer that has been issued a waiver under section 310, upon

Amend Bill, page 23, lines 11 and 12, by striking out "for violations" and inserting

alleging a violation

Amend Bill, page 26, line 12, by striking out "Insurance"

Amend Bill, page 26, line 14, by striking out "Insurance"

Amend Bill, page 26, line 16, by striking out "premium"

Amend Bill, page 27, line 20, by striking out "premium"

Amend Bill, page 28, line 23, by striking out "Insurance"

Amend Bill, page 28, by inserting after line 30

(3) The Insurance Commissioner or a designee.

Amend Bill, page 29, line 1, by striking out "(3)" and inserting

(4)

Amend Bill, page 29, line 3, by striking out "(4)" and inserting

(5)

Amend Bill, page 29, line 6, by striking out "(5)" and inserting

(6)

Amend Bill, page 30, line 3, by striking out "303(G)" and inserting

303(i)

Amend Bill, page 30, line 4, by striking out "SHALL" and inserting

may

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the majority chair of Labor and Industry, Representative Dawkins.

Mr. DAWKINS. Thank you, Madam Speaker.

Here is an amendment you all can vote for. This amendment would make a few substantial changes to this policy. First, it would split the costs of the program equally between the employees and employers. Paid family and medical leave is a benefit for workers and businesses alike; therefore, this amendment shares the cost of the program between the two entities.

It is important to note that this amendment exempts businesses with fewer than 15 employees. We have heard your concerns and we have added that into this amendment for the portion of the contribution which helps the local small businesses; however, the workers would still contribute into the program and receive the benefits when they are eligible. This is an important provision because it is these local businesses that we find most difficult to afford paid family and medical leave for their employees, even if they want to do it, and HB 181, it keeps them competitive with big business.

Additionally, employers who choose to be will be allowed to provide the same better paid family medical benefits for their employees through the use of a private insurance plan or self-funded coverage.

Finally, survivors of domestic violence, which I heard a lot today about, would be eligible for leave under the program. Most States with paid family or medical leave programs provided this important benefit.

With that, I would ask all members of the House to support amendment A03247. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes the gentleman from York, Representative Grove.

Mr. GROVE. Thank you, Madam Speaker.

Would the prime sponsor of the amendment stand for brief interrogation?

The SPEAKER. The gentleman declines.

Mr. GROVE. Thank you, Madam Speaker.

I was trying to ascertain whether the Commonwealth of Pennsylvania is an employer underneath that amendment. If so, the Commonwealth of Pennsylvania would actually incur costs; thus, the fiscal note attached to this amendment would actually be incorrect, stating that there would be no costs incurred to the Commonwealth.

Due to this and the unknown nature, since nobody seems to want to actually answer questions around here these days, I will be a "no" vote on this amendment. Thank you.

The SPEAKER. The Chair thanks the minority Appropriations chair.

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

Ms. MIHALEK. Thank you, Madam Speaker.

I rise today to support the spirit of amendment A03247. Victims of domestic abuse often lose, on average, 137 work hours every year in the United States. These victims may take off work to seek medical attention, seek counseling services, attend PFA (protection-from-abuse) proceedings, or relocate to safety. Last session I worked on the domestic violence employment leave act, which would have accomplished many of the same goals of this amendment. It would have strengthened many of the weaknesses in Pennsylvania law as it pertains to victims. This amendment is

much broader than the legislation that I worked on, but I support the spirit of the amendment to protect victims of domestic violence, victims of sexual violence, and stalking.

I plan to work with my colleagues in the Senate, as this bill moves through the legislative process, to ensure that we do not punish Pennsylvania businesses and workers, while at the same time protecting victims.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentlelady.

On that question, the Chair recognizes the gentleman from Lehigh, Representative Mackenzie.

Mr. MACKENZIE. Thank you, Madam Speaker.

I find this amendment particularly problematic in the sense that the underlying bill says that somebody who would qualify for this program would not be eligible for workers' comp or UC benefits.

Under current law, because of case law – it needs to be cleaned up and improved in our UC statute. But with case law, individuals who are victims of domestic violence can qualify for unemployment compensation benefits. This would now deem them ineligible for that, and they would only be eligible for 20 weeks of benefits under this current proposal. In UC, they would be eligible for 26 weeks of benefits. So this is actually a cut for victims of domestic violence in the number of weeks that they would be eligible for benefits. That is despicable, that we are actually here considering an amendment that would cut the number of weeks of benefits that a victim of domestic violence could get.

I cannot even fathom why we would consider such an amendment, and I encourage a "no" vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—109

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

NAYS—94

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	Ryncavage
Bonner	Greiner	Mako	Schemel
Borowicz	Grove	Maloney	Scheuren
Brown, M.	Hamm	Marcell	Schlegel
Cabell	Heffley	Marshall	Schmitt
Causar	Irvin	Mentzer	Scialabba
Cook	James	Mercuri	Smith
Cooper	Jones, M.	Metzgar	Staats
Cutler	Jones, T.	Miller, B.	Stambaugh
D'Orsie	Jozwiak	Moul	Stehr
Davanzo	Kail	Mustello	Stender
Delozier	Kaufer	Nelson, E.	Struzzi
Diamond	Kauffman	O'Neal	Topper
Dunbar	Keefer	Oberlander	Twardzik
Ecker	Kephart	Ortitay	Warner
Emrick	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. The bill as amended will be reprinted.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 527, PN 1265**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in theft and related offenses, further providing for definitions.

On the question,

Will the House agree to the bill on second consideration?

Mr. **BRIGGS** offered the following amendment No. **A03220**:

Amend Bill, page 1, line 6, by striking out "DEFINITIONS" and inserting the offense of theft of mail

Amend Bill, page 1, lines 9 through 19; pages 2 and 3, lines 1 through 30; page 4, line 1; by striking out all of said lines on said pages and inserting

Section 1. Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 3936. Theft of mail.

(a) Unlawful taking.—A person is guilty of the offense of theft of

mail if the person unlawfully takes, or exercises unlawful control over, mail of another person with intent to deprive the other person of mail.

(b) Unlawful transfer.—A person is guilty of the offense of theft of mail if the person unlawfully transfers, or exercises unlawful control over, mail of another person or an interest in mail of the other person with intent to benefit the person or another person not entitled to the mail or interest in the mail.

(c) Grading.—

(1) Theft of mail constitutes a:

(i) Summary offense if the offense is a first offense and the value of the mail is less than \$200.

(ii) Misdemeanor of the second degree if the offense is a second offense and the value of the mail is less than \$200.

(iii) Misdemeanor of the first degree if the offense is a first or second offense and the value of the mail is \$200 or more.

(iv) Felony of the third degree if the offense is a third or subsequent offense or if the value of the mail exceeds \$2,000.

(2) Amounts involved in thefts of mail committed pursuant to one scheme or course of conduct, whether from the same home or establishment or several homes or establishments, may be aggregated in determining the grade of the offense.

(d) Calculation of prior offenses.—For the purposes of this section, in determining whether an offense is a first, second, third or subsequent offense, the court shall include a conviction, acceptance of Accelerated Rehabilitative Disposition or other form of preliminary disposition occurring before the sentencing on the present violation for an offense under this section, an offense substantially similar to an offense under this section or under the prior laws of this Commonwealth or a similar offense under the statutes of any other state or of the United States.

(e) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Mail." A letter, package, bag, mail or item of value sent or delivered through a private or commercial interstate carrier, including, but not limited to, the United States Postal Service, FedEx Corporation and United Parcel Service.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the majority chair of Judiciary, the gentleman from Montgomery County, Representative Briggs.

Mr. BRIGGS. Thank you, Madam Speaker.

SB 527 is an important topic regarding the problem of porch pirates in our communities that I know we have all heard so much about. The amendment, 3220, brings back the Senate language version, but does make some technical changes to some of the grading levels.

I think this is an amendment that the Senate will agree to, and I urge all the members to be in support of this approach.

Thank you, Madam Speaker.

The SPEAKER. On that question, the Chair recognizes the gentledady from Bucks County, Representative Tomlinson.

Miss TOMLINSON. Thank you, Madam Speaker.

SB 527 is the companion bill to Representative Kristin Marcell and my porch pirates bill, and after speaking with Senator Farry, amendment A03220 is agreed to, and I would kindly ask all of our colleagues for a "yes" vote.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentledady.

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

The following roll call was recorded:

YEAS—197

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

NAYS—6

Cephas	Fiedler	Kinthead	Powell
Dawkins	Khan		

NOT VOTING—0

EXCUSED—0

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

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

Mr. **BRIGGS** offered the following amendment No. **A03222**:

Amend Bill, page 1, line 6, by inserting after "DEFINITIONS" and providing for the offense of theft of mail

Amend Bill, page 4, line 2, by striking out all of said line and inserting

Section 2. Title 18 is amended by adding a section to read:

§ 3936. Theft of mail.

(a) Unlawful taking.—A person is guilty of the offense of theft of mail if the person unlawfully takes, or exercises unlawful control over, mail of another person with intent to deprive the other person of mail.

(b) Unlawful transfer.—A person is guilty of the offense of theft of mail if the person unlawfully transfers, or exercises unlawful control over, mail of another person or an interest in mail of the other person with intent to benefit the person or another person not entitled to the mail or interest in the mail.

(c) Grading.—

(1) Theft of mail constitutes a:

(i) Summary offense if the offense is a first offense and the value of the mail is less than \$150.

(ii) Misdemeanor of the second degree if the offense is a second offense and the value of the mail is less than \$150.

(iii) Misdemeanor of the first degree if the offense is a first or second offense and the value of the mail is \$150 or more.

(iv) Felony of the third degree if the offense is a third or subsequent offense, regardless of the value of the mail.

(v) Felony of the third degree if the amount involved exceeds \$1,000.

(2) Amounts involved in thefts of mail committed pursuant to one scheme or course of conduct, whether from the same home or establishment or several homes or establishments, may be aggregated in determining the grade of the offense.

(d) Calculation of prior offenses.—For the purposes of this section, in determining whether an offense is a first, second, third or subsequent offense, the court shall include a conviction, acceptance of Accelerated Rehabilitative Disposition or other form of preliminary disposition occurring before the sentencing on the present violation for an offense under this section, an offense substantially similar to an offense under this section or under the prior laws of this Commonwealth or a similar offense under the statutes of any other state or of the United States.

Section 3. This act shall take effect in 60 days.

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

AMENDMENT WITHDRAWN

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

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

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

Mr. **BRIGGS** offered the following amendment No. **A03227**:

Amend Bill, page 1, line 6, by inserting after "DEFINITIONS" and providing for the offense of theft of mail

Amend Bill, page 4, line 2, by striking out all of said line and inserting

Section 2. Title 18 is amended by adding a section to read:

§ 3936. Theft of mail.

(a) Unlawful taking.—A person is guilty of the offense of theft of mail if the person unlawfully takes, or exercises unlawful control over, mail of another person with intent to deprive the other person of mail.

(b) Unlawful transfer.—A person is guilty of the offense of theft of mail if the person unlawfully transfers, or exercises unlawful control over, mail of another person or an interest in mail of the other person with intent to benefit the person or another person not entitled to the mail or interest in the mail.

(c) Grading.—Theft of mail constitutes a:

(1) Summary offense if the offense is a first offense.

(2) Misdemeanor of the second degree if the offense is a second offense.

(3) Misdemeanor of the first degree if the offense is a third offense.

(4) Felony of the third degree if the offense is a fourth or subsequent offense.

(d) Calculation of prior offenses.—An offense shall count as a prior offense if the person was sentenced on the offense before commission of the present violation.

Section 3. This act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

AMENDMENTS WITHDRAWN

The **SPEAKER**. It is withdrawn. The Chair thanks the gentleman.

Amendment A03228, withdrawn. The Chair thanks the gentleman.

Amendment A03265, withdrawn. The Chair thanks the gentleman.

On the question recurring,

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

Bill as amended was agreed to.

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

Members, please take your seats. The House will come to order.

BARBARA MOWERY PRESENTED

The **SPEAKER**. We are recognizing this afternoon a longtime, dedicated staff member of the Pennsylvania House Democratic Caucus who is retiring today.

Seated to the left of the Speaker's rostrum, please welcome Barbara "Barb" Mowery, who is retiring after more than 25 years of service to the Pennsylvania House of Representatives.

Barb began her career here as a legislative assistant on August 31, 1998, with then Representative Lawrence Curry. Barb transitioned into a role with support services in March of 2002, where she served with former Representatives Michael Gruitza and David Kessler until November of 2008. In June of 2009 Barb

began her assignment with our former colleague, Chairman Harry Readshaw, whom she worked for and with for more than a decade, and that is where I had the privilege of first meeting Barb, as a member of the chair's committee.

Over the course of her career, she was very instrumental to the success of the annual Ride to Gettysburg and the Civil War Preservation Ball. She was very closely involved in the Pennsylvania Gettysburg Monuments Project. From the beginning of her service, Barb has been a valued and trusted staff member of the House of Representatives, and she will be missed by the members and the staff, both present and former, who worked with her over so many years.

Barb, we cannot thank you enough for your commitment and your dedication to the Pennsylvania House of Representatives, your unwavering professionalism during your time with the House. We wish you nothing but success and happiness as you transition into what some call the golden era. We hope you will not forget about those of us under the dome, especially your current members: Representative Amen Brown, from the 10th Legislative District; Representative Gina Curry, from the 164th Legislative District.

We will all miss you and hope you will stay in touch. Check in on us and make sure we are behaving. Congratulations. Thank you for your service, Barb.

BILLS REREPORTED FROM COMMITTEE

HB 1410, PN 1578

By Rep. HARRIS

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

APPROPRIATIONS.

HB 1585, PN 2323

By Rep. HARRIS

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

APPROPRIATIONS.

HB 1777, PN 2181

By Rep. HARRIS

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.

APPROPRIATIONS.

HB 1833, PN 2301

By Rep. HARRIS

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

APPROPRIATIONS.

SB 429, PN 855

By Rep. HARRIS

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.

APPROPRIATIONS.

SB 497, PN 1270

By Rep. HARRIS

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.

APPROPRIATIONS.

SB 815, PN 1271

By Rep. HARRIS

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; and, in corporate net income tax, further providing for manufacturing innovation and reinvestment deduction.

APPROPRIATIONS.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 284 By Representatives STAMBAUGH, ROWE, GILLEN and ZIMMERMAN

A Resolution directing the Legislative Budget and Finance Committee to conduct a study evaluating Pennsylvania's trespassing laws, including the enforcement of those laws, with the goal of effectively deterring trespassing on private property.

Referred to Committee on JUDICIARY, December 12, 2023.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1909 By Representatives WARNER, CABELL, R. MACKENZIE, BERNSTINE, M. MACKENZIE, DAVANZO and HEFFLEY

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sexual offenses, further providing for the offense of rape and for the offense of involuntary deviate sexual intercourse; and, in sentencing, providing for sentencing procedure for rape of a child and involuntary deviate sexual intercourse with a child and further providing for sentences for offenses against infant persons.

Referred to Committee on JUDICIARY, December 12, 2023.

No. 1910 By Representatives MUNROE, HADDOCK, JOZWIAK, PIELLI, STEELE, SANCHEZ, MADDEN, BRENNAN, BURGOS, McNEILL, BOROWSKI, DONAHUE, DELLOSO, HILL-EVANS, WARREN, WATRO, T. DAVIS, TAKAC, O'MARA, BRIGGS, MALAGARI, KULIK, PROBST, KAZEEM, GERGELY, HANBIDGE, MARKOSEK, DALEY, BOYD, SIEGEL, CERRATO and JAMES

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal pensions, providing for pension service credit for prior service with police department.

Referred to Committee on STATE GOVERNMENT, December 12, 2023.

No. 1911 By Representatives POWELL, D. MILLER, GALLOWAY, RABB, SCHLOSSBERG, PROBST, VENKAT, KINSEY, MADDEN, FREEMAN, BOROWSKI, McNEILL, DONAHUE, SANCHEZ, N. NELSON, HOHENSTEIN, CIRESI, FIEDLER, SMITH-WADE-EL, PARKER, DELLOSO, HILL-EVANS, WARREN and MAYES

An Act amending the act of July 23, 1970 (P.L.563, No.195), known as the Public Employe Relations Act, in strikes, providing for health care benefits during strikes.

Referred to Committee on LABOR AND INDUSTRY, December 12, 2023.

No. 1912 By Representatives CABELL, FLICK, WATRO, KUTZ and ROWE

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

Referred to Committee on TRANSPORTATION, December 12, 2023.

No. 1913 By Representatives STAMBAUGH, KAUFFMAN, R. MACKENZIE, STAATS, PICKETT, GREINER, LEADBETER, JAMES, MARCELL, ECKER, HAMM, JOZWIAK, KAZEEM, T. JONES, ROWE and GILLEN

An Act providing for the annual designation and holiday observance of June 14 as Flag Day, September 17 as Constitution Day and March 4 as Charter Day in this Commonwealth.

Referred to Committee on STATE GOVERNMENT, December 12, 2023.

No. 1914 By Representatives BIZZARRO, MADDEN, SANCHEZ, BOROWSKI, JAMES, DELLOSO, PIELLI, MARSHALL, MATZIE, SCHLOSSBERG, BENNINGHOFF, E. NELSON, FREEMAN, MUSTELLO, GREEN and KAIL

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in sustainable mobility options, further providing for definitions, for fund, for application and approval process, for Federal funding, for coordination and consolidation, for operating program, for asset improvement program, for new initiatives program, for programs of Statewide significance and for program oversight and administration, providing for small purchase procedures and repealing provisions relating to evaluation of private investment opportunities.

Referred to Committee on TRANSPORTATION, December 12, 2023.

No. 1915 By Representatives STAMBAUGH, GLEIM, KAUFFMAN, GREINER, HAMM, LEADBETER and ROWE

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in Board of Finance and Revenue, further providing for restricted account within Agricultural College Land Scrip Fund; and making an appropriation.

Referred to Committee on APPROPRIATIONS, December 12, 2023.

No. 1916 By Representatives STAMBAUGH, HAMM, D. WILLIAMS and ZIMMERMAN

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, further providing for Pennsylvania Fire and Emergency Medical Services Loan Program.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, December 12, 2023.

No. 1917 By Representatives DAVANZO, LEADBETER, R. MACKENZIE, JAMES, M. JONES, MARCELL, KAUFFMAN, JOZWIAK, GILLEN, HAMM, STRUZZI and ROWE

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in general provisions relating to Commonwealth Procurement Code, further providing for definitions and providing for prioritization of American-made supplies.

Referred to Committee on STATE GOVERNMENT, December 12, 2023.

SENATE BILLS FOR CONCURRENCE

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

SB 597, PN 592

Referred to Committee on TRANSPORTATION, December 12, 2023.

SB 686, PN 754

Referred to Committee on STATE GOVERNMENT, December 12, 2023.

SB 847, PN 999

Referred to Committee on STATE GOVERNMENT, December 12, 2023.

SB 867, PN 1017

Referred to Committee on LOCAL GOVERNMENT, December 12, 2023.

SB 887, PN 1053

Referred to Committee on LOCAL GOVERNMENT, December 12, 2023.

