

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION**

McKEESPORT AREA SCHOOL DISTRICT,)	Civil Action
)	
Plaintiff,)	No: GD-20-008633
)	
v.)	Type of Pleading:
)	
PENNSYLVANIA COACH LINES, INC.)	PLAINTIFF'S EMERGENCY
)	MOTION FOR PRELIMINARY
Defendant.)	INJUNCTION
)	
)	Filed on Behalf of:
)	
)	McKeesport Area School District
)	
)	
)	Counsel of Record:
)	
)	Krishna A. DiMascio, Esquire
)	PA ID No.: 306749
)	Joseph R. Dalfonso, Esquire
)	PA ID No.: 311821
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McKEESPORT AREA SCHOOL DISTRICT,) Civil Action
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) Plaintiff,) No: GD-20-008633
)
 v.)
)
 PENNSYLVANIA COACH LINES, INC.)
)
) Defendant.)

NOTICE OF PRESENTATION

TO: Pennsylvania Coach Lines
c/o Ray F. Middleman, esquire
Eckert Seamans
U.S. Steel Tower
600 Grant Street, 44th Floor
Pittsburgh, PA 15219

PLEASE TAKE NOTICE that Plaintiff's Emergency Motion for Preliminary Injunction will be presented before the General Motions Judge in accordance with the Court's Remote Motions Practice as soon as the Court permits.

DODARO, MATTA & CAMBEST, P.C.

By: /s/ Krisha A. DiMascio
Krisha A. DiMascio, Esquire
Joseph R. Dalfonso, Esquire

*Solicitors for McKeesport Area
School District*

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Plaintiff,)	No: GD-20-008633
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v.)	
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PENNSYLVANIA COACH LINES, INC.)	
)	
Defendant.)	

PLAINTIFF’S EMERGENCY MOTION FOR PRELIMINARY INJUNCTION

AND NOW, comes the Plaintiff McKeesport Area School District, by and through its undersigned counsel and files this instance Emergency Motion for Preliminary Injunction as follows:

1. Plaintiff, McKeesport Area School District (“School District”), is seeking a declaratory judgment from this Court regarding certain rights and obligations arising out of a Transportation Agreement entered into with Defendants that was impacted by the COVID-19 Pandemic, resulting in a dispute over whether the Defendant must comply with Act 13 by submitting the necessary documentation confirming that the Defendant maintained its workforce through the Covid-19 Pandemic.

2. However, the District cannot provide compensation to Defendant for services not performed unless Defendant complies with the provisions of Act 13 by submitting necessary documentation. Until the documentation from the Defendant is received, any payment for services

not provided after March 13, 2020 would be illegal. A true and correct copy of the Transportation Agreement is attached hereto and incorporated herein as Exhibit “A”.

3. At the outset, the School District’s position has been consistent: the District has informed the Defendant several times that it legally cannot pay the Defendant for bussing transportation services that were never provided while schools were closed due to Governor Wolf’s mandate in response to the Covid-19 Pandemic, unless and until the Defendant complies with the provisions of Act 13 by furnishing the necessary and legally required documentation.

4. Additionally, the District has always maintained that it would compensate the Defendant during the Covid-19 Pandemic period while schools were closed – and bussing services nonexistent – once the District received this necessary paperwork.

5. However, the Defendant is seeking a windfall and refusing to provide the documentation required pursuant under Act 13. Notably, and as an aside, the Defendant is also refusing to admit whether it terminated its employees when schools were closed; further illustrating that Defendant should not be entitled to a windfall of money that Act 13 was specifically enacted to protect and address.

6. At issue as part of this Motion is that Defendant notified the School District through its Solicitor’s office that it is in breach of the contract for allegedly failing to pay for services not provided between March 13, 2020 and the end of the school year, when school was closed due to the Covid-19 Pandemic. A true and correct copy of a letter dated August 4, 2020, sent from counsel for Defendant to the School District’s Solicitor is attached hereto and incorporated herein as Exhibit “B”.

7. Defendant further states that unless the School District cures the alleged breach by paying for services that the School District did not receive, Defendant would not provide transportation to the District's students when the school year begins.

8. Currently, the School District is set to begin school with students in attendance on August 26, 2020 and based upon correspondence with Defendant no transportation services will be provided.

9. The facts leading to this dispute are based upon the terms and conditions of the Transportation Agreement. See Exhibit "A".

10. As part of the Transportation Agreement, Defendant is to provide transportation services to the School District for students in grades K through 12, to and from School District facilities. Exhibit A, ¶ 1.

11. As consideration for the transportation services, the School District is required to pay to Defendant a yearly bulk rate payable in response to ten (10) equal monthly invoices beginning in the month of September, which is typically the first month of each school year. Exhibit A, ¶ 2.

12. The yearly bulk rate for the 2019-2020 school year was \$2,223,487.67 based on 180-day school year. Exhibit A.

13. Under the terms of the Transportation Agreement, the School District would receive invoices for ten (10) months beginning in September 2019 and ending in June 2019 in the amount of \$222,348.77.

14. The School District calculated that the daily rate, based on the 180-day school year to be \$12,352.71 per day.

15. Also, as part of the Transportation Agreement the Defendant was to prepare all forms required by the School District including PDE 1043 and PDE 1049 forms in order for it to be reimbursed for transportation costs. The District requires these forms in order to process payment.

16. During the 2019-2020 school year, Defendant provided transportation services to the District up until March 13, 2020.

17. On or about that date, Pennsylvania Governor Tom Wolf (“Governor Wolf”) ordered that due to the COVID-19 Pandemic, all K-12 Pennsylvania schools would be closed for ten (10) business days effective March 16, 2020. No transportation services were provided by Defendant to the School District during this closure.

18. Thereafter, on or about March 24, 2020, Governor Wolf ordered that Pennsylvania schools remain closed until April 6, 2020. No transportation services were provided by Defendant to the School District during this closure.

19. Thus, no transportation services were provided by Defendant to the School District after March 13, 2020.

20. The School District calculated that 128 days of service were provided by the Defendant to the School District for the 2019-2020 school year under the terms of the Transportation Agreement.

21. Based on the number of days for which service was provided, the District, using the daily rate calculation compensated Defendant in the amount of \$1,581,146.79.

22. Defendant now demands a windfall payment for the remainder of the 2019-2020 School Year and argues that the School District is obligated to pay for these services never

rendered and further provided notice that it is in breach of contract which allows Defendant to terminate the Agreement and avoid providing services for the 2020-2021 School Year.

23. On or about March 27, 2020, the General Assembly of the Commonwealth of Pennsylvania enacted Act 13 of 2020, which amends the Pennsylvania Public School Code of 1949, as amended (hereinafter referred to as “Act 13”).

24. Specific to this case, Act