SB 977, PN 1224

Referred to Committee on TRANSPORTATION, December 12, 2023.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1476, PN 2129**, entitled:

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

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. The Chair rules the following amendment out of order for violating House rule 20: A03207.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **VITALI** offers the following amendment No. **A03081**:

Amend Bill, page 2, line 1, by striking out "vast"

Amend Bill, page 2, line 2, by inserting after "which"

, approximately 55%,

Amend Bill, page 2, lines 2 and 3, by striking out "production and consumption of energy" and inserting transportation and industrial sectors

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from Delaware County, majority chair, Environmental Resources and Energy, Representative Vitali.

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

This is a relatively innocuous amendment that just changes some language in the declaration of policy. It was requested by the building trades, and it basically just states some information about the percent of greenhouse gas produced by the transportation and industry sector.

Just to clarify what was said in caucus, the administration is not opposing this; they are in fact neutral on this. So it is relatively minor and inconsequential. So I would ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

Those in favor of the amendment, please vote "aye" if you are in favor; vote "no" if you are opposed.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—103

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

NAYS—100

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

NOT VOTING—0

EXCUSED—0

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

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

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 1564, PN 1838**, entitled:

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 and for reinstatement of license; providing for restrictions on use of title "Licensed Associate Marriage and Family Therapist"; and further providing for penalties, for license renewal and records and fees and for unlawful practice.

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

The SPEAKER. The Chair rules the following amendment out of order for violating House rule 20: A03239.

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

Mr. **VENKAT** offers the following amendment No. **A03171**:

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

licensing and regulating the practice of social work; providing penalties; and making an appropriation," 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.

Amend Bill, page 1, lines 15 through 22; pages 2 through 8, lines 1 through 30; page 9, lines 1 through 21; by striking out all of said lines on said pages and inserting

Section 1. Section 3 of the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, is amended by adding definitions to read: Section 3. Definitions.

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

* * *

"Licensed associate marriage and family therapist." An individual licensed as an associate marriage and family therapist under this act who is obtaining supervised clinical experience for the purpose of becoming a licensed marriage and family therapist.

"Licensed associate professional counselor." An individual licensed as an associate professional counselor under this act who is obtaining supervised clinical experience for the purpose of becoming a licensed professional counselor.

* * *

"Practice of associate marriage and family therapy." The professional application of psychotherapeutic and family system theories and techniques to the evaluation, assessment, diagnosis and treatment of mental and emotional disorders, whether cognitive,

affective or behavioral, while under the supervision of a licensed supervisor acceptable to the board in accordance with the board's regulations. The term includes the evaluation and assessment of mental and emotional disorders in the context of significant interpersonal relationships and the delivery of psychotherapeutic services to individuals, couples, families and groups for the purpose of treating the disorders.

"Practice of associate professional counseling." Includes, to the extent compatible with a practitioner's education and professional competence while under the supervision of a licensed supervisor acceptable to the board in accordance with the board's regulations, all of the following:

(1) The application of principles and practices of counseling, mental health and human development to evaluate and facilitate human growth and adjustment throughout the life span and to prevent and treat mental, emotional or behavioral disorders and associated stresses which interfere with mental health and normal human growth and development.

(2) The evaluation, assessment, diagnosis and treatment of normal and abnormal mental, emotional, social, educational, vocational, family and behavioral functioning throughout the life span; individual, group, family counseling and psychotherapy; crisis intervention, career counseling and educational and vocational counseling; functional assessment of persons with disabilities; and professional consulting.

(3) Professional counselors' utilization of verbal and nonverbal approaches and specialization in the use of arts-based therapeutic approaches, such as art, dance, music or drama, to accomplish treatment objectives.

Section 2. Sections 4, 5(1) and 6(2) and (3) of the act are amended to read:

Section 4. License required.

It shall be unlawful for any person to hold [himself or herself] oneself forth as a licensed bachelor social worker, licensed social worker, licensed clinical social worker, licensed associate marriage and family therapist, licensed marriage and family therapist, licensed associate professional counselor or licensed professional counselor unless he or she shall first have obtained a license pursuant to this act.

Section 5. State Board of Social Workers, Marriage and Family Therapists and Professional Counselors.

(1) Operating procedures.—The board shall meet within 30 days after the appointment of its new members and set up operating procedures and develop application forms for licensing clinical social workers, associate marriage and family therapists, marriage and family therapists, associate professional counselors and professional counselors. It shall be the responsibility of the board to circulate these forms and educate the public to the requirements of licensing in order to hold oneself out as a licensed bachelor social worker, licensed social worker, licensed associate marriage and family therapist, licensed clinical social worker, licensed marriage and family therapist, licensed associate professional counselor or licensed professional counselor within the Commonwealth.

Section 6. Powers and functions of board.

The board shall have the following powers:

(2) To adopt and, from time to time, revise such rules and regulations as may be necessary to carry into effect the provisions of this act. Such regulations may include, but shall not be limited to, standards of professional practice and conduct for licensed bachelor social workers, licensed social workers, licensed clinical social workers, licensed associate marriage and family therapists, licensed marriage and family therapists, licensed associate professional counselors and licensed professional counselors in Pennsylvania.

(3) To examine for, deny, approve, issue, revoke, suspend or renew licenses of bachelor social workers, social workers,

clinical social workers, associate marriage and family therapists, marriage and family therapists, associate professional counselors and professional counselors pursuant to this act and to conduct hearings in connection therewith.

Section 3. Section 7(a)(1), (d)(1), (e)(1), (f)(1) and (g)(1) of the act are amended and the section is amended by adding subsections to read:

Section 7. Qualifications for license.

(a) Social work license.—An applicant shall be qualified for a license to hold oneself out as a licensed social worker, provided he or she submits proof satisfactory to the board that:

(1) He or she is of good moral character. In assessing the moral character of an applicant with a criminal conviction, the board shall conduct an individualized assessment in accordance with 63 Pa.C.S. § 3113 (relating to consideration of criminal convictions).

(d) Clinical social work license.—An applicant shall be qualified for a license to hold oneself out as a licensed clinical social worker if the applicant submits proof satisfactory to the board that all of the following apply:

(1) The applicant is of good moral character. In assessing the moral character of an applicant with a criminal conviction, the board shall conduct an individualized assessment in accordance with 63 Pa.C.S. § 3113.

(e) Marriage and family therapist license.—An applicant shall be qualified to hold oneself out as a licensed marriage and family therapist if the applicant submits proof satisfactory to the board that all of the following apply:

(1) The applicant is of good moral character. In assessing the moral character of an applicant with a criminal conviction, the board shall conduct an individualized assessment in accordance with 63 Pa.C.S. § 3113.

(e.1) Associate marriage and family therapist license.—

(1) An applicant shall be qualified for a license to hold oneself out as a licensed associate marriage and family therapist if the applicant submits proof satisfactory to the board that all of the following apply:

(i) The applicant is at least 21 years of age.

(ii) The applicant is of good moral character. In assessing the moral character of an applicant with a criminal conviction, the board shall conduct an individualized assessment in accordance with 63 Pa.C.S. § 3113.

(iii) The applicant has satisfied the educational requirements under subsection (e)(2)(i), (ii) or (iii).

(iv) The applicant has submitted a supervision plan, including a detailed job description and each location where client contact and supervision will occur.

(v) The applicant has submitted the resume or curriculum vitae for each licensee who provides supervision acceptable to the board. A supervisor shall hold a current and active license to practice marriage and family therapy or to practice in a related field as approved by the board and shall have no less than five full-time years of experience or the equivalent in the prior ten years as specified by the board's regulations.

(vi) The applicant has submitted an application accompanied by the application fee.

(vii) The applicant has not been convicted of a felony under The Controlled Substance, Drug, Device and Cosmetic Act, or of an offense under the laws of another jurisdiction, which, if committed in this Commonwealth, would be a felony under The Controlled Substance, Drug, Device and Cosmetic Act, unless:

(A) at least ten years have elapsed from the date of conviction;

(B) the applicant satisfactorily demonstrates to the board that the applicant has made significant progress in personal rehabilitation since the conviction, such that licensure of the applicant should not be expected to create a substantial risk of harm to the health and safety of the applicant's clients or the public or a substantial risk of further criminal violations; and

(C) the applicant otherwise satisfies the qualifications contained in or authorized by this act. As used in this paragraph, the term "convicted" shall include a judgment, an admission of guilt or a plea of nolo contendere.

(2) Renewal of an associate marriage and family therapist license shall be on a biennial basis, and the license shall be eligible for no more than three renewals.

(e.2) Limitations on associate marriage and family therapist license.—A licensed associate marriage and family therapist shall work under the supervision of a licensed marriage and family therapist or a related licensed professional as approved by the board who directs the activities of the licensed associate marriage and family therapist. A licensed associate marriage and family therapist shall not practice in a private setting without the direction of a supervisor. Nothing in this section shall be construed to prohibit a licensed associate marriage and family therapist from taking the required examination under subsection (e)(4) during the time between graduation and completing the required clinical supervised hours under subsection (e)(3) to meet the licensure requirements for a marriage and family therapist.

(f) Professional counselors license.—An applicant is qualified for a license to hold oneself out as a licensed professional counselor if the applicant submits proof satisfactory to the board that all of the following apply:

(1) The applicant is of good moral character. In assessing the moral character of an applicant with a criminal conviction, the board shall conduct an individualized assessment in accordance with 63 Pa.C.S. § 3113.

* * *

(f.1) Associate professional counselor license.—

(1) An applicant is qualified for a license to hold oneself out as a licensed associate professional counselor if the applicant submits proof satisfactory to the board that all of the following apply:

(i) The applicant is at least 21 years of age.

(ii) The applicant is of good moral character. In assessing the moral character of an applicant with a criminal conviction, the board shall conduct an individualized assessment in accordance with 63 Pa.C.S. § 3113.

(iii) The applicant has satisfied the educational requirements under subsection (f)(2)(i), (ii) or (iii).

(iv) The applicant has submitted a plan of supervision, including a detailed job description and each location where client contact and supervision will occur.

(v) The applicant has submitted the resume or curriculum vitae for each licensee who provides supervision acceptable to the board. A supervisor shall hold a current and active license to practice professional counseling or to practice in a related field as approved by the board and shall have no less than five full-time years of experience or the equivalent in the prior ten years as specified by the board's regulations.

(vi) The application has been accompanied by the application fee.

(vii) The applicant has not been convicted of a

felony under The Controlled Substance, Drug, Device and Cosmetic Act or of an offense under the laws of another jurisdiction which if committed in this Commonwealth would be a felony under The Controlled Substance, Drug, Device and Cosmetic Act, unless:

(A) at least ten years have elapsed from the date of conviction;

(B) the applicant satisfactorily demonstrates to the board that the applicant has made significant progress in personal rehabilitation since the conviction such that licensure of the applicant should not be expected to create a substantial risk of harm to the health and safety of clients or the public or a substantial risk of further criminal violations; and

(C) the applicant otherwise satisfies the qualifications contained in or authorized by this act. As used in this paragraph, the term "convicted" includes a judgment, an admission of guilt or a plea of nolo contendere.

(2) Renewal of an associate professional counselor license shall be on a biennial basis, and the license shall be eligible for no more than three renewals.

(f.2) Limitations on associate professional counselor license.—A licensed associate professional counselor shall work under the supervision of a licensed professional counselor or a related licensed professional approved by the board who directs the activities of the licensed associate professional counselor. A licensed associate professional counselor shall not practice in a private setting without the direction of a supervisor. Nothing in this subsection shall be construed to prohibit a licensed associate professional counselor from taking the required exam under subsection (f)(4) during the time between graduation and completing the required supervised hours under subsection (f)(3) to meet the licensure requirements for a licensed professional counselor.

(g) Bachelor social work license.—An applicant shall be qualified for a license to hold oneself out as a licensed bachelor social worker if the applicant submits proof satisfactory to the board that:

(1) The applicant is of good moral character. In assessing the moral character of an applicant with a criminal conviction, the board shall conduct an individualized assessment in accordance with 63 Pa.C.S. § 3113.

* * *

Section 4. Sections 8(b), 10(a), 10.1(a)(1), (b)(1) and (c)(1) and 12 of the act are amended to read:

Section 8. Procedures for licensing.

* * *

(b) Issuance of license.—The board shall issue to each person who meets the licensure requirements of this act a certificate setting forth that such person is licensed to hold [himself or herself] oneself out as a licensed bachelor social worker, a licensed social worker, a licensed clinical social worker, a licensed associate marriage and family therapist, a licensed marriage and family therapist, a licensed associate professional counselor or a licensed professional counselor.

Section 10. Reciprocity.

(a) General rule.—The board shall have the power to grant a reciprocal license to an applicant who is licensed or certified as a bachelor social worker, social worker, clinical social worker, associate marriage and family therapist, marriage and family therapist, associate professional counselor or professional counselor in another state and has demonstrated qualifications which equal or exceed those required pursuant to this act in the determination of the board, provided that no license shall be granted under this section to an applicant unless the state in which the applicant is licensed affords reciprocal treatment to persons who are residents of this Commonwealth and who are licensed pursuant to this act.

* * *

Section 10.1. Endorsement of out-of-State licenses.

(a) Clinical social work license.—The board may issue a clinical social work license without examination to an applicant holding a clinical social work license in another state who submits proof satisfactory to the board of all of the following:

(1) The applicant is of good moral character. In assessing the moral character of an applicant with a criminal conviction, the board shall conduct an individualized assessment in accordance with 63 Pa.C.S. § 3113 (relating to consideration of criminal convictions).

(b) Marriage and family therapist license.—The board may issue a marriage and family therapist license without examination to an applicant holding a marriage and family therapist license in another state who submits proof satisfactory to the board of all of the following:

(1) The applicant is of good moral character. In assessing the moral character of an applicant with a criminal conviction, the board shall conduct an individualized assessment in accordance with 63 Pa.C.S. § 3113.

(c) Professional counselor license.—The board may issue a professional counselor license without examination to an applicant holding a professional counselor license in another state who submits proof satisfactory to the board of all of the following:

(1) The applicant is of good moral character. In assessing the moral character of an applicant with a criminal conviction, the board shall conduct an individualized assessment in accordance with 63 Pa.C.S. § 3113.

Section 12. Reinstatement of license.

Unless ordered to do so by Commonwealth Court or an appeal therefrom, the board shall not reinstate the license of a person to practice as a bachelor social worker, social worker, clinical social worker, associate marriage and family therapist, marriage and family therapist, associate professional counselor or professional counselor pursuant to this act, which has been revoked. Any person whose license has been revoked may apply for reinstatement, after a period of at least five years, but must meet all of the licensing qualifications of this act, including the examination requirement, if he or she desires to practice as a bachelor social worker, social worker, clinical social worker, marriage and family therapist or professional counselor pursuant to this act at any time after such revocation.

Section 5. The act is amended by adding sections to read:

Section 16.5. Restrictions on use of title "Licensed Associate Marriage and Family Therapist."

Only individuals who have received licenses as licensed associate marriage and family therapists under this act may style themselves as licensed associate marriage and family therapists and use the letters "L.A.M.F.T." in connection with their names, and it shall be unlawful for an individual to style oneself as a licensed associate marriage and family therapist or use any words or symbols indicating or tending to indicate that the individual is a licensed associate marriage and family therapist without holding a license in good standing under this act.

Section 16.6. Restrictions on the use of title "Licensed Associate Professional Counselor."

Only individuals who have received licenses as licensed associate professional counselors under this act may style themselves as licensed associate professional counselors and use the letters "L.A.P.C." in connection with their names, and it shall be unlawful for an individual to style oneself as a licensed associate professional counselor or use any words or symbols indicating or tending to indicate that the individual is a licensed associate professional counselor without holding a license in good standing under this act.

Section 6. Sections 18(b) and 20(a) of the act are amended to read:

Section 18. License renewal; records and fees.

(b) Records.—A record of all persons licensed to practice as bachelor social workers, social workers, clinical social workers, associate marriage and family therapists, marriage and family therapists, associate professional counselors and professional counselors in Pennsylvania shall be kept in the office of the board and and copying upon payment of a nominal fee for copying the record.

Section 20. Unlawful practice.

(a) Unlawful practice prohibited.—It shall be unlawful for any person to engage in the independent practice of clinical social work, the independent practice of marriage and family therapy or the independent practice of professional counseling or hold [himself or herself] oneself out as a licensed bachelor social worker, licensed social worker, licensed clinical social worker, licensed associate marriage and family therapist, licensed associate professional counselor and professional counselor without possessing a valid, unexpired, unrevoked and unsuspended license issued under this act.

Section 7. The act is amended by adding a section to read:

Section 20.3. Effect of associate licensure.

Associate licensure under this act shall not be construed as requiring new or additional third-party reimbursement or to otherwise mandate coverage under 75 Pa.C.S. Ch. 17 (relating to financial responsibility) or the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, or for new or additional policies written under or for any of the following:

(1) The act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921.

(2) The act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act.

(3) The act of May 18, 1976 (P.L.123, No.54), known as the Individual Accident and Sickness Insurance Minimum Standards Act.

(4) A nonprofit corporation subject to 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations).

Section 8. The State Board of Social Workers, Marriage and Family Therapists and Professional Counselors shall promulgate regulations as necessary to implement this act no later than 90 days from the effective date of this section.

Section 9. This act shall take effect immediately.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, The Chair recognizes the gentleman from Allegheny County, Representative Venkat.

Mr. VENKAT. Thank you, Madam Speaker.

This is an agreed-upon amendment to refine the language to allow for associate counselor positions, as well as to allow for insurance reimbursement without requiring it. I urge a "yes" vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—201

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

Bizzarro	Gaydos	Major	Sappey
Bonner	Gergely	Mako	Schemel
Borowicz	Gillen	Malagari	Scheuren
Borowski	Giral	Maloney	Schlegel
Boyd	Gleim	Marcell	Schlossberg
Boyle	Green	Markosek	Schmitt
Bradford	Gregory	Marshall	Schweyer
Brennan	Greiner	Matzie	Scialabba
Briggs	Grove	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
Cabell	Heffley	Metzgar	Stambaugh
Causar	Hogan	Mihalek	Steele
Cephas	Hohenstein	Miller, B.	Stehr
Cerrato	Howard	Miller, D.	Stender
Ciresi	Irvin	Moul	Struzzi
Conklin	Isaacson	Mullins	Sturla
Cook	James	Munroe	Takac
Cooper	Jones, M.	Mustello	Tomlinson
Curry	Jones, T.	Neilson	Topper
Cutler	Jozwiak	Nelson, E.	Twardzik
D'Orsie	Kail	Nelson, N.	Venkat
Daley	Kaufar	O'Mara	Vitali
Davanzo	Kauffman	O'Neal	Warner
Davis	Kazeem	Oberlander	Warren
Dawkins	Keefer	Ortitay	Watro
Deasy	Kenyatta	Otten	Waxman
Delloso	Kerwin	Owlett	Webster
Delozier	Khan	Parker	Wentling
Diamond	Kim	Pashinski	White
Donahue	Kinthead	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
Fink	Kulik	Rapp	

NAYS—2

Hamm Kephart

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. It is the Chair's understanding that Representative Greiner withdraws amendment A03217. The Chair thanks the gentleman.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

RECESS

The SPEAKER. The House stands in recess until 7 p.m., unless sooner recalled by the Speaker.

AFTER RECESS

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

SENATE MESSAGE

HOUSE BILLS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 38, PN 27; HB 1160, PN 1295; and HB 1507, PN 1723**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 773, PN 1229**.

BILLS SIGNED BY SPEAKER

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

HB 38, PN 27

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for applications for hotel, restaurant and club liquor licenses and for application for distributors', importing distributors' and retail dispensers' licenses.

HB 1160, PN 1295

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for sales by liquor licensees and restrictions, for retail dispensers' restrictions on purchases and sales, for breweries and for unlawful acts relative to liquor, malt and brewed beverages and licensees.

HB 1507, PN 1723

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, providing for minimum number of days or hours.

SB 773, PN 1229

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.

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

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1760, PN 2144**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in intestate succession, further providing for forfeiture; in wills, further providing for modification by circumstances; in slayers, further providing for definition of terms, providing for elder abuser not to acquire property, further providing for descent, distribution, dower, curtesy, and statutory rights as survivor, for legacies, for tenancies by the entirety, for joint tenants, joint owners and joint obligees, for reversions and vested remainders, for interests dependent on survivorship or continuance of life, for contingent remainders and executory or other future interests, for powers of appointment, for proceeds of insurance, for bona fide payment by insurance company or obligor, for bona fide purchasers, for record of conviction as evidence and for preadjudication rule and providing for intent to transfer notwithstanding elder abuse; and making an editorial change.

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

The SPEAKER. The Chair rules the following amendment out of order for violating House rule 20: A03074.

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

* * *

The House proceeded to second consideration of **HB 1882, PN 2363**, entitled:

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

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

The SPEAKER. The Chair rules the following amendment out of order for violating House rule 20: A03240.

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

RULES SUSPENDED

The SPEAKER. For what purpose does Representative Ecker rise?

For what purpose does Representative Metzgar rise?

Mr. METZGAR. Madam Speaker, I am rising in lieu of Representative Ecker right now.

The SPEAKER. And for what purpose?

Mr. METZGAR. To offer an amendment. To suspend the rules to offer an amendment.

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

Mr. METZGAR. Madam Speaker, it is my understanding that it is agreeable with the majority party that we offer an amendment.

The SPEAKER. Representative Metzgar moves to suspend the rules for the purpose of immediate consideration of amendment A03283.

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

The SPEAKER. Members are reminded, 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.

On that question, the Chair recognizes Representative Schlossberg.

Mr. SCHLOSSBERG. Thank you, Madam Speaker.

The gentleman is correct. This is an agreed-to amendment, and we ask the members to vote in the affirmative.

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

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, this is an agreed-to amendment, and I urge the members' support to suspend the rules so that we can get to the consideration of the amendment. Thank you.

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

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	Sappay
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
Causser	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,
Fink	Krupa	Rader	Speaker
Fleming			

NAYS-0

NOT VOTING-0

EXCUSED-0

A majority of the members required by the rules 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?

Mr. **METZGAR** offered the following amendment
No. **A03283**:

Amend Bill, page 2, line 11, by inserting after "commission"
, which shall occur within 20 days of the rescission

On the question,

Will the House agree to the amendment?

The **SPEAKER**. On that question, the Chair recognizes Representative Metzgar for a summary of the amendment.

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

This amendment is an agreed-to amendment that simply fulfills our obligations for constitutional due process so that there would be a hearing within 20 days of the date of the suspension of the license.

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

On that question, the Chair recognizes Representative Schlossberg.

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

Again, the gentleman is correct. This is an agreed-to amendment that improves the bill, and we ask the members to vote in the affirmative.

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
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,
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?

The SPEAKER. It is the Chair's understanding that Representative Metzgar withdraws all remaining amendments. Is that correct?

Mr. METZGAR. No, Madam Speaker.

It is my understanding that we are maintaining the amendment number A3244; 03244.

The SPEAKER. The Chair stands corrected. Representative Metzgar, however, withdraws A03245 and A03253.

On the question recurring,

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

Mr. METZGAR offered the following amendment No. **A03244**:

Amend Bill, page 2, line 11, by inserting after "commission."
If the applicant demonstrates that the license, registration, certification or permit was not issued based on false or fraudulent documentation at a post-rescission hearing, the licensing board or licensing commission may not, absent new evidence of false or fraudulent documentation, rescind the license, registration, certification or permit of the applicant.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the maker of the amendment for a summary of the amendment.

Mr. METZGAR. Madam Speaker, this amendment simply ensures that there is not duplicative administrative action on the same licensee.

The SPEAKER. On that question, the Chair recognizes Representative Dan Miller.

Mr. D. MILLER. Thank you, Madam Speaker. This is an agreed-to amendment.

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	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
Causser	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 recurring,

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

The SPEAKER. It is the Chair's understanding that Representative Greiner withdraws amendment A03218, asks the minority to leader to confirm.

The Chair thanks the gentleman.

On the question recurring,

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

Mr. BURNS offered the following amendment No. **A03138**:

Amend Bill, page 2, line 5, by inserting after "10"
business

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes Representative Dan Miller for a summary of the amendment.

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

As I know, the good gentleman would want to mention is that he is always looking out for business interests, and that is why he wanted to clarify this amendment, that business days, as opposed to calendar days, should be in the bill.

The SPEAKER. The Chair thanks the gentleman.
On that question, the Chair recognizes Representative Metzgar, the minority chair of Professional Licensure.

Mr. METZGAR. Thank you, Madam Speaker.
This is an agreed-to amendment, and we appreciate the good work of the chairman from Cambria County to clarify this issue.
The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—203

Abney	Flick	Kulik	Rapp
Adams	Flood	Kutz	Rigby
Armanini	Frankel	Kuzma	Roae
Banta	Freeman	Labs	Rossi
Barton	Friel	Lawrence	Rowe
Bellmon	Fritz	Leadbeter	Rozzi
Benham	Gallagher	Mackenzie, M.	Ryncavage
Benninghoff	Galloway	Mackenzie, R.	Salisbury
Bernstine	Gaydos	Madden	Samuelson
Bizzarro	Gergely	Madsen	Sanchez
Bonner	Gillen	Major	Sappey
Borowicz	Giral	Mako	Schemel
Borowski	Gleim	Malagari	Scheuren
Boyd	Green	Maloney	Schlegel
Boyle	Gregory	Marcell	Schlossberg
Bradford	Greiner	Markosek	Schmitt
Brennan	Grove	Marshall	Schweyer
Briggs	Guenst	Matzie	Scialabba
Brown, A.	Guzman	Mayes	Scott
Brown, M.	Haddock	McAndrew	Shusterman
Bullock	Hamm	McNeill	Siegel
Burgos	Hanbidge	Mehaffie	Smith
Burns	Harkins	Mentzer	Smith-Wade-El
C Freytiz	Harris	Mercuri	Solomon
Cabell	Heffley	Merski	Staats
Causer	Hogan	Metzgar	Stambaugh
Cephas	Hohenstein	Mihalek	Steele
Cerrato	Howard	Miller, B.	Stehr
Ciresi	Irvin	Miller, D.	Stender
Conklin	Isaacson	Moul	Struzzi
Cook	James	Mullins	Sturla
Cooper	Jones, M.	Munroe	Takac
Curry	Jones, T.	Mustello	Tomlinson
Cutler	Jozwiak	Neilson	Topper
D'Orsie	Kail	Nelson, E.	Twardzik
Daley	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,
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. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **SB 24, PN 403**, entitled:

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.

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

The SPEAKER. The Chair rules the following amendments out of order for violating House rule 20: A03175, A03181, A03232.

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

Mr. **SAMUELSON** offers the following amendment No. **A03250**:

Amend Bill, page 2, lines 20 and 21, by striking out "five thousand dollars (\$5,000)" and inserting one hundred dollars (\$100)
Amend Bill, page 2, line 22, by striking out "60" and inserting 180

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

The SPEAKER. On that question, the Chair recognizes the majority chair of Finance, Representative Samuelson.

Mr. SAMUELSON. Thank you, Madam Speaker.

The stand-alone bill, SB 24, creates a new program, the Money Match program, by which the State Treasurer can issue unclaimed property to certain residents if they are verified – their identity verified, their address – issue those unclaimed property proceeds without an actual application.

This amendment recognizes that this is a new initiative – it is important that we get it into statute – but the amendment would amend the threshold amount from the \$5,000 in the Senate bill to \$100. Let us start this program with the State Treasury. Let us make sure that we can operate it with that smaller amount and then we leave it to future legislation to expand it to a higher threshold. This is also important to make sure that we have a bill that can be agreed upon by the House and the Senate this week.

Thank you, Madam Speaker. I urge a "yes" vote.
The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—102

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

NAYS—101

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

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?

MOTION TO SUSPEND RULES

The SPEAKER. For what purpose does the gentleman, Representative Kutz, rise?

Mr. KUTZ. Thank you, Madam Speaker.

I rise to make a motion.

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

Mr. KUTZ. Thank you, Madam Speaker.

I rise to request a motion to suspend the rules to immediately consider A03302.

The SPEAKER. Representative Kutz moves to suspend the rules for the purpose of immediate consideration of A03302.

On the question,

Will the House agree to the motion?

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

On that question, the Chair recognizes Representative Kutz.

Mr. KUTZ. Thank you, Madam Speaker.

While this amendment was late-filed, prioritizing our seniors and our veterans for funding provided under the Whole-Home Repairs Program is worth a suspension of the rules. I ask for members to join with me in voting to suspend the rules to immediately consider this important amendment, A03302, and provide priority funding for seniors and veterans who need this pivotal program to repair their homes.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes Representative Dan Miller.

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

Madam Speaker, not only is this amendment late, we believe it would also be ruled out of order should it have been filed in time. We ask for a "no" vote on the motion to suspend.

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
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	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 a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **SB 282**, **PN 304**, entitled:

An Act preventing the Commonwealth from dealing with persons associated with the Government of Russia or the Government of Belarus; and imposing duties on the Treasury Department and the Attorney General.

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

The SPEAKER. It is the Chair's understanding that Representative Mako withdraws A03173. The Chair thanks the gentleman.

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

Mr. **MACKENZIE** offers the following amendment
No. **A03151**:

Amend Bill, page 1, line 2, by inserting after "with" Chinese military-industrial complex companies,
Amend Bill, page 1, line 9, by inserting after "with" Chinese Military-Industrial Complex Companies,
Amend Bill, page 2, line 10, by inserting after "of," Chinese military-industrial complex companies,
Amend Bill, page 2, line 14, by inserting after "with" Chinese military-industrial complex companies,

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Chair recognizes— No. It is the Chair's understanding he is withdrawing it. The Chair thanks the gentleman.

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

* * *

The House proceeded to second consideration of **SB 361**, **PN 1203**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in organization and jurisdiction of courts of common pleas, further providing for courts of common pleas.

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

Mr. **BRIGGS** offered the following amendment No. **A02881**:

Amend Bill, page 4, line 1, by striking out "1" and inserting 5
Amend Bill, page 4, line 5, by striking out "1" and inserting 3

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

AMENDMENT WITHDRAWN

The SPEAKER. The Chair thanks the gentleman. It is withdrawn.

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

Mr. **BRIGGS** offered the following amendment No. **A03128**:

Amend Bill, page 2, line 7, by inserting a bracket before "10"
Amend Bill, page 2, line 7, by inserting after "10"

Amend Bill, page 2, line 8, by inserting a bracket before "10"
 Amend Bill, page 2, line 8, by inserting after "10"

] 11

Amend Bill, page 3, lines 28 through 30; page 4, lines 1 through 6; by striking out all of said lines on said pages and inserting Section 2. The following apply:

(1) Except as provided in paragraphs (2) and (3), the provisions of 42 Pa.C.S. §§ 3132 and 3135 shall apply to the judgeships added by the amendment of 42 Pa.C.S. § 911(a).

(2) The new judgeships for the Eighth Judicial District, Eleventh Judicial District and Fiftieth Judicial District added by the amendment of 42 Pa.C.S. § 911(a) shall be established on January 5, 2026, and shall be initially filled by election at the 2025 municipal election.

(3) The new judgeships for the Thirty-eighth Judicial District added by the amendment of 42 Pa.C.S. § 911(a) shall be established on January 3, 2028, and shall be initially filled by election at the 2027 municipal election.

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

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

AMENDMENTS WITHDRAWN

The SPEAKER. Withdrawn. The Chair thanks the gentleman. The gentleman also offers A03238. Withdrawn. The Chair thanks the gentleman.

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

Mr. BRIGGS offered the following amendment No. A03257:

Amend Bill, page 2, line 7, by inserting a bracket before "10"
 Amend Bill, page 2, line 7, by inserting after "10"

] 11

Amend Bill, page 2, line 8, by inserting a bracket before "10"
 Amend Bill, page 2, line 8, by inserting after "10"

] 11

Amend Bill, page 3, lines 28 through 30; page 4, lines 1 through 6; by striking out all of said lines on said pages and inserting Section 2. The following apply:

(1) Except as provided in paragraphs (2) and (3), the provisions of 42 Pa.C.S. §§ 3132 and 3135 shall apply to the judgeships added by the amendment of 42 Pa.C.S. § 911(a).

(2) The new judgeships for the Eighth Judicial District, Eleventh Judicial District, Twelfth Judicial District, Thirty-first Judicial District and Fiftieth Judicial District added by the amendment of 42 Pa.C.S. § 911(a) shall be established on January 5, 2026, and shall be initially filled by election at the 2025 municipal election.

(3) The new judgeships for the Thirty-eighth Judicial District added by the amendment of 42 Pa.C.S. § 911(a) shall be established on January 3, 2028, and shall be initially filled by election at the 2027 municipal election.

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

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

The SPEAKER. The gentleman is in order and may be recognized to give a summary of the amendment.

Mr. BRIGGS. Thank you, Madam Speaker.

This is an agreed-to amendment with the Senate. This allows the addition to the bill to include a position for Dauphin County as well as Lehigh County. And there are a couple date changes, very minor date changes but important changes to the bill. So I encourage all the members who support our judicial system to support this bill. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—118

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

NAYS—85

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

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. Representative Kaufer offers amendment A03091. The Chair thanks the gentleman. It is withdrawn.

On the question recurring,

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

Ms. PICKETT offered the following amendment No. A03124:

Amend Bill, page 3, line 10, by inserting a bracket before "1"

Amend Bill, page 3, line 10, by inserting after "1"

1 2

Amend Bill, page 3, line 29, by inserting after "District",
Forty-fourth Judicial District

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Representative Pickett for a summary of the amendment.

Ms. PICKETT. Thank you, Madam Speaker.

I am asking my colleagues to please vote "yes" on this amendment for an additional judge for Wyoming and Sullivan Counties. They share one judge right now, the two counties share a judge, and the geographical space is, of course, very large. The cases continue to grow. The court continues to back up. So I would really appreciate your positive vote on this amendment. Thank you so much.

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

Mr. BRIGGS. Thank you, Madam Speaker.

I rise to support the Representative's amendment to add a position in the counties that the amendment says that she would like to add the position to, Sullivan and Wyoming Counties. There are 67 of them.

So this is also an agreed-to amendment. It is an important amendment for the bill to be successful when it goes back to the Senate. So again, I urge all the members, all the members who support the Representative and investing in our independent judiciary, to be voting "yes." 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	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	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?

The bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **SB 506, PN 843**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in incapacitated persons, further providing for petition and hearing and independent evaluation, for determination of incapacity and appointment of guardian and for review hearing.

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

Mr. **HOHENSTEIN** offered the following amendment No. **A01613**:

Amend Bill, page 8, by inserting between lines 9 and 10
(x) Supportive decision making for individuals with physical or intellectual disabilities.

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Chair recognizes the gentleman from Philadelphia County, the maker of the amendment. It is the Chair's understanding it is withdrawn. The Chair thanks the gentleman.

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

Mr. **HOHENSTEIN** offered the following amendment No. **A01728**:

Amend Bill, page 8, by inserting between lines 9 and 10
(x) Supportive decision making for individuals with disabilities, including intellectual disabilities.

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

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

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

This amendment would provide a specific exception in the list of alternatives to guardianship that is in this extremely well-thought-out and well-planned bill that I was requested to submit on behalf of folks in the disability community. And it specifically addresses the concept of supportive decision-making and the idea that an individual with a disability has the ability to make their own decisions, but sometimes needs assistance and support from friends and family members in order to be able to communicate what their wishes are.

When I presented this amendment, I had been in contact with the maker of the bill and with several advocacy organizations, and they feel that this concept of supportive decision-making – which, again, assists the independence of people with disabilities to control their own lives – that concept is already contained within the subsection that we were seeking to amend.

AMENDMENT WITHDRAWN

Mr. **HOHENSTEIN**. So with that in mind, Madam Speaker, I will be withdrawing this amendment.

The SPEAKER. The Chair thanks the gentleman.

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

* * *

The House proceeded to second consideration of **SB 596, PN 1266**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in theft and related offenses, further providing for the offense of organized retail theft.

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

The SPEAKER. The Chair rules the following amendment out of order for violating House rule 20: A03216.

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

Mr. **KAUFFMAN** offered the following amendment No. **A03215**:

Amend Bill, page 3, lines 8 and 9, by striking out "AT SUCH TIME AS THE GENERAL ASSEMBLY APPROPRIATES MONEY SPECIFICALLY FOR THE OFFICE"

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

The SPEAKER. On that question, the Chair recognizes Representative Ecker for a summary of the amendment.

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

Madam Speaker, this amendment removes the requirement that the General Assembly must specifically appropriate money for the Office of Deputy Attorney General for Organized Retail Crime Theft before it is established.

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

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

This is an agreed-to amendment. I encourage a "yes" vote.

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

The following roll call was recorded:

YEAS—192

Abney	Frankel	Lawrence	Rossi
Adams	Freeman	Leadbeter	Rowe
Armanini	Friel	Mackenzie, M.	Rozzi
Banta	Fritz	Mackenzie, R.	Ryncavage
Barton	Gallagher	Madden	Salisbury
Bellmon	Galloway	Madsen	Samuelson

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

NAYS—11

Benham	Dawkins	Khan	Powell
Burgos	Fiedler	Kinkead	Rabb
Cephas	Green	Krajewski	

NOT VOTING—0

EXCUSED—0

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

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

Mr. BRIGGS offered the following amendment No. A03221:

Amend Bill, page 1, lines 14 through 18; page 2, lines 1 through 16; by striking out all of said lines on said pages and inserting

(1) If the retail value of the stolen merchandise in the possession of or under the control of the organized retail theft enterprise is at least [\$5,000] \$2,500, but not more than [\$19,999] \$9,999, the offense is a felony of the third degree.

(2) If the retail value of the stolen merchandise in the possession of or under the control of the organized retail theft

enterprise is at least [\$20,000] \$10,000, but not more than \$49,999, the offense is a felony of the second degree.

(3) If the retail value of the stolen merchandise in the possession of or under the control of the organized retail theft enterprise is at least \$50,000, the offense is a felony of the first degree.

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

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

Mr. BRIGGS. Thank you, Madam Speaker.

SB 596 by Senator Argall will increase the grading thresholds for organized retail theft by an organized retail theft enterprise and create a new unit within the Office of Attorney General to fight against organized retail theft.

Madam Speaker, my amendment, A03221, reinserts the Senate language, but significantly increases the threshold so that we can make sure we are targeting the groups committing these crimes. I believe this is an agreed-to amendment in the Senate.

Madam Speaker, I ask for an affirmative vote on amendment 3221. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—140

Adams	Fleming	Madsen	Samuelson
Armanini	Frankel	Major	Sanchez
Banta	Freeman	Malagari	Sappey
Barton	Friel	Maloney	Schemel
Benninghoff	Gallagher	Marcell	Scheuren
Bernstine	Galloway	Markosek	Schlegel
Bizzarro	Gaydos	Marshall	Schlossberg
Bonner	Gergely	Matzie	Schmitt
Borowski	Gleim	McNeill	Schweyer
Boyd	Grove	Mehaffie	Scott
Boyle	Guenst	Mentzer	Shusterman
Bradford	Guzman	Mercuri	Siegel
Brennan	Haddock	Merski	Smith
Briggs	Hanbidge	Metzgar	Smith-Wade-El
Brown, A.	Harkins	Mihalek	Solomon
Brown, M.	Harris	Miller, D.	Steele
Bullock	Heffley	Moul	Stender
Burns	Hogan	Mullins	Struzzi
C Freytiz	Hohenstein	Munroe	Sturla
Causer	Howard	Mustello	Takac
Cerrato	Irvin	Neilson	Tomlinson
Ciresi	Isaacson	Nelson, E.	Topper
Conklin	Jozwiak	Nelson, N.	Twardzik
Cook	Kaufner	O'Mara	Venkat
Cutler	Kauffman	Otten	Warren
D'Orsie	Kenyatta	Parker	Watro
Daley	Kim	Pashinski	Webster
Davis	Klunk	Pickett	Wentling
Deasy	Kosierowski	Pielli	White
Delloso	Krueger	Pisciottano	Williams, C.
Diamond	Kulik	Probst	Williams, D.
Donahue	Kutz	Rigby	Young
Dunbar	Kuzma	Roae	
Emrick	Labs	Rozzi	McClinton,
Evans	Lawrence	Salisbury	Speaker
Fee	Madden		

NAYS—63

Abney	Flood	Khan	Powell
Bellmon	Fritz	Kinthead	Rabb
Benham	Gillen	Kinsey	Rader
Borowicz	Giral	Krajewski	Rapp
Burgos	Green	Krupa	Rossi
Cabell	Gregory	Leadbeter	Rowe
Cephas	Greiner	Mackenzie, M.	Ryncavage
Cooper	Hamm	Mackenzie, R.	Scialabba
Curry	James	Mako	Staats
Davanzo	Jones, M.	Mayes	Stambaugh
Dawkins	Jones, T.	McAndrew	Stehr
Delozier	Kail	Miller, B.	Vitali
Ecker	Kazeem	O'Neal	Warner
Fiedler	Keefer	Oberlander	Waxman
Fink	Kephart	Ortitay	Zimmerman
Flick	Kerwin	Owlett	

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?

The SPEAKER. It is the Chair's understanding that the gentleman, Representative Briggs, withdraws A03223. The Chair thanks the gentleman.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **SB 656**, **PN 859**, entitled:

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.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. The Chair rules the following amendments out of order for violating House rule 20: A03230, A03231.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **MACKENZIE** offers the following amendment
No. **A03116**:

Amend Bill, page 7, line 13, by striking out "DEFINITION OF" and inserting

definitions of "average wholesale price" and

Amend Bill, page 7, line 14, by striking out "IS" and inserting are

Amend Bill, page 7, by inserting between lines 19 and 20

"Average wholesale price." [The average wholesale price of all taxable liquid fuels and fuels, excluding the Federal excise tax and all liquid fuels taxes, shall be as follows:

(1) After December 31, 2013, and before January 1, 2015, the average wholesale price shall be \$1.87 per gallon.

(2) After December 31, 2014, and before January 1, 2017, the average wholesale price shall be \$2.49 per gallon.

(3) After December 31, 2016, the average wholesale price shall be as determined by the Department of Revenue for the 12-month period ending on the September 30 immediately prior to January 1 of the year for which the rate is to be set. In no case shall the average wholesale price be less than \$2.99 per gallon.] An amount to be calculated by the Department of Revenue as follows:

(1) Determine the average wholesale price per gallon of all taxable liquid fuels and fuels, excluding the Federal excise tax and all liquid fuels taxes for the 12-month period ending on the September 30 immediately prior to January 1 of the year for which the rate is to be set or \$2.99 per gallon, whichever is higher.

(2) Reduce the amount in paragraph (1) to a price per gallon necessary to offset the collection of the electric vehicle road user charges remitted to the Department of Transportation under section 9024 (relating to electric vehicle road user charge) as follows:

(i) Estimate the total oil company franchise tax amount to be collected for the 12-month period in which the rate is to be set according to the price per gallon under paragraph (1).

(ii) Determine the total amount of electric vehicle road user charges collected by the Department of Transportation under section 9024 for the previous 12-month period.

(iii) Subtract subparagraph (ii) from subparagraph (i).

(3) After applying paragraphs (1) and (2), the price per gallon shall, according to the Department of Revenue's estimate, cause the total oil company franchise tax collection amount for the 12-month period in which the rate is to be set to be equal to the sum under paragraph (2)(iii).

* * *

Amend Bill, page 11, line 12, by striking out "2024" and inserting
2025

On the question,

Will the House agree to the amendment?

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

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

This amendment would ensure that the additional revenue that is generated from electric vehicle fees would go towards offsetting and reducing the gas tax. Here in Pennsylvania, we have one of the highest gas taxes in the country. People are

struggling to pay their bills right now, and this would be one way that we could help reduce the tax burden on hardworking Pennsylvanians.

I agree that people should be – who are driving electric vehicles – they should be paying their fair share. What we can do at the same time is help reduce the burden of high taxes on regular fuel drivers, and I think this is a good way to do it.

So I would encourage a "yes" vote. Again, let us reduce the tax burden on hardworking Pennsylvanians. A "no" vote is keeping high gas taxes in place while people struggle to pay their bills this holiday season. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes the majority chair of Transportation, Representative Neilson.

Mr. NEILSON. Thank you, Madam Speaker.

I ask the members to oppose this amendment. The gas tax revenue pays approximately 75 percent of our road and bridge projects. As more people buy electric vehicles and vehicles with higher fuel efficiency, the amount of revenue generated by the gas tax decreases. In fact, January of next year, the gas tax will be reduced 3 1/2 cents per gallon, so an electric vehicle fee is proposed, to generate more revenue to make up for the lost revenue, to keep our roads and bridges safe. I ask for a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—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	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?

The SPEAKER. It is the Chair's understanding that Representative Neilson withdraws all amendments. Is that correct? The Chair thanks the gentleman.

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

Mr. LAWRENCE offered the following amendment No. **A03287**:

Amend Bill, page 11, line 11, by striking out "AND MOTORCYCLE" and inserting motorcycle or a motor vehicle with a model year of 1990 or older

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

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

Mr. LAWRENCE. Thank you, Madam Speaker.

The amendment before the House deals with, really, a handful of electric vehicles from the 1920s and 1970s. I believe this is an agreed-to amendment, and I appreciate the support of the chairman from Philadelphia.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes the chairman from Philadelphia, Representative Neilson.

Mr. NEILSON. Thank you, Madam Speaker.

This is an agreed-to amendment. We learn something new every day. When I looked up electric vehicles – I encourage everybody to look at that, google it on your phone. You would be surprised how in the 1920s, electric vehicles were around. So this is an agreed-to amendment. I would ask for an affirmative vote.

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	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	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. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **SB 683, PN 929**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in public safety, providing for miscellaneous provisions.

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

Mrs. **MARCELL** offered the following amendment
No. **A03182**:

Amend Bill, page 1, line 3, by striking out all of said line and inserting
urine drug screening requirement and for xylazine awareness education.

Amend Bill, page 1, by inserting between lines 12 and 13
5903. Xylazine awareness education.

Amend Bill, page 2, line 4, by striking out the period after "PA-NEDSS" and inserting

and shall provide informational materials under section 5903(a)(2) (relating to xylazine awareness education).

Amend Bill, page 2, by inserting between lines 24 and 25
§ 5903. Xylazine awareness education.

(a) Powers and duties.—The Department of Drug and Alcohol Programs, in consultation with the Department of Health and the Department of Agriculture, shall have the power and its duty shall be to:

(1) Enter into partnerships with health care providers, including physicians and veterinarians, and community-based health centers and hospitals to educate residents of this Commonwealth on the dangers of human use of xylazine.

(2) Create informational materials in electronic and physical form, in coordination with the partners described in paragraph (1), which may be distributed to or accessed by residents of this Commonwealth. The informational materials shall include:

(i) The effects on the human body of the use of xylazine.

(ii) How to talk to family and friends about the dangers of human use of xylazine.

(iii) The legitimate uses of xylazine for animal use.

(iv) Any other information that the Department of Drug and Alcohol Programs deems necessary to prepare and educate residents of this Commonwealth on the dangers of human use of xylazine.

(b) Expiration.—Upon a determination by the Secretary of Health that the human use of xylazine no longer poses a significant threat to the public health and safety of the Commonwealth, the Secretary of Health shall transmit notice of the determination to the Legislative Reference Bureau for publication in the next available issue of the Pennsylvania Bulletin. This section shall expire upon publication of the notice under this subsection.

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

The SPEAKER. The Chair recognizes the gentlelady from Bucks County.

Mrs. MARCELL. Thank you, Madam Speaker.

I rise today to offer amendment 03182, which would amend SB 683. My amendment would require the Department of Drug and Alcohol Programs to engage in a public awareness campaign to educate the public about the dangers of the human use of xylazine. We can and should act today to give the department these tools to get this drug off the streets. This is an important step to reversing this deadly epidemic. We cannot wait to see how bad this will get before we act.

I ask for an affirmative vote. Thank you.

The SPEAKER. The Chair thanks the gentlelady.

On that question, the Chair recognizes the majority chair of Health, the gentleman from Allegheny, Representative Frankel.

Mr. FRANKEL. Thank you, Madam Speaker.

This is an agreed-to amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—202

Abney	Fleming	Krupa	Rader
Adams	Flick	Kulik	Rapp
Armanini	Flood	Kutz	Rigby
Banta	Frankel	Kuzma	Roae
Barton	Freeman	Labs	Rossi
Bellmon	Friel	Lawrence	Rowe
Benham	Fritz	Leadbeter	Rozzi
Benninghoff	Gallagher	Mackenzie, M.	Ryncavage
Bernstine	Galloway	Mackenzie, R.	Salisbury
Bizzarro	Gaydos	Madden	Samuelson
Bonner	Gergely	Madsen	Sanchez
Borowicz	Gillen	Major	Sappey
Borowski	Giral	Mako	Schemel
Boyd	Gleim	Malagari	Scheuren
Boyle	Green	Maloney	Schlegel
Bradford	Gregory	Marcell	Schlossberg
Brennan	Greiner	Markosek	Schmitt
Briggs	Grove	Marshall	Schweyer
Brown, A.	Guenst	Matzie	Scialabba
Brown, M.	Guzman	Mayes	Scott
Bullock	Haddock	McAndrew	Shusterman
Burgos	Hamm	McNeill	Siegel
Burns	Hanbidge	Mehaffie	Smith
C Freytiz	Harkins	Mentzer	Smith-Wade-El
Cabell	Harris	Mercuri	Solomon
Causar	Heffley	Merski	Staats
Cephas	Hogan	Metzgar	Stambaugh
Cerrato	Hohenstein	Mihalek	Steele
Ciresi	Howard	Miller, B.	Stehr
Conklin	Irvin	Miller, D.	Stender
Cook	Isaacson	Moul	Struzzi
Cooper	James	Mullins	Sturla
Curry	Jones, M.	Munroe	Takac
Cutler	Jones, T.	Mustello	Tomlinson
D'Orsie	Jozwiak	Neilson	Topper
Daley	Kail	Nelson, E.	Twardzik
Davanzo	Kaufer	Nelson, N.	Vitali
Davis	Kauffman	O'Mara	Warner
Dawkins	Kazem	O'Neal	Warren
Deasy	Keefer	Oberlander	Watro
Delloso	Kenyatta	Ortitya	Waxman

Delozier	Kephart	Otten	Webster
Diamond	Kerwin	Owlett	Wentling
Donahue	Khan	Parker	White
Dunbar	Kim	Pashinski	Williams, C.
Ecker	Kinhead	Pickett	Williams, D.
Emrick	Kinsey	Pielli	Young
Evans	Klunk	Pisciottano	Zimmerman
Fee	Kosierowski	Powell	
Fiedler	Krajewski	Probst	McClinton,
Fink	Krueger	Rabb	Speaker

NAYS—1

Venkat

NOT VOTING—0

EXCUSED—0

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

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

Mr. FRANKEL offered the following amendment No. **A03214**:

Amend Bill, page 1, lines 15 and 16, by striking out all of line 15 and "a general" in line 16 and inserting

(a) General rule.—

(1) Except as provided in paragraph (2), if a urine drug screening is conducted in an emergency department within an Amend Bill, page 1, by inserting after line 18

(2) The xylazine testing under paragraph (1) shall only be required if testing is available as part of the urine drug screening panel.

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(b) Reporting.—

(1) If the urine drug screening conducted in Amend Bill, page 2, line 3, by striking out "hospital" and inserting

emergency department

Amend Bill, page 2, lines 4 through 10, by striking out "Department of Health through PA-NEDSS." in line 4 and all of lines 5 through 10 and inserting

(2) The department shall determine the manner of submission of test results.

(3) Reporting for fentanyl and xylazine shall occur when results meet a screening threshold set by the department.

(4) The department shall transmit notice of the manner of submission of test results under paragraph (2) and the screening threshold under paragraph (3) to the Legislative Reference Bureau for publication in the next available issue of the Pennsylvania Bulletin.

(5) Prior to the transmittal of the notice under paragraph (4), the department shall consult with stakeholders regarding the manner of submission of test results and the screening threshold.

(c) Applicability.—The requirements of this chapter shall not apply if a health care practitioner of the emergency department determines that a positive test result for fentanyl is due to a legally prescribed course of treatment for the patient. The health care practitioner shall denote this exception in the patient's medical record.

Amend Bill, page 2, line 16, by striking out "Department of

Health" and inserting department
 Amend Bill, page 2, line 19, by inserting after "of" the act of April 14, 1972 (P.L.233, No.64), known as Amend Bill, page 2, lines 21 and 22, by striking out all of said lines and inserting
"Department." The Department of Health of the Commonwealth.
"Emergency department." An entity within a hospital that is organizationally distinct from other outpatient facilities and whose primary function is to provide emergency accident or emergency medical or surgical care. The term includes an outpatient emergency department.
"Health care practitioner." As defined in section 103 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.
 Amend Bill, page 2, line 24, by inserting after "substance" or xylazine

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

The SPEAKER. The Chair recognizes Representative Frankel.

Mr. FRANKEL. Thank you, Madam Speaker.

SB 683 as drafted is well-meaning, but stakeholders have pointed out significant unintended consequences related to potentially inaccurate results and extra costs. This amendment accomplishes a few things. First, it limits the requirement to test and report information in the area needed most: the emergency department. This is the information that helps our Department of Health monitor both overdose deaths and overdoses that do not result in fatalities, to monitor the dangers and conduct public health outreach. The most recent overdose results from the report showed that 78 percent of all deaths involved fentanyl.

This also makes sure the tests get the most accurate results, and only requires the drug screening for xylazine if that is available in a high-accuracy format. It also allows the department and stakeholders to work collaboratively to determine the best method for reporting this information so it is most useful to public health efforts.

I want to thank my colleagues across the aisle and across the chamber who worked with me to get this agreement in place, and for the efforts of the hospitals and the department. This is a bipartisan effort to correct a great wrong, and I am grateful to my colleagues who put so much time and effort into solving this problem. It is remarkable to have legislation with such universal support. Thanks to all who worked so hard to get this done. Thanks so much, and I appreciate your support for this amendment.

Thank you very much, Madam Speaker.

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

The following roll call was recorded:

YEAS—135

Abney	Evans	Krueger	Probst
Armanini	Fee	Kulik	Rabb
Bellmon	Fiedler	Kuzma	Rapp
Benham	Fleming	Labs	Rozzi
Benninghoff	Frankel	Mackenzie, R.	Salisbury
Bizzarro	Freeman	Madden	Samuelson
Bonner	Friel	Madsen	Sanchez

Borowski	Gallagher	Major	Sappey
Boyd	Galloway	Malagari	Schlossberg
Boyle	Gergely	Marcell	Schmitt
Bradford	Giral	Markosek	Schweyer
Brennan	Green	Marshall	Scott
Briggs	Gregory	Matzie	Shusterman
Brown, A.	Guenst	Mayes	Siegel
Brown, M.	Guzman	McAndrew	Smith
Bullock	Haddock	McNeill	Smith-Wade-El
Burgos	Hanbidge	Mehaffie	Solomon
Burns	Harkins	Mentzer	Steele
C Freytiz	Harris	Merski	Struzzi
Causer	Heffley	Mihalek	Sturla
Cephas	Hogan	Miller, D.	Takac
Cerrato	Hohenstein	Mullins	Tomlinson
Ciresi	Howard	Munroe	Vitali
Conklin	Isaacson	Neilson	Warren
Cook	James	Nelson, N.	Waxman
Curry	Kail	O'Mara	Webster
Cutler	Kazeem	O'Neal	Wentling
Daley	Kenyatta	Oberlander	White
Davis	Kephart	Otten	Williams, C.
Dawkins	Kim	Parker	Williams, D.
Deasy	Kinhead	Pashinski	Young
Delloso	Kinsey	Pielli	
Delozier	Kosierowski	Pisciottano	McClinton,
Donahue	Krajewski	Powell	Speaker
Emrick			

NAYS—68

Adams	Gillen	Lawrence	Rossi
Banta	Gleim	Leadbeter	Rowe
Barton	Greiner	Mackenzie, M.	Ryncavage
Bernstine	Grove	Mako	Schemel
Borowicz	Hamm	Maloney	Scheuren
Cabell	Irvin	Mercuri	Schlegel
Cooper	Jones, M.	Metzgar	Scialabba
D'Orsie	Jones, T.	Miller, B.	Staats
Davanzo	Jozwiak	Moul	Stambaugh
Diamond	Kaufner	Mustello	Stehr
Dunbar	Kauffman	Nelson, E.	Stender
Ecker	Keefer	Ortitay	Topper
Fink	Kerwin	Owlett	Twardzik
Flick	Khan	Pickett	Venkat
Flood	Klunk	Rader	Warner
Fritz	Krupa	Rigby	Watro
Gaydos	Kutz	Roae	Zimmerman

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. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **SB 910, PN 1080**, entitled:

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

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

The SPEAKER. The Chair rules the following amendment out of order for violating House rule 20: Representative Greiner's offered amendment, A03219.

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

Mr. **DIAMOND** offered the following amendment No. **A03241**:

Amend Bill, page 1, line 3, by inserting after "penalties" and providing for amnesty for disciplinary actions regarding COVID-19 protocol

Amend Bill, page 2, line 8, by striking out all of said line and inserting

Section 2. Title 63 is amended by adding a section to read:
§ 3108.1. Amnesty for disciplinary actions regarding COVID-19 protocols.

A license, registration, certificate or permit that was suspended or revoked or any disciplinary action taken by a licensing board or licensing commission on a licensee, registrant, certificate holder or permit holder for failure to comply with any of the following during the period in which the Governor's Proclamation of Disaster Emergency issued on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020) was in effect shall be removed or reinstated:

(1) A proclamation or order of the Governor under 35 Pa.C.S. § 7301(f)(7) (relating to general authority of Governor), section 2102(a) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, section 8(a) of the act of April 27, 1905 (P.L.312, No.218), entitled "An act creating a Department of Health, and defining its powers and duties," or section 5 of the act of April 23, 1956 (1955 P.L.1510, No.500), known as the Disease Prevention and Control Law of 1955, which relates to the novel coronavirus known as "COVID-19."

(2) An order of the Secretary of Health under section 2102(a) or 2106 of The Administrative Code of 1929, section 8(a) of the act entitled "An act creating a Department of Health, and defining its powers and duties," section 5 of the Disease Prevention and Control Law of 1955 or 28 Pa. Code. § 27.60 (relating to disease control matters), 27.61 (relating to isolation), 27.65 (relating to quarantine), 27.66 (relating to placarding), 27.67 (relating to movement of persons and animals subject to isolation or quarantine by action of a local health authority of the Department) or 27.68 (relating to release from isolation or quarantine), which relates to the novel coronavirus known as "COVID-19."

(3) Guidance issued by the Department of Health or the Department of Human Services relating to the novel coronavirus known as "COVID-19."

Section 3. This act shall take effect in 60 days.

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

The SPEAKER. The Chair recognizes the gentleman from Lebanon, Representative Diamond.

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

My amendment requires the licensing boards under the Department of State to reinstate any license, registration, certificate, or permit that was suspended or revoked, or remove any disciplinary action taken by a licensing board on a licensee for a failure to comply with COVID-19 protocols set forth by the

Governor and the Secretary of Health during the disaster emergency related to COVID that began on March 6, 2020.

Madam Speaker, I wish for my colleagues to think seriously about this amendment. We had many, many folks in Pennsylvania, under a different disaster emergency system which allowed for indefinite disaster emergencies, unlike the disaster emergency we extended today for the interstate highway or bridge in Philadelphia. It was a different system where the administrative hand could be very, very heavy. And folks that had professional licenses, they got dinged – they got letters, they might have gotten fines, they might have gotten warnings, that sort of thing. And, you know, it created a lot of animosity. We are talking about people here, Madam Speaker, who really were just trying to make a living.

We are talking about the salon owner, who may have been a single mom who was just trying to feed her kids, and was promised relief, but never actually got it through a system that was broken. We are talking about real estate agents who were just trying to make a living. We are talking about, Madam Speaker, we are talking about 29 categories of professionally licensed people in Pennsylvania who may have gotten some sort of ding on their licensure record because of the COVID-19 disaster emergency – which, by the way, Madam Speaker, this question of whether that was fair or not has already been answered. It has been answered by the people of Pennsylvania, who actually changed our Constitution to make that not able to happen again without input from the General Assembly, as we did today.

Madam Speaker, this has also been answered through court cases. Every single time somebody with a professional license fought back against that administrative hand, eventually, the previous administration simply dropped the case and walked away because it was apparent they were going to lose the case. Madam Speaker, for those professional license holders who did not have the big dollars to pay a lawyer to represent them in fighting back against the administrative hand, I believe we deserve to grant them amnesty for any of the little dings or warning letters they got on their license.

So my amendment would grant that amnesty. It would give all those single moms – the hairdressers, the dental hygienists – it would grant them all amnesty and clear them of any dings they got under that disaster emergency – which, by the way, could never, ever happen again.

I believe, Madam Speaker, with the adoption of my amendment, folks who hold these professional licenses and got dinged during COVID-19 would have just a little bit more faith in their State government. And I believe this amendment, Madam Speaker, would go a long way to healing the divisions that came to be in Pennsylvania under the disaster emergency declaration which was originally declared on March 6, 2020.

So I ask my colleagues to join in to grant these folks a little COVID-19 amnesty and make Pennsylvania a better place.

Thank you so much, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes the gentleman from Cambria, the majority chair of Professional Licensure, Representative Burns.

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

This amendment is not agreed to. However, I do appreciate the comments from the previous speaker, and my door is always open to you to discuss this further and work through this issue. I just do not think we are ready to pass that tonight. But I extend

the olive branch to look at this issue in more depth and see how we can come to some type of agreement with the department and how we actually can make it work. But as of right now, it is just not ready, and I appreciate a "no" vote on this.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes the gentleman from Allegheny County, Representative Venkat.

Mr. VENKAT. Thank you, Madam Speaker.

I am a licensed professional, and I certainly appreciate the sentiments of my colleague. But I think that when we are looking backwards and trying to make judgments about what happened with the limited knowledge we had at that time, that we have to be very careful about setting precedents that may cause problems in the future. I am especially worried in the health professions, where there are requirements related to vaccination, where there are requirements related to testing because of the risk that exists to transmission to vulnerable patients. And so while the COVID issue has become overly politicized – and I hope that this Assembly will eventually come to terms with studying our response and being better prepared for public health emergencies in the future – I would strongly urge a "no" vote, because the precedent that is being set here could have unintended consequences in terms of the safety within our health-care system.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, for the second time, the maker of the amendment, Representative Diamond.

Mr. DIAMOND. Thank you, Madam Speaker.

I certainly appreciate the gentleman, the chairman's request for an olive branch, and I am offering it. This is the olive branch. Let us make peace over this issue. Right now, right here, today, you can do that by voting "yes." And I do appreciate the gentleman from Allegheny County's comments about, you know, how these orders and administrative actions were issued in a time where, you know, we were not fully sure about what was going on, and I agree with him 100 percent.

Look, nobody is questioning the intentions of the previous administration when we launched down this path beginning on March 6, 2020, but here we are, nearly 4 years beyond the point, and we have realized in Pennsylvania – and I reiterate, the people have spoken, and they have said that administration went too far, and actually changed our Constitution; that is how seriously they felt about that. And this has been spoken about in the courts where, when challenged on these administrative actions on professional licenses, the previous administration, when pushed to the limit, they backed out. Not a single one of these has stuck.

So I ask again, Madam Speaker, the olive branch is here. The olive branch is offered right here, right now with my amendment. All we need is to make those names on the board olive green to fulfill the olive branch that I am offering right here, right now.

Thank you so much, Madam Speaker. I encourage a "yes" vote on this amendment that will heal the old wounds that still exist in Pennsylvania.

Thank you, Madam Speaker.

The SPEAKER. On that question, the Chair recognizes the gentleman from Lehigh, Representative Mackenzie.

Mr. MACKENZIE. Thank you, Madam Speaker.

I stand to support the amendment. As we have already seen, the precedent of reversing these mandates and allowing people to go back without penalty has already been set by the Federal government. The current administration in Washington, DC, and the Department of Defense have reversed the vaccine mandate

for the military and are welcoming people back into the fold without ever getting that vaccine. So that mandate has already been set; that precedent is out there, that we are allowing people back to work without the penalties of complying with an illegal, unconstitutional mandate.

So I would support this amendment, and hopefully we will follow the precedent the Department of Defense has already set for us. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Representative Eric Nelson.

Mr. E. NELSON. When we talk about issues and actions taken by our Department of Defense during COVID, let us not forget the thousands of Marines that were dishonorably discharged for declining a shot, a shot that is now recognized for myocarditis—

The SPEAKER. The gentleman will suspend.

The gentleman will confine his remarks to the substance of the amendment, A03241. Reminding all members that we are the State government; we deal with State issues.

Mr. E. NELSON. Thank you, Madam Speaker.

I appreciate your refocus to the State of Pennsylvania. And it makes me think of our nurses, it makes me think of our health-care professionals, it makes me think of our home health-care professionals that were fired and lost unemployment rights and opportunity. This action by the overreach of our Governor triggered an unemployment surge in Pennsylvania that somehow now our colleagues from across the aisle not only do not want to recognize, but do not want to heal. When we talk about citizens that lost their jobs—

The SPEAKER. The gentleman will suspend.

The gentleman and all members are reminded: In this body, we do not question the motives of members. This is your second and final warning on this amendment.

Mr. E. NELSON. Thank you, Madam Speaker.

And again, I do not question the motives of hospital systems that fired employees that made personal health decisions, who maybe wanted to have a baby or maybe did not want to have myocarditis or maybe did not want to have a side effect, but I do support the maker of this amendment when all he is asking is recognition that overreach has consequences, and that the State of Pennsylvania, though our population is declining as a result of COVID-19, though our employment has not restored as a result of COVID-19, this is an olive branch – a scorched branch at best, I would say, Madam Speaker.

In order to recognize overreach has consequences, I would implore the members of this House to support the amendment, and let us let the healing process begin.

Thank you, Madam Speaker.

The SPEAKER. The Chair recognizes, for the second time, the gentleman from Allegheny County, Representative Venkat. The gentleman waives off.

The Chair recognizes Representative Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, I think it is important for the chamber here to focus on what the good gentleman's amendment actually does. It does not relitigate any of the past; it simply says that the government recognizes that individuals who relied on a State license that might have something recorded in their file will in fact have it removed.

This is about making the record right going forward, because let us contrast that with what did actually happen, as the good gentleman pointed out, regarding the processes and the procedures that occurred for those individuals who were

fortunate enough to have a good attorney, they could afford an attorney, and they challenged it: The government dropped their prosecution or their complaints against every one of those individuals.

To not support this amendment is to say, those who cannot afford a lawyer do not get justice. That is what this amendment is about. It is about a two-tiered justice system, one where those who are fortunate enough to have good representation can have their records cleaned and their licenses cleaned, but those who did not – or out of fear, chose not to – will have a blemish on their record.

And this is not about the issues of orders or standards, as the good gentleman from Allegheny County attempted to discuss. This is not about private employers making their own policies; we support that. But I would point to our colleagues to the north, where recently, just January 13 of this year, the New York Supreme Court – not exactly a bastion of conservatism – said that their vaccine mandate was unconstitutional and was invalidated and opened up benefits for all of their workers. They made the record correct. We should do the same.

Here shortly we will be considering a process to make pardons easier on criminals. I do not think they should be treated better than the individuals with licenses who have blemishes on them that could be fixed if we support this amendment. I urge a "yes" vote.

The SPEAKER. The Chair recognizes the gentleman from Montgomery County, Representative Bradford.

Mr. BRADFORD. Thank you, Madam Speaker.

And I will be brief, as the hour is late. Obviously, we have a bipartisan bill here to bring needed reforms. It is a shame that we are getting sidetracked by those who do not want to see important progress in a bipartisan way happen at this late hour. I feel it is unfair to attack our brothers in the other chamber and their bill. But let us move on and get to the work in front of us.

Thank you, Madam Speaker.

The SPEAKER. The Chair reminds the gentleman, there are sisters in the other chamber too.

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	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 amendment was not agreed to.

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 941, PN 1148**, 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 Drug and Alcohol Programs, further providing for powers and duties and providing for regulatory flexibility during opioid epidemic.

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

Mr. **KINSEY** offered the following amendment No. **A03200**:

Amend Bill, page 5, lines 5 through 11, by striking out all of lines 5 through 10 and "(7)" in line 11 and inserting

(6)

Amend Bill, page 5, lines 14 through 19, by striking out all of said lines

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

The SPEAKER. The Chair recognizes the majority chair of Human Services, Representative Kinsey.

Mr. KINSEY. Thank you, Madam Speaker.

Madam Speaker, this amendment is in response to concerns expressed by outpatient counselors and the administration who fear that the proposed legislation might unintentionally impose more burdens than originally intended. This amendment removes the provisions in SB 941 that suspend regulations setting maximum caseloads for counselors and outpatient narcotic and non-narcotic treatment programs.

Madam Speaker, this is an agreed-to amendment, and I urge a vote in support of this amendment.

Thank you, Madam Speaker.

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
Causser	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	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. The bill as amended will be reprinted.

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

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

(Bill analysis was read.)

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

On that question, the Chair recognizes the majority chair of Transportation and the maker of the bill, Representative Neilson.
Mr. NEILSON. Thank you, Madam Speaker. I will be brief.

I ask the members to support this bipartisan bill. Representative Struzzi and I introduced this together, the gentleman from Indiana County, and we worked hard to get all the stakeholders on board to work together and move this bill forward. I would like to put the rest of my comments on the record to expediate time so we can all get home at a decent hour this evening.

Thank you, Madam Speaker.

REMARKS SUBMITTED FOR THE RECORD

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

I ask the members to support this bill. Working in the government, everyone here knows that it takes a long time to get a road or bridge project off the ground. At times, it can take 18-24 months just to get a shovel in the ground.

This committee held a public hearing on the design build best value procurement on August 8, 2023, in Pittsburgh. During that hearing, we heard from multiple experts about the benefits of design build best value as an alternative to low-bid contracting. These benefits include schedule acceleration, cost savings, innovating design solutions, and better management of risk.

This is a bipartisan idea. This bill was jointly introduced by myself and the gentleman from Indiana County. This was previously introduced as a Republican bill last session.

This bill has been negotiated by multiple stakeholders over the past few years. It is supported by both the construction industry and the building trades, and there is no known opposition. PennDOT is ready to use this on multiple complex projects as soon as this is enacted, including the I-83 South Bridge project. It is now time for Pennsylvania to move forward with design build best value procurement.

I ask the members to support this legislation.

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

The Chair recognizes the gentleman from Indiana, Representative Struzzi.

Mr. STRUZZI. Thank you, Madam Speaker.

I appreciate your flexibility. I think I need to have my button checked.

I do want to thank the good chairman from Philadelphia for his partnership on this legislation. This is a really good bill, design build best value. We have been working on this for a couple of years now, but really, the design build concept has been around for a long time. As many of you know, I spent 14 years of my career working for PennDOT, both as a community relations coordinator in PennDOT District 10, which is headquartered in Indiana County, and as an assistant press secretary in PennDOT District 11, which is headquartered in Allegheny County, and at that time we did employ the best build concept on major transportation improvement projects.

What it allows the PennDOT and the turnpike to do is to basically design the project in conjunction with the firm that is going to build the project. Currently PennDOT hires an engineering firm to design the project, then they bid the project again for the construction phase. This can delay the project – oftentimes there is a lengthy review process for the construction firm to work with the engineers to try to figure out how to build the projects – so what this does, it allows it to occur simultaneously. This will save taxpayer dollars, this will expedite projects, and this will deliver critical infrastructure improvements in a faster manner.

So I encourage your support of HB 1833, and again I thank the good chairman for working with us on this legislation. Thank you.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—189

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

NAYS—14

Banta	Hamm	Rapp	Scialabba
Bernstine	Jones, M.	Rossi	Stehr
Borowicz	Keefer	Rowe	Zimmerman
Fink	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 bill passed finally.

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

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

(Bill analysis was read.)

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

On that question, the Chair recognizes the maker of the bill, the gentlelady from Delaware County, Representative Curry.

Mrs. CURRY. Thank you, Madam Speaker.

I rise in support of HB 1417 because it is a critical addition around essential care of the constituents of our Commonwealth.

In my community and throughout Pennsylvania, there are many constituents whose only access to dental and health care is through medical assistance. For decades we have seen the devastating results for families when medical and health-care inequities continue to plague those who suffer the most vulnerabilities when it comes to their health. This bipartisan bill is a step forward in our legislature, working together to create a more equitable and fair health-care system which ensures better outcomes for patients and providers.

I was not here over a decade ago when the decision was made to cut dental benefits, but I know that in the past decade or so, we have continued to learn that there is no separating dental health from the rest of our health. The health inequities that continue to persist around accessibility, standard of care, and continuity of care are staggering, and moreover, unacceptable for those we serve in our Commonwealth. And this legislation is finally going to create the necessary safeguards to protect the overall health of those who are most vulnerable.

Earlier this year I was contacted by a provider in my district who was sad, tired, and disgusted around the possibility of being forced to close his practice due to coverage and reimbursements. This reality has the potential of impacting hundreds of patients and creating yet another health-care desert. This legislation matters; our constituents matter. Their dental care is their health care.

Lastly, I want to express my heartfelt thank you to three members from Allegheny County, former Representative Innamorato, Representative Gaydos, and Representative Kinkead, who have led the charge on this bipartisan issue.

I am grateful to this entire body for restoring dental benefits to our neighbors throughout Pennsylvania. I urge a "yes" vote for HB 1417.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentlelady.

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

Ms. KINKEAD. Thank you, Madam Speaker.

We need to reexpand the coverage that was provided under Medicaid to our poorest neighbors, constituents. In 2011 the reasoning for this contraction of services was to save money, and the simple fact of the matter is that this has not actually accomplished that goal. We have not saved money. What we have done is create a system where people who can afford dental care are allowed to have their teeth, and people who cannot afford dental care and rely on Medicaid are not entitled to keep their teeth.

Try getting a job when you are missing some of your teeth. Try having a successful relationship, dating. There are so many impediments to just average life if you have your teeth removed because you are not entitled to the same care that other people receive from their dentists.

The care that we cut off in 2011 is essential health care. These are things like root canals, where right now Medicaid patients have to go through an arduous process to be approved for an exception, and most of the time they are not actually approved, which means those teeth are pulled rather than saved despite the fact that dentists across our Commonwealth are telling us that they can do the procedures that are necessary in order for people to keep their teeth.

More than that, like my colleague from Delaware County said, dental health is the gateway to all other health. It is not just about your oral health. It is not just about the quality of your teeth. It is also about your cardiovascular health. It is also about catching neck and throat and head cancers at an early enough stage that they can be treated. Our dentists are providing essential services, and when our poorest constituents cannot access those services because they are not entitled to them with the State-run programs that we are offering them, we are denying them the ability to, in some cases, live.

We can do better and we should do better. And this is a marginal cost to restore these benefits, because it did not save our Commonwealth money, and in fact, has cost our Commonwealth money in the services that our Medicaid patients have to receive through the emergency room because they do not have dental care.

So I am asking for an affirmative vote on this because fundamentally, this bill takes care of the Pennsylvanians who need it most. And we even amended in the committee to say that this will not go into effect until we actually appropriate the funds to cover it, so there is no unfunded mandate. But we can help people who need the help the most.

So please, I am asking for a "yes" vote. Thank you.

THE SPEAKER PRO TEMPORE (DONNA BULLOCK) PRESIDING

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

Ms. GAYDOS. Thank you, Madam Speaker.

Good dental care is good health care. Good dental care is critical to workforce development. Oral diseases are a serious problem for individuals, society, and the public health system.

Diseases such as heart disease, high blood sugar, diabetes, kidney disease, dementia, arthritis, respiratory issues, infertility, and more have all been linked to poor dental health; thus, the cuts in medical assistance that occurred in 2011 did not actually save the Commonwealth money. It actually costs the Commonwealth when poor dental health in Medicaid recipients lead to chronic and way more costly diseases.

Madam Speaker, I fully support passage of HB 1417, which would restore medical assistance recipients in Pennsylvania with a dental benefit package that provides services to them to address these dental issues. As the saying goes, when you smile, the whole world smiles back at you.

Studies have shown over and over again that the significance of teeth and good oral health goes way beyond physical health and nutrition. Good teeth play a strategic role as a key element for labor inclusion. Good teeth mean better opportunities for job applicants. Study after study show that public health policies should, quote, "...aim to cut the vicious circle in which socioeconomic vulnerable communities..." who are at greatest risk when their access to oral care is unavailable.

As I said, our smiles send out signals of who we are, what we think about ourselves, and our capabilities, so having a healthy mouth and teeth will lead to better health, better productivity, and better career advancement.

I will be a "yes" vote, and I encourage all of my colleagues to do the same. And I will spare you that I will not go out and sing a Barry Manilow song that goes, "Can't smile without you." Thank you. That is left for my colleague on the other side of the aisle.

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—153

Abney	Frankel	Labs	Rigby
Adams	Freeman	Lawrence	Rossi
Barton	Friel	Mackenzie, M.	Rozzi
Bellmon	Gallagher	Mackenzie, R.	Ryncavage
Benham	Galloway	Madden	Salisbury
Bizzarro	Gaydos	Madsen	Samuelson
Bonner	Gergely	Major	Sanchez
Borowski	Gillen	Mako	Sappey
Boyd	Giral	Malagari	Scheuren
Boyle	Green	Marcell	Schlegel
Bradford	Greiner	Markosek	Schlossberg
Brennan	Guenst	Marshall	Schweyer
Briggs	Guzman	Matzie	Scott
Brown, A.	Haddock	Mayes	Shusterman
Bullock	Hanbidge	McAndrew	Siegel
Burgos	Harkins	McNeill	Smith-Wade-El
Burns	Harris	Mehaffie	Solomon
C Freytiz	Heffley	Mercuri	Staats
Causser	Hogan	Merski	Steele
Cephas	Hohenstein	Mihalek	Struzzi
Cerrato	Howard	Miller, D.	Sturla
Ciresi	Isaacson	Mullins	Takac
Conklin	James	Munroe	Tomlinson
Cook	Jozwiak	Neilson	Twardzik
Curry	Kail	Nelson, N.	Venkat
Daley	Kaufner	O'Mara	Vitali
Davis	Kazeem	O'Neal	Warren

Dawkins	Kenyatta	Ortitay	Watro
Deasy	Khan	Otten	Waxman
Delloso	Kim	Parker	Webster
Delozier	Kinthead	Pashinski	Wentling
Diamond	Kinsey	Pickett	White
Donahue	Klunk	Pielli	Williams, C.
Dunbar	Kosierowski	Pisciottano	Williams, D.
Emrick	Krajewski	Powell	Young
Evans	Krueger	Probst	
Fiedler	Kulik	Rabb	McClinton,
Fleming	Kutz	Rader	Speaker
Flood	Kuzma	Rapp	

NAYS—50

Armanini	Fink	Kerwin	Roae
Banta	Flick	Krupa	Rowe
Benninghoff	Fritz	Leadbeter	Schemel
Bernstine	Gleim	Maloney	Schmitt
Borowicz	Gregory	Mentzer	Scialabba
Brown, M.	Grove	Metzgar	Smith
Cabell	Hamm	Miller, B.	Stambaugh
Cooper	Irvin	Moul	Stehr
Cutler	Jones, M.	Mustello	Stender
D'Orsie	Jones, T.	Nelson, E.	Topper
Davanzo	Kauffman	Oberlander	Warner
Ecker	Keefer	Owlett	Zimmerman
Fee	Kephart		

NOT VOTING—0

EXCUSED—0

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

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

SUPPLEMENTAL CALENDAR B CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1585, PN 2323**, 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 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 Allegheny County, Representative Frankel.

Mr. FRANKEL. Thank you, Madam Speaker.

I want to thank all of my colleagues for their affirmative votes in passing HB 1417 just previously that improves access to dental health care in the State of Pennsylvania. And we can still do more to do that.

As you heard, too many people in this Commonwealth do not have access to dental care. There is not just one reason for it; there are many. And it is going to take many solutions to address it. People cannot get to the dentist because they cannot afford the appointment, because they do not have transportation, because there are not enough providers in their community. The consequences of these obstacles can be devastating. All over Pennsylvania, people are living in pain or dealing with significant medical conditions that could have easily been addressed when they started with a toothache.

HB 1585 is a tested, commonsense way to bring dental health care to those who struggle to get to a dentist. Through virtual connections, a dentist can assess a patient and determine if they require in-person care. In just one example, a dental hygienist could take X-rays at an off-site location, such as a school or nursing home, and send the information to the dentist, who can then follow up with a treatment plan. Through flexibilities allowed during the pandemic, we have already seen this strategy make a difference in Pennsylvanians' lives. This legislation would establish teledentistry in our Commonwealth and require insurance plans to cover the service through negotiated rates by the insurer and the provider. I ask for your support for this legislation.

Thank you, Madam 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—163

Abney	Fleming	Kuzma	Rader
Adams	Flood	Labs	Rapp
Barton	Frankel	Mackenzie, M.	Rigby
Bellmon	Freeman	Mackenzie, R.	Roae
Benham	Friel	Madden	Rossi
Benninghoff	Fritz	Madsen	Rozzi
Bizzarro	Gallagher	Major	Ryncavage
Bonner	Galloway	Mako	Salisbury
Borowski	Gaydos	Malagari	Samuelson
Boyd	Gergely	Marcell	Sanchez
Boyle	Giral	Markosek	Sappey
Bradford	Green	Marshall	Scheuren
Brennan	Greiner	Matzie	Schlegel
Briggs	Grove	Mayes	Schlossberg
Brown, A.	Guenst	McAndrew	Schweyer
Brown, M.	Guzman	McNeill	Scott
Bullock	Haddock	Mehaffie	Shusterman
Burgos	Hanbidge	Mentzer	Siegel
Burns	Harkins	Mercuri	Smith-Wade-El
C Freytiz	Harris	Merski	Solomon
Causer	Heffley	Mihalek	Staats
Cephas	Hogan	Miller, B.	Steele
Cerrato	Hohenstein	Miller, D.	Struzzi
Ciresi	Howard	Mullins	Sturla
Conklin	Isaacson	Munroe	Takac
Cook	Jozwiak	Mustello	Tomlinson
Cooper	Kail	Neilson	Topper
Curry	Kaufer	Nelson, N.	Twardzik
Cutler	Kazeem	O'Mara	Venkat
Daley	Kenyatta	O'Neal	Vitali
Davis	Kerwin	Oberlander	Warren
Dawkins	Khan	Ortitay	Waxman
Deasy	Kim	Otten	Webster
Delloso	Kinhead	Parker	Wentling

Delozier	Kinsey	Pashinski	White
Diamond	Klunk	Pickett	Williams, C.
Donahue	Kosierowski	Pielli	Williams, D.
Dunbar	Krajewski	Pisciottano	Young
Emrick	Krueger	Powell	
Evans	Kulik	Probst	McClinton,
Fee	Kutz	Rabb	Speaker
Fiedler			

NAYS—40

Armanini	Gillen	Kephart	Schemel
Banta	Gleim	Krupa	Schmitt
Bernstine	Gregory	Lawrence	Scialabba
Borowicz	Hamm	Leadbeter	Smith
Cabell	Irvin	Maloney	Stambaugh
D'Orsie	James	Metzgar	Stehr
Davanzo	Jones, M.	Moul	Stender
Ecker	Jones, T.	Nelson, E.	Warner
Fink	Kauffman	Owlett	Watro
Flick	Keefer	Rowe	Zimmerman

NOT VOTING—0

EXCUSED—0

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

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

* * *

The House proceeded to third 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 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 McClinton.

Ms. McCLINTON. Thank you, Madam Speaker, and thank you to the majority leader for calling this bill up.

The very first time I spoke on the floor of this House, it was around this time of year in 2015. And at that time we were voting on a measure to reinstate mandatory minimums. And I had done what you do when you get here, depending on your perspective. I came, I sat, I listened, I observed, but most importantly, I sat very quietly and listened to other people get up to speak on the floor, say their piece. And I said, I will give a floor speech one day, but it has to be something that is important to my constituents and important to me as their voice in Harrisburg. And the day that I finally broke my silence, I just could not take any more. I could not take the fact that we were once again, at

that time, trying to go back to policies that do not keep us safer as a society, that do not protect the public, and that most importantly, simply are failed policies that have been on the books so long.

And how did I know that they were failing? Well, I am glad you asked. I knew that they were failing because prior to ever coming to join this legislature, I spent almost 10 years working as a public defender in the city and County of Philadelphia. And being in that position, I saw how often issues and laws like mandatory minimums were manipulated against people, some of which were innocent, and some of which made the decision to put their name on papers and plead guilty simply to be able to get out of jail.

And here I find myself, Madam Speaker, seeing my name on the board for the very first time in 8 years, serving my neighbors with this bill. This bill, which came about as a result of me going back and forth with so many colleagues that are here today, to SCI (State correctional institution) Graterford, to SCI Chester, to SCI Muncy, to SCI Cambridge Springs, to so many institutions across the Commonwealth of Pennsylvania, and sitting down with our shared constituencies, talking to women and men whom we tell they should believe in second chances, but there are so many obstacles, there are very few believers. People that we tell they should have hope for themselves and their future, when it seems that there is simply no hope for themselves and there will never be a future.

When you think about the fact that there are 188 women serving life sentences in the Commonwealth of Pennsylvania and 5,000 men serving life sentences in the Commonwealth of Pennsylvania, we have to ask ourselves as a society, at what point should those folks – when they reach a certain age, when they pay their debts to society, when victims' families submit statements to the Board of Pardons and say, so-and-so deserves a second chance; it has been 60 years, it has been 50 years, they should be able to see the light of day.

Why is it that the board is not providing people opportunities? Well, I am glad you asked that question. Because in the 1990s, the Constitution of the Commonwealth of Pennsylvania changed. Prior to that time only three out of the five members of the Board of Pardons had to agree on a pardon, which is simply a recommendation to the Governor – it is not a final act or a commutation – that they can be able to have a second chance and get out of prison. However, once the 1990s came and a lot of tough-on-crime failed policies came, we saw more barriers created in the face of men and women that we tell they should have hope and believe in a second chance or a possible day of redemption.

Well, we are here this evening in this Pennsylvania House of Representatives to be able to simply change the Constitution to what it was prior. We are simply going back to what it had always been when there were more opportunities for people to submit their name. And you ask yourself, well, what difference does it make? Well, there is a lot of difference that it makes. And one friend will not mind me saying his name on the floor, as I got to introduce him not that long ago. Kevin Butler, whom I saw every single time I went to Graterford, would talk to me about how he was convicted of not a violent crime of murder, not a crime with children victims, but because of a set of circumstances was given an 80-year sentence. And although he believed he was reforming himself and had spent decades behind bars, every time he was submitting, he was not hearing anything back because the system

was overburdened and overtaxed. However, after 32 years of serving and paying that debt, the 3 years in which he has been home, he has erected and become a community leader who is regularly seen in this State Capitol, giving us legislative ideas on how we can continue to repair the system and provide justice to victims. He is regularly seen fighting to combat gun violence in our communities. He is regularly seen organizing protests or giving out food.

There is so much hope and potential in people who we have cast away behind bars or who are stuck with a record.

And, Madam Speaker, if I could have some respect on this floor.

The SPEAKER pro tempore. The gentledady is correct and is entitled to be heard. I ask that members please take their conversations off the floor.

The gentledady may proceed.

Ms. McCLINTON. Thank you, Madam Speaker.

When you ask yourself, why do we need to allow the voters to consider changing the Constitution? It is because we want to practice what we preach. And no matter what political affiliation is next to our names, each of us has a constituent who needs a pardon. If not one, you might have a few hundred people who have paid their debts but are not able to get a house, not able to get a job, have stop signs put in their face over and over again, because although we have and continue to advance meaningful criminal reform – in 2020 I was proud to coauthor Clean Slate, where we expanded how many people are able to get their records sealed, and we look forward to more work like that happening this week – there are some who need a pardon, and the Governor in His Excellency is not able to just hand them out, and in fact, in order for us to be able to accomplish that, we need to make sure that we are removing all the barriers.

So I ask my colleagues to think about the constituent in your district who needs the second chance; to think about the one who goes to church with you who has a criminal record, who is not able to get a pardon currently because they are not able to secure the five votes; to think about the more than 150 women who were victims of domestic violence themselves before ever being charged with a crime. To think about the fact that when we talk about justice, there has to be justice available for so many. It cannot simply be a stop sign.

HB 1410 would build upon all the criminal justice reform efforts we have made in Harrisburg thus far. We would make sure that people are able to get a second chance. This is a bipartisan issue, and I am happy to report that the State Senate has an appetite to take this up. There is already a very similar bill percolating on that side of the building.

So I implore all of you to think about that constituent in your district, in your community, at your masjid, who needs the second chance. We all know someone. Whether or not we get on this floor and talk about them tonight, they have come up to you and said, hey, why can I not get an expungement? Why can I not get a second chance? Why is it so difficult to get a pardon? What we can accomplish tonight together is to be able to build upon all the good work we have done thus far and simply provide voters across the Commonwealth the ability to decide that it should be three out of five of that board to simply recommend someone get the second chance that they very likely deserve.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentledady from Philadelphia County and recognizes the gentleman from Delaware County, Representative Craig Williams.

Mr. C. WILLIAMS. Thank you, Madam Speaker.

This inmate beat and raped Grace. She was bound, gagged, and left to die in a sweltering attic. Returning the next day and finding Grace was still alive, this inmate strangled her. He stored her body in cat litter for months, hacked it up, and dumped her in the woods, where she was found by hunters. Grace was 14 years old.

This inmate raped and strangled a 12-year-old.

This one stabbed a young boy 146 times and yelled at the young man over and over again, "Die. Die. Die." He was 8.

I would like you to think for just a moment about what this constitutional amendment would do. It is three words, striking out one and inserting three words. It strikes out the "unanimous" recommendation of the pardon board and replaces it with "three-fifths of." Sixty percent of the votes instead of 100 percent of the votes to get a pardon for a death or life sentence – that is all we are talking about is a death or a life sentence.

We have considered legislation about second chances. This is about pardons for people facing death or life in prison. What can you get life in prison for in the Commonwealth? First-degree murder, second-degree murder, three or more instances of a crime of violence. What is a crime of violence? Rape, child rape, terrorism, human trafficking, and first-degree aggravated assault. Three or more convictions of those crimes of violence. You do not get a life sentence for being something less than absolutely horrific.

Today we are considering three words. Yesterday we considered a number of amendments to perhaps put some guardrails on a three-fifths vote of the pardon board to allow death or life sentence inmates out of prison. The first was to change the vote from 60 percent to 80 percent, four out of five. Every single Republican voted "yes"; every single Democrat voted "no." The amendment failed by one vote. We had another amendment that would require notification of the next of kin. Every single Democrat voted to table that amendment without vote, without debate, and every single Republican voted to continue to a vote. We had another amendment that would require—

The SPEAKER pro tempore. The gentleman will suspend.

POINT OF ORDER

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

Mr. BRADFORD. The gentleman is speaking about amendments that are not in front of us.

The SPEAKER pro tempore. The gentleman's point of order is well-taken. The gentleman will restrain his remarks to the current printer's number of HB 1410.

Mr. C. WILLIAMS. Thank you, Madam Speaker.

The current printer's version of HB 1410 does not include the appointment by the Attorney General of counsel to represent the victims in these pardon boards, because that amendment was tabled as well. We also—

POINT OF ORDER

Mr. BRADFORD. Madam Speaker, there are many things that are not in the legislation. We are here to debate the legislation that is in front of us.

The SPEAKER pro tempore. The gentleman will suspend.

Mr. BRADFORD. There is not a minimum wage—

The SPEAKER pro tempore. The gentleman will suspend.

For what purpose does the gentleman rise?

Mr. BRADFORD. Sorry, Madam Speaker. There are many issues that the gentleman raises that are not in front of the legislation. What we are here to debate at this late hour is the legislation that is in front of us.

The SPEAKER pro tempore. The gentleman's point of order is well-taken for the second time. The gentleman will restrain his remarks to the current printer's number for HB 1410 and not prior votes. Thank you.

Mr. C. WILLIAMS. Thank you, Madam Speaker.

Perhaps we could have considered this bill if it had included safeguards like victims' notification and the enrollment of the Attorney General to help us in advocating for victims. Those provisions are not here, and instead we have three words: "three-fifths of" the pardon board.

So tonight we face an important vote. You have, really, one of two choices. You can stand with victims. You can stand with these children who were raped and murdered and stabbed over 100 times. You can stand for justice. Or you can stand with murderers and child rapists.

The SPEAKER pro tempore. The gentleman will suspend.

Members will not question the motives of other members.

The Chair recognizes the gentelady from Delaware County, Representative Kazeem.

Ms. KAZEEM. Thank you, Madam Speaker.

I rise in support of HB 1410. This bill would amend the Pennsylvania Constitution to replace the PA Board of Pardons unanimous vote requirement with a majority vote for a three out of five votes. The current unanimous vote requirement was a change made in the nineties during the failed tough-on-crimes years. It is very clear that we have new laws that have taken place since the nineties that have yet not reflected individuals that are still currently incarcerated.

Additionally, this is very much simple, commonsense, well-needed legislation. For those that are not following, we have seen many transitions so far over the few years of Secretary of Pardons because of no movements, the backlogs, and also the work overload. Additionally, I believe that Pennsylvania is a place for second chances and that individuals can change, make amends, and contribute to the improvement of the Commonwealth. And yes, I believe that as a survivor of sexual assault and other crimes being committed against me with individuals that are currently in prison right now for that.

This bill does not guarantee pardons or commutes, but it does give more deserving people a chance. Again, I am just asking all of my colleagues to really look into this. The Pennsylvania Board of Pardons does play a key factor in the criminal justice reform landscape.

So again, Madam Speaker, I am in support of HB 1410, and I urge all of my colleagues to also do the same. And I want to thank both of the makers of this bill for this well-needed legislation.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentelady from Delaware County and recognizes the gentelady from Cumberland County, Representative Gleim.

Mrs. GLEIM. Thank you, Madam Speaker.

This bill is not complete. It misses the mark. It is very reckless. This bill tells crime victims that they do not matter and we do not want to hear their concerns. All of the amendments during second consideration yesterday related to victims were tabled, so our voices —

The SPEAKER pro tempore. The gentelady will suspend.

Mr. GLEIM. —were tabled.

The SPEAKER pro tempore. As the Chair already reminded members, the issue before the House is HB 1410 and not prior votes.

The gentelady may continue.

Mrs. GLEIM. Thank you, Madam Speaker.

This bill is a grave disservice to crime victims and their families. A mere three-fifths of a vote by a board for a violent criminal is, quite honestly, a nightmare for victims.

Madam Speaker, I am a victim of crime, and I would like to tell my story about how this bill could actually work and does work in another State. In 1979 I was 15 years old. My father was murdered in Chicago on a business trip. After 3 months of searching for the criminal, the FBI finally found him, and he had committed murders in other States. He was extradited to the State of Idaho, where he was finally convicted of all of the murders that he committed and received a life sentence for each one.

So let me tell you, 40 years later, 2021, I get a letter. I got a letter from the State of Idaho saying that this criminal was going to be brought up to a Board of Pardons, along with others. And 2021 was during COVID. As a crime victim, we were allowed to view the hearing. There were five board members and they were all present.

The first criminal, who was a murderer, said during the hearing that he had found the Lord and savior and he believed that he was ready to get out of jail and start a new life. And the board said okay. They let him out. The second murderer was also let out of jail after serving about 25 years. The third murderer came up, who was the murderer of my father, and after asking him a series of the same questions, he looked right into the camera and he said, "I don't know what I would do if I got out." It took several hours for that board to deliberate whether to let that man out of jail or not.

I have to say, I am so opposed to the three-fifths, I cannot even begin to tell you, as a crime victim, what a disservice that is to the families listening to this. Are you ready, as a member of this body, to make this bill a part of our Constitution so it cannot be changed? What if that felon gets out of jail and commits another felony? Who is going to be actually responsible for that happening if only three-fifths of that board voted on that? How are you going to explain that to the next victim?

The board needs to be unanimous. They need to be able to be sure that that person is ready to enter society safely, and that all the courts that originally made that determination to give him a life sentence were wrong, and that the sentence was wrong — because they are overturning it — and that time has changed that person forever and is not a threat to society or the victims or their families. Those families deserve justice, the proper justice, the proper process for everybody.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentelady.

The Chair recognizes the gentelady from Allegheny County, Representative Kinkead.

Ms. KINKEAD. Thank you, Madam Speaker.

Madam Speaker, I want to start by addressing an issue that was brought up by my colleagues, that victims have no voice in this process. The Office of Victim Advocate was given the authority and the directive to advocate for victims, and notice is provided to victims as a part of the process. Victims are not left out of this process; they are represented by the Office of Victim Advocate, who is trained well in order to provide that kind of assistance and advocacy to victims.

The other thing that I want to say is two words: "felony murder." In this Commonwealth, we sentence people who do not hold the weapon to life if they are deemed in some way involved in that crime. More often than not, the people that get caught up in felony murder charges are women. And I would invite any of my colleagues to visit SCI Cambridge Springs or SCI Muncy to meet these women. Many of them were victims of domestic violence at the times these crimes occurred. Most of them had no idea what had happened, but they were charged anyway and they are serving life in prison. They are not eligible for parole without this option.

We need to have an option for people who get caught up in this system to have the ability to be released because they do not actually pose a threat to our communities, and in fact, probably never did. So a three-fifths vote to allow somebody who never held a weapon to harm somebody to get out, to get back to their life, I do not think that that is an issue. And we can talk about the absolutely most egregious things that have ever happened in this Commonwealth, but I also think that we need to trust our Board of Pardons to do what they are entrusted to do, which is to evaluate whether or not somebody is truly worthy of a pardon.

We created the pardon process because we acknowledge that sometimes people do change and there is a reason to let them back into society. If we make pardons unattainable, then we undermine the purpose of why they were first established. A unanimous vote is nearly impossible to get, and it should not be for people who do not pose a threat to our society any longer or perhaps never did. So I would encourage a "yes" vote.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentelady.

The Chair recognizes the gentleman from Westmoreland County, Representative Eric Nelson.

Mr. E. NELSON. Thank you, Madam Speaker.

"Truly worthy of a pardon" — words that were mentioned just a Representative ago. It is ironic to me that this chamber would consider any constitutional amendment after the actions that happened just earlier this year. This chamber denied constitutional amendment for victims of sexual abuse—

The SPEAKER pro tempore. The gentleman will suspend.

The question before the House is HB 1410, not any other prior legislation. The gentleman may continue, and please restrain to the HB 1410 that is before us.

Mr. E. NELSON. Indeed, Madam Speaker, this is HB 1410. But the House bill for voter ID, the House bill for overreach—

The SPEAKER pro tempore. The gentleman will suspend.

Mr. E. NELSON. —voter ID—

The SPEAKER pro tempore. The gentleman will suspend.

The Chair is giving you a final warning that if you continue to violate the rules of the House, you will lose your right for recognition.

The gentleman is in order and may proceed.

Mr. E. NELSON. Madam Speaker, for the third time. We came into this chamber together during a special election, and I do not oppose the opportunity to give criminals who have served their time an opportunity for a second chance, but should this chamber consider any constitutional amendment after it has denied the right for voter ID is absolute—

The SPEAKER pro tempore. The gentleman will suspend. The gentleman will suspend.

The gentleman will take his seat.

And the Chair recognizes Representative Rabb out of Philadelphia County. The Chair recognizes the gentleman from Philadelphia County, Representative Rabb.

Mr. RABB. Thank you, Madam Speaker.

I share my colleague's outrage. That may be a surprise for some of you to hear, but it is for very different reasons. It is not for things that are clearly not germane to this conversation or this bill. There is a lot of moral outrage for victims. But implicit in that is a certain class of victims. Some victimhood is elevated at the expense of others. So if you are for victims' rights, you should be for victims' rights. It should be a level playing field. Victims are victims.

We have killed more people – innocent people – than not in this State. More people have been exonerated off of death row than who have actually been executed. But getting back to HB 1410, as my colleague from Allegheny County so pointedly illuminated, we have over a thousand people in State prisons across our Commonwealth who will die in a cage for a violent offense who did not necessarily commit a violent act, who may not have touched the murder weapon, who may not have planned the violent atrocity that perhaps the perpetrator has taken a plea deal and is not in prison, but the person who is in the cage has life without the chance of parole.

We house, I think, the second largest population of folks who have been convicted of life without the chance of parole, and we talk in this chamber about second chances. We talk about redemption and leading with our faith. But we neglect the demographics and the lived experiences of a lot of these people, many of whom are not just women, but are young people who themselves had a very brief childhood, who were exposed to atrocities and pains and all sorts of things that we could not possibly imagine. Those are victims too. Those victims do not count, though. There is perhaps a different complexion to that demography when we talk about victimhood. It is disingenuous—

POINT OF ORDER

Mr. CUTLER. Point of order, Madam Speaker?

The SPEAKER pro tempore. The gentleman will suspend.

The gentleman will state his point of order.

Mr. CUTLER. Thank you, Madam Speaker.

I believe this gentleman, as one of the prior speakers, is getting dangerously close to questioning the motives of our fellow members and would simply wish for him to be admonished in the same manner.

The SPEAKER pro tempore. The gentleman will confine his remarks to HB 1410 and may proceed.

Mr. RABB. Thank you, Madam Speaker.

I am referring to anyone who decries about victims' rights, irrespective of whether they are an esteemed colleague of ours or not. I am talking about the context in which we are discussing

this important constitutional amendment, where we are basing it on what is justice, what is right for victims. And we overlook the fact that we are responsible. We are paying for hundreds and hundreds and hundreds of people who will die in a cage who have not necessarily committed a violent act. And those folks many people believe are not worthy of second chances and they can just be ignored. So whose victims, whose voices are we listening to when we talk about the population of victims? We all have awful stories that we can tell about constituents, family members, perhaps ourselves.

I try not to— I try to keep some things private. I think we are all entitled to some level of privacy even though we are public servants. But I had a friend who was brutally murdered. One of the nicest, most gentle people I have ever met in my life was beaten to a pulp. I have vengeance in my heart. But we have a Department of Corrections, not a department of vengeance.

Does "corrections" mean nothing? What is it that we are seeking to do here? Do we believe in second chances? Do we believe in redemption? Do we believe in a level playing field for all victims, even the ones who it may be somewhat sketchy to support because they look like bad guys, and they do not look like our neighbors or our friends or our family members? They are victims too, and we are complicit in that when we ignore them as they rot in cages across our State corrections institutions in our Commonwealth. And we have a moral responsibility to lift up those opportunities, and I believe that supporting HB 1410 will do that.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Westmoreland County, Representative Davanzo.

Mr. DAVANZO. Thank you, Madam Speaker.

Madam Speaker, the hypocrisy is really deep in this chamber tonight. Let us go back to January. We come in a special session. We are not going to leave until the victims of sexual abuse get their justice. And tonight we are giving the people that committed these crimes their justice. Think about that for a minute.

The SPEAKER pro tempore. The gentleman will suspend.

Mr. DAVANZO. There is no way, in good conscience, I can stand here tonight—

The SPEAKER pro tempore. The gentleman will suspend.

As we already discussed multiple times, the discussion before us is HB 1410 and not prior legislation. I ask the gentleman to refrain or contain his remarks to the matter of HB 1410.

Mr. DAVANZO. Thank you, Madam Speaker.

Madam Speaker, I stand here tonight and there is no way, in good conscience, that I can, I can stand here and vote for these people that murdered an 8-year-old, that raped a 12-year-old. I am a father of two daughters. There is no way in hell I can stand here and agree to this.

This is egregious. I cannot believe that we are here tonight really considering this bill. We have an Education Code – our colleges are screaming for money here tonight. We are here to do a job for our constituents. No one is asking for this stuff. Crime is out of control in the Commonwealth. This is what we have tonight. This is a complete embarrassment to this chamber, and to be honest with you, the people that raped children and murdered them, I do not care if they ever get out of jail.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Thank you.

The Chair recognizes the Representative from York County, Representative Grove.

Mr. GROVE. Thank you, Madam Speaker.

There has been a lot of discussion, but I want to discuss the five, the five on the Board of Pardons. The Lieutenant Governor heads it up; the Lieutenant Governor is currently a Democrat. The Attorney General, which is currently someone that was appointed; I actually do not know their political affiliation. And then three individuals appointed by the Governor, who is currently a Democrat. Four out of five of the individuals are of or appointed by a single party.

And what has that led to approving pardons here in Pennsylvania? Well, there are some great statistics by year on the Board of Pardons Web site. So in 2023, under Gov. Josh Shapiro – and it says right there: 2023, Gov. Josh Shapiro – there were 1,038 applications merit reviewed, 518 had hearings, 102 pardons denied, 398 applications recommended to the Governor. So out of 1,038 applications, 398 were recommended to the Governor. The Governor granted 91. Governor Shapiro granted 91. There was 1 commutation of life granted by the Governor, zero min/max granted by Governor, for a total of 92 total applications granted by Governor, and 5 denied, 295 applications pending.

In 2022, under Governor Wolf – again we had a Democrat Lieutenant Governor, we had a Democrat Attorney General, and three individuals appointed by a Democrat Governor – 597 applications on merit reviewed, 184 pardons recommended out of the 572, 22 pardons denied, 195 applications recommended to the Governor, 7 applications held by the Governor, 100 granted, 1 min/max, 7 commutations, 108 total applications, and 6 applications denied by the Governor.

This bill goes from unanimous support by individuals of the Democratic Party to three-fifths of members of the Democratic Party. That is the historic record for the past 8, now 9 years as Democrats have controlled the executive branch. One would think, if this is a major problem, there would be communications with the Governor, the Lieutenant Governor, and the Governor's appointees if there was a problem with how we do pardons in the Commonwealth of Pennsylvania. That, obviously, is not occurring, and we need to go to the residents of Pennsylvania to say we need three out of five Democrats instead of five out of five Democrats to approve pardons in the Commonwealth of Pennsylvania.

Upon conviction, these individuals have to have unanimous approval by a jury on capital crimes – unanimous approval. This goes from unanimous approval to wipe out that unanimous decision of a jury of your peers to a three-fifths. What is next? Five out of nine jurors? eight out of nine? one out of nine? What level of conviction are we going to talk about to match overturning that conviction through this board?

This is a bad idea. If you have problems with the Board of Pardons, take it up with the Governor, the Lieutenant Governor, because they are making these decisions through their appointees or by virtue of the position elected. I will be a "no" vote on this amendment, and I appreciate my colleagues' also negative votes.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Berks County, Representative Jozwiak.

Mr. JOZWIAK. Thank you, Madam Speaker.

In my law enforcement career, I have seen the victims of violent crimes, including horrific murder, murder that you would not even want to see. These criminals, they do not have any respect for other people's lives. They only care about one thing:

themselves. And I cannot believe the things that I saw, what people do to people. And I rarely talk about it, because it is not fun.

Criminals serving a life sentence killed another person. They did not get the death penalty; they got life. These are violent people, and people like this should not be allowed to be in our communities, walking around with the people who follow the law. It is a public safety issue, in my opinion. And many times, if they do not get caught, they continue to commit more violent crimes and even commit additional murders.

May I have a little respect over here, please?

The SPEAKER pro tempore. The House will come to order. The gentleman is entitled to be heard. I ask that members please take your conversations off the floor.

The gentleman may proceed.

Mr. JOZWIAK. Thank you, Madam Speaker.

What I was saying is if these criminals get – if they do not get caught right away, they continue to commit more violent crimes and even commit additional murders. In my opinion, people who are serving life sentences because they killed another person should never, ever breathe free air. You need to be responsible for your actions.

The pardon board for pardoning criminals must stay unanimous in reviewing each case by case, and I ask for a "no" vote on this bill.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentlelady from Philadelphia County, Representative White.

Ms. WHITE. Thank you, Madam Speaker.

You know, it is on rare occasion that I come up here with no notes, but this issue is very, very important to me, and after the conversations and discussions on this House floor tonight, I feel compelled to stand.

I heard a colleague from the other side of the aisle refer to victims' rights as being the very people who committed acts of crime – violent, malicious crimes in our Commonwealth against innocent children, women, men, law enforcement officers – but yet the people that my colleagues from across the aisle consider to be the victims are not those who were shot in the face or raped or murdered. The victims are actually the people that they are trying to protect in this legislation: the people in prison for life sentences; the people who deserve to be there because they committed these horrendous and heinous acts of crime.

And let us not just talk about those who are serving their time, okay? You are trying to say that there are murderers, and that, oh, you know what? The people who were complicit in the crime but did not actually commit it, you know, formally – they were not the murderer; they were just the accomplice, so, you know, they should, they should really have a much easier time to get off and get a pardon off the pardons board. You mean the person that held the woman down so that she could be raped? That person should get a pardon? You mean the person that went and bought the gun that wound up having a child be murdered? That person should make it – we should be making it easier for them to get a pardon?

Madam Speaker, I expected more from us. I expected for people to stand by our laws that we write and that we make to help keep our communities safe, to help protect the very people that we serve.

I have never seen a Speaker of this chamber come down off the House floor, come down onto this floor and advocate to help release criminals back out onto our streets.

The SPEAKER pro tempore. The gentelady will suspend.

A member may not engage in a personal attack against another member or an identifiable group of members, according to Jefferson's Manual, section 361. Please refrain your remarks to the legislation before us, HB 1410.

The gentelady may proceed.

Ms. WHITE. Thank you, Madam Speaker. I apologize.

Madam Speaker, I am just very disappointed today to see that there are so many members standing on the side of criminals instead of law-abiding citizens and victims—

The SPEAKER pro tempore. The gentelady will suspend.

It is improper to question the motive of members. This is your second warning to stay within the rules of the House.

The gentelady may proceed.

Ms. WHITE. But I guess that is what this legislation does. It continues to protect people who should remain in prison so that our streets can be safe, so that our law enforcement officers do not have to go and catch these criminals when they commit another crime, or another crime, or even another crime. We can do better.

Thank you, Madam Speaker. I expect nothing less than a "no" vote on this legislation. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentelady.

The Chair recognizes the gentleman from Fayette County, Representative Warner.

Mr. WARNER. Thank you, Madam Speaker.

Madam Speaker, I am going make my argument short and simple. I heard here on the floor tonight that people that commit certain heinous crimes deserve a second chance. Madam Speaker, I will tell you that I adamantly disagree with that statement. If you murder somebody, you do not deserve a second chance. If you rape somebody, you do not deserve a second chance. And if you rape or hurt an innocent child, you do not deserve a second chance. Vote "no" on HB 1410.

BILL PASSED OVER

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

BILL RECOMMITTED

The SPEAKER pro tempore. The majority leader moves that SB 527 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. MULLINS. Thank you, Madam Speaker.

The Committee on Appropriations will meet immediately in the majority caucus room; that is the Appropriations Committee will meet immediately in the majority caucus room.

Thank you, Madam Speaker.

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

The House will be at ease for the purpose of the committee meeting.

THE SPEAKER (JOANNA E. McCLINTON) PRESIDING

The SPEAKER. The House will come to order.

BILLS REREPORTED FROM COMMITTEE

SB 527, PN 1288 (Amended) By Rep. HARRIS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in theft and related offenses, further providing for the offense of theft of mail.

APPROPRIATIONS.

SB 838, PN 1289 (Amended) By Rep. HARRIS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for order of probation, for conditions of probation and for modification or revocation of order of probation and providing for probation review conference.

APPROPRIATIONS.

BILLS ON THIRD CONSIDERATION

The House proceeded to third 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 third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the maker of the bill, the gentleman from Bucks County, Representative Brennan.

Mr. BRENNAN. Thank you, Madam Speaker.

Thank you to Chairman Pashinski, and thank you to Rep Greiner, who was a cosponsor on this bill and who worked on a prior version of this bill.

I rise in support of HB 1777. Agriculture is a major economic driver in Pennsylvania; it supports nearly 600,000 jobs and adds \$135 billion to the State economy. The Municipal Planning Code and the Ag Code both set a policy for the preservation of prime farmland.

The Agricultural Conservation Easement Program was established in 1988 to strengthen our agriculture economy and protect farmland. The program has preserved 6,000 farms – over 6,000 farms and over 600,000 acres of farmland, but still

Pennsylvania is losing 6 percent of its farmland and the numbers of farms has fallen by 10 percent. Much of this land is being lost to warehouses, shopping malls, and housing developments. This trend really can result in decreased food production, an increase in the cost of food, and it could limit open and available land for food production.

One of the problems we have is that each year, Pennsylvania allocates about \$40 million for agriculture preservation, but some of the money is not used by counties and is returned to the State. This is despite the fact that we have farmland waning on waiting lists to be preserved. Land trusts can preserve more farm space using unencumbered funds, and this would be at no expense to the taxpayers. Land trusts are private, not-for-profit. They protect open space and agriculture land. And this bill requires unused amounts to be used in partnership with those land trusts, and that is a 100-percent return on tax dollars because the land trusts are required to match public funds. That eases the burden on our taxpayers, it provides more food security, and it provides relief faster to these farms.

And it also builds municipal partnerships. I myself, as a borough council person, worked with one of these, one of these 80 land trusts in Pennsylvania to turn a brownfield in the center of my small borough into park space. But they also preserve agriculture land, and that is the Heritage Conservancy. They preserve something in the neighborhood of 20,000 acres of land. The Lancaster Trust in Rep Greiner's district also has done wonderful work preserving 35,000 acres of agriculture land.

And I encourage you, I encourage you to vote "yes" on this bill to make more efficient use of our agriculture preservation land and to preserve more of this land. So thank you very much.

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

On that question, the Chair recognizes the gentlelady from Fayette, Representative Krupa.

Mrs. KRUPA. Thank you, Madam Speaker.

I rise in opposition to HB 1777. I want to initially note that I fully support farmland preservation. I believe it is a crucial and necessary step in securing the future of the Commonwealth and the nation, particularly when considering food insecurities.

Every year the Commonwealth allocates money to 58 of the 67 counties to be used for farmland preservation. The specific amount is determined by a formula which considers a variety of factors, and the amount awarded per county has an extremely broad range. From 2023, the total amount of funds to be distributed across the Commonwealth was \$43 million. The lowest allegation – or, I am sorry, allocation – was \$46,000 and some change to Potter County, and the highest was over \$3 million to Chester County. Under current law, if a county does not spend the State-allocated money within 2 years, that money is put back into the pot and reallocated per the existing formula.

While 2022 and 2023 funds are still in play, a quick glance of the 2019-2021 shows a downward trend in the total utilization of these funds. In 2019, for example, over 98 percent of the State-allocated funds were utilized; in 2020, 90 percent was used; and in 2021, only 77 percent of those State-allocated funds were used.

As someone who truly does cherish farmland preservation, I was extremely disheartened to learn that my county is one that has not taken full advantage of this opportunity, and I wanted to know why. Why was my county, and almost a dozen other counties, not utilizing the State-allocated money? After all, there is a reason that the funds are allocated across the State, and it is because farmland preservation is an important issue everywhere, not in just isolated areas.

After thoughtful discussion with county commissioners, farmland preservation board members, and other key players, I learned that there are roadblocks to utilizing these funds. Those roadblocks exist. Just a few of these include that counties such as Fayette cannot afford to have a salaried position dedicated strictly to farmland preservation. At times, the State allocated portion – and this is true for Fayette County and almost a dozen other counties – the allocated portion is not enough to ensure that a large farm can be preserved at a reasonable rate. Another potential roadblock is that time and expense are involved with things such as appraisals, surveys, soil testing, and conservation plans.

Rather than discussing these real shortcomings and recognizing the issues and addressing the issues that counties like Fayette is facing – and this is evident by the fact that overall utilization is on a decline – rather than addressing those issues, HB 1777 simply ignores the challenges and lets private land trusts leap at the opportunity to grab these funds on a first-come-first-served basis. I do not believe that this is the appropriate direction to move our farmland preservation program.

For these reasons I urge a "no" vote. Thank you.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—155

Abney	Fiedler	Labs	Rader
Adams	Fleming	Lawrence	Rozzi
Barton	Frankel	Madden	Ryncavage
Bellmon	Freeman	Madsen	Salisbury
Benham	Friel	Major	Samuelson
Bizzarro	Gallagher	Malagari	Sanchez
Bonner	Galloway	Maloney	Sappey
Borowski	Gaydos	Marcell	Scheuren
Boyd	Gergely	Markosek	Schlegel
Boyle	Giral	Marshall	Schlossberg
Bradford	Green	Matzie	Schmitt
Brennan	Gregory	Mayes	Schweyer
Briggs	Greiner	McAndrew	Scott
Brown, A.	Guenst	McNeill	Shusterman
Brown, M.	Guzman	Mehaffie	Siegel
Bullock	Haddock	Mentzer	Smith-Wade-El
Burgos	Hanbidge	Mercuri	Solomon
Burns	Harkins	Merski	Staats
C Freytiz	Harris	Mihalek	Steele
Cephas	Hogan	Miller, B.	Struzzi
Cerrato	Hohenstein	Miller, D.	Sturla
Ciresi	Howard	Moul	Takac
Conklin	Isaacson	Mullins	Tomlinson
Cook	Jones, T.	Munroe	Topper
Cooper	Kail	Mustello	Twardzik
Curry	Kaufert	Neilson	Venkat
Cutler	Kazeem	Nelson, E.	Vitali
Daley	Kenyatta	Nelson, N.	Warren
Davis	Khan	O'Mara	Waxman
Dawkins	Kim	O'Neal	Webster
Deasy	Kinthead	Ortitay	Wentling
Delloso	Kinsey	Otten	White
Delozier	Klunk	Parker	Williams, C.
Diamond	Kosierowski	Pashinski	Williams, D.
Donahue	Krajewski	Pielli	Young
Dunbar	Krueger	Pisciottano	Zimmerman
Ecker	Kulik	Powell	

Emrick	Kutz	Probst	McClinton,
Evans	Kuzma	Rabb	Speaker
Fee			

NAYS—48

Armanini	Fritz	Kephart	Rigby
Banta	Gillen	Kerwin	Roae
Benninghoff	Gleim	Krupa	Rossi
Bernstine	Grove	Leadbeter	Rowe
Borowicz	Hamm	Mackenzie, M.	Schemel
Cabell	Heffley	Mackenzie, R.	Scialabba
Causar	Irvin	Mako	Smith
D'Orsie	James	Metzgar	Stambaugh
Davanzo	Jones, M.	Oberlander	Stehr
Fink	Jozwiak	Owlett	Stender
Flick	Kauffman	Pickett	Warner
Flood	Keefer	Rapp	Watro

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 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 third consideration?
Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman from Allegheny County, Representative Pisciotano.

Mr. PISCIOTTANO. Thank you, Madam Speaker. I will be brief.

I just want to commend the majority chairman of the Labor and Industry Committee for taking this bill up. This was a piece of legislation I supported last session. It was bipartisan. We, unfortunately, could not get it all the way over the finish line and just needed one more vote last session. So it is a great credit to the majority chairman's work this session to be able to bring this bipartisan bill forward and get it passed all the way through to the Governor. I would ask the members to vote "yes."

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority chair of Labor, Representative Mackenzie.

Mr. MACKENZIE. Thank you, Madam Speaker.

I would also like to rise to support a "yes" vote on this important legislation, and I would also like to thank the Senator who put forward this legislation. I know he had proposed it last session, as was just mentioned. It did not get all the way across the goal line, but he continued the fight, and I was glad to move it out of our Labor and Industry Committee recently with bipartisan support, and again would ask for an affirmative vote here on the floor. Thank you.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—201

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

NAYS-2

Krajewski Rabb

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.

* * *

The House proceeded to third consideration of **SB 497, PN 1270**, 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 third consideration?
Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-155

Abney	Freeman	Kuzma	Rabb
Adams	Friel	Labs	Rader
Bellmon	Fritz	Mackenzie, M.	Rigby
Benham	Gallagher	Mackenzie, R.	Rozzi
Bizzarro	Galloway	Madsen	Ryncavage
Borowski	Gaydos	Major	Salisbury
Boyd	Gergely	Mako	Samuelson
Boyle	Giral	Malagari	Sanchez
Bradford	Green	Marcell	Sappey
Brennan	Gregory	Markosek	Scheuren
Briggs	Guenst	Marshall	Schlegel
Brown, A.	Guzman	Matzie	Schlossberg
Brown, M.	Haddock	Mayes	Schmitt
Bullock	Hanbidge	McAndrew	Schweyer
Burgos	Harkins	McNeill	Scott
Burns	Harris	Mehaffie	Shusterman
C Freytiz	Heffley	Mercuri	Siegel
Cephas	Hogan	Merski	Smith-Wade-El
Cerrato	Hohenstein	Metzgar	Solomon
Ciresi	Howard	Mihalek	Staats
Conklin	Isaacson	Miller, B.	Steele
Cook	James	Miller, D.	Struzzi
Cooper	Jones, T.	Mullins	Sturla

Curry	Jozwiak	Munroe	Takac
Daley	Kail	Mustello	Tomlinson
Davanzo	Kaufner	Neilson	Topper
Davis	Kazeem	Nelson, E.	Venkat
Dawkins	Kenyatta	Nelson, N.	Vitali
Deasy	Kerwin	O'Mara	Warren
Delloso	Khan	O'Neal	Waxman
Delozier	Kim	Oberlander	Webster
Donahue	Kinthead	Ortitay	Wentling
Ecker	Kinsey	Otten	White
Emrick	Klunk	Parker	Williams, C.
Evans	Kosierowski	Pashinski	Williams, D.
Fiedler	Krajewski	Pielli	Young
Fleming	Krueger	Pisciottano	
Flick	Kulik	Powell	McClinton,
Flood	Kutz	Probst	Speaker
Frankel			

NAYS-48

Armanini	Dunbar	Kephart	Rossi
Banta	Fee	Krupa	Rowe
Barton	Fink	Lawrence	Schemel
Benninghoff	Gillen	Leadbeter	Scialabba
Bernstine	Gleim	Madden	Smith
Bonner	Greiner	Maloney	Stambaugh
Borowicz	Grove	Mentzer	Stehr
Cabell	Hamm	Moul	Stender
Causer	Irvin	Owlett	Twardzik
Cutler	Jones, M.	Pickett	Warner
D'Orsie	Kauffman	Rapp	Watro
Diamond	Keefer	Roae	Zimmerman

NOT VOTING-0

EXCUSED-0

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

Ordered, That the clerk 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.

* * *

The House proceeded to third consideration of **SB 815, PN 1271**, 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; and, in corporate net income tax, further providing for manufacturing innovation and reinvestment deduction.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—202

Abney	Fleming	Krupa	Rapp
Adams	Flick	Kulik	Rigby
Armanini	Flood	Kutz	Roae
Banta	Frankel	Kuzma	Rossi
Barton	Freeman	Labs	Rowe
Bellmon	Friel	Lawrence	Rozzi
Benham	Fritz	Leadbeter	Ryncavage
Benninghoff	Gallagher	Mackenzie, M.	Salisbury
Bernstine	Galloway	Mackenzie, R.	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	Hamm	Mehaffie	Smith
Burns	Hanbidge	Mentzer	Smith-Wade-El
C Freytiz	Harkins	Mercuri	Solomon
Cabell	Harris	Merski	Staats
Causar	Heffley	Metzgar	Stambaugh
Cephas	Hogan	Mihalek	Steele
Cerrato	Hohenstein	Miller, B.	Stehr
Ciresi	Howard	Miller, D.	Stender
Conklin	Irvin	Moul	Struzzi
Cook	Isaacson	Mullins	Sturla
Cooper	James	Munroe	Takac
Curry	Jones, M.	Mustello	Tomlinson
Cutler	Jones, T.	Neilson	Topper
D'Orsie	Jozwiak	Nelson, E.	Twardzik
Daley	Kail	Nelson, N.	Venkat
Davanzo	Kaufner	O'Mara	Vitali
Davis	Kauffman	O'Neal	Warner
Dawkins	Kazeem	Oberlander	Warren
Deasy	Keefer	Ortitay	Watro
Delloso	Kenyatta	Otten	Waxman
Delozier	Kephart	Owlett	Webster
Diamond	Kerwin	Parker	Wentling
Donahue	Khan	Pashinski	White
Dunbar	Kim	Pickett	Williams, C.
Ecker	Kinthead	Pielli	Williams, D.
Emrick	Kinsey	Pisciottano	Young
Evans	Klunk	Powell	Zimmerman
Fee	Kosierowski	Probst	
Fiedler	Krajewski	Rabb	McClinton,
Fink	Krueger	Rader	Speaker

NAYS—1

Madden

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.

SUPPLEMENTAL CALENDAR C

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 1278, PN 2303**, entitled:

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

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes Representative Pielli for a brief description of the Senate amendments.

Mr. PIELLI. Thank you, Madam Speaker.

Madam Speaker, I am here today asking for your support on HB 1278, which will renew and improve our wiretap legislation. As you are aware, the wiretap legislation must be renewed periodically, which this bill will accomplish for the next 6 years. In addition, this legislation will include a new exemption, which is considered oral communications, previously prohibited for certain correctional officers that hold police certifications, like regular police officers and for State parole officers while on duty.

These exceptions were sought by the Department of Corrections and the Governor's Office. This bill is supported by the Pennsylvania Chiefs of Police Association and the Pennsylvania Association of Criminal Defense Lawyers. This legislation serves to protect not only our law enforcement and parole officers, but those having contact with our law enforcement and parole officers.

In addition, thanks to a bipartisan effort, we have improved this act through Representative Bonner's amendment to remove previously prohibited recordings for predatory telemarketers that prey upon our citizens. This bill is the product of extensive work of many of my colleagues and the Senate Judiciary. It has recently passed the Senate with bipartisan support.

Most importantly, as you are aware, we need to pass this new bill before the end of the year expiration of the wiretap statute. We have heard a lot of talk today about what we do here, how it affects law enforcement, both pro and con. I will be clear: If we do not pass this bill and the Wiretap Act expires, we are jeopardizing numerous, numerous ongoing investigations as we speak, basically kneecapping our law enforcement officers that fight crime and protect the public. I ask you for your support on this bill accordingly.

Thank you very much, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman from Chester County.

The Chair recognizes the gentleman from Mercer County, Representative Bonner.

Mr. BONNER. Thank you, Madam Speaker.

HB 1278 authorizes a parole agent to wear a body camera and to record encounters with convicted criminals. This is a major step forward in the protection of parole officers, as well as the parolees and their family members and friends who are encountered on a daily basis.

Our system of justice requires that we protect our police officers and our parole officers in order to ensure proper administration of justice and safety for those officials. I can tell you that I have worked with parole officers for quite some time, and daily, they are meeting with the most violent criminal offenders in their homes, in parks, in streets, and in cars, and they need this protection to have a body camera on them to record the encounter with these particular individuals. Police officers already have the right to record these encounters, but frankly, parole officers were overlooked when this legislation was approved in 2017. Because in fact, under the law, parole officers are deemed to be police officers, they should have the same protection that police officers do in allowing them to record these encounters.

There are approximately 200,000 parolees in Pennsylvania. Twenty-five percent of those are on parole for violent crimes, and our parole officers are meeting with them, usually alone, and they do not know what they are going to encounter when they meet this parolee in the parolee's home, in their cars, in the parks, and on the streets. So it is important that the parole officer has the right to record this encounter with the parolee as well.

A picture is truly worth a thousand words, and that is particularly true in a courtroom. If we would have a recording of an encounter between a parole officer and the parolee, we could quickly cut to the real issue that arose in that encounter between the parole officer and the parolee. I would ask, then, that you give the same protection to a parole officer that you have given in the past to a police officer, because in fact they are one and the same. And as I said, oftentimes the parole officer faces more danger on a daily basis than even our fine officers in blue.

I thank you for your consideration and your support of this legislation.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes the gentleman from Lebanon, Representative Diamond.

Mr. DIAMOND. Thank you, Madam Speaker.

I was a "no" on this bill when it first came through the House of Representatives, and I was a "no" because I did not like the provisions that were added on to the extension of the Wiretap Act. I still do not like them. And I think this issue, outside the Wiretap Act, needs a whole lot more discussion and a whole lot more work.

But, Madam Speaker, I believe there is something else that is more important here. It is extremely important to renew the Wiretap Act. For those at home who do not know what the Wiretap Act means, it is the provision of Pennsylvania law that states that if you call someone on the telephone, they cannot record you without your permission. It is the provision of Pennsylvania law that states that you have a reasonable expectation of privacy and someone cannot surreptitiously record your conversations without your permission. That is a critical thing that makes Pennsylvania special, and that absolutely needs to be renewed. I do not think this is the way we should have renewed it. I think we should have separated renewal of the Wiretap Act from the other issues that are included in this bill.

But, Madam Speaker, I know sometimes it is fun to use songs and artists to, you know, illustrate our points, and I will do that by quoting the Rolling Stones: "You can't always get what you want, but if you try sometimes you just might find you get what you need." I do not want the rest of this bill, but what we need in Pennsylvania is a renewal of the Wiretap Act to protect the privacy and the reasonable expectation of privacy for individuals

in our Commonwealth. Therefore, although I voted "no" on this before, literally the hour is late, we must renew the Wiretap Act, and I will be a "yes."

Thank you, Madam Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—181

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

NAYS—22

Abney	Dawkins	Kazem	Mayes
Benham	Fiedler	Keefer	Parker
Bernstine	Fink	Kephart	Powell
Burgos	Hamm	Kinhead	Rabb
Cephas	Hohenstein	Krajewski	Waxman
Curry	Jones, M.		

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.

SENATE BILLS FOR CONCURRENCE

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

SB 142, PN 118

Referred to Committee on PROFESSIONAL LICENSURE, December 12, 2023.

SB 721, PN 1147

Referred to Committee on HUMAN SERVICES, December 12, 2023.

SB 943, PN 1121

Referred to Committee on INSURANCE, December 12, 2023.

SB 979, PN 1206

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, December 12, 2023.

BILLS RECOMMITTED

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

HB 181;
 HB 1476;
 HB 1564;
 HB 1700;
 HB 1760;
 HB 1882;
 SB 24;
 SB 44;
 SB 140;
 SB 282;
 SB 361;
 SB 414;
 SB 506;
 SB 596;
 SB 656;
 SB 683;
 SB 910; and
 SB 941.

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

BILLS REMOVED FROM TABLE

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

HB 974;
 HB 1201;
 HB 1646;
 HB 1746;
 HB 1818;
 HB 1820;
 HB 1843;
 HB 1885;
 SB 146;
 SB 654;
 SB 753;
 HR 69; and
 HR 75.

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

CORRECTION OF THE RECORD

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

Mr. BRIGGS. Thank you, Madam Speaker.

I rise to correct the record.

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

Mr. BRIGGS. Thank you, Madam Speaker.

I almost was going to announce a committee meeting, but when I spoke earlier on amendment 3221, on SB 361, I mistakenly said I was adding Dauphin County and Lehigh County, but the amendment actually is changing Dauphin and Luzerne Counties. So if the record could reflect that it should be Luzerne County and not Lehigh, that would be great. Thank you.

The SPEAKER. The Chair thanks the gentleman, and the information will be spread across the record.

VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman, Representative Rabb, rise?

Mr. RABB. Thank you, Madam Speaker.

I rise to correct the record on amendment A03220 for SB 527.

The SPEAKER. The gentleman is in order and you may proceed.

Mr. RABB. Thank you. I would like to be a "no" on that amendment.

The SPEAKER. The information will be spread across the record.

GOVERNMENT OVERSIGHT COMMITTEE MEETING

The SPEAKER. For what purpose does the gentlelady from Philadelphia County, Representative Cephas, rise?

Miss CEPHAS. Thank you, Madam Speaker.

There will be a meeting of the House Government Oversight Committee this Thursday, December 14, at 9 a.m., in room B-31, Main Capitol. This meeting will be to vote on the committee rules and any other business that may come before the committee.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentlelady.

There will be a meeting of the House Government Oversight Committee this Thursday, December 14, at 9 a.m., in room B-31, Main Capitol.

VOTE CORRECTIONS

The SPEAKER. For what purpose does the gentlelady from Philadelphia County, Representative Parker, rise?

Mrs. PARKER. Thank you, Madam Speaker.

I want to correct the record for SB 596, amendment 3215. I want to change my vote to a "no." Same on SB 596, amendment 3223, is a "no."

The SPEAKER. The information will be spread across the record.

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 1278, PN 2303

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

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

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

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 by the gentleman from Luzerne County, which many of us saw lead us in holiday chants at the Governor's residence tonight. Representative Pashinski moves that the House now adjourn until Wednesday, December 13, 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 10:16 p.m., e.s.t., the House adjourned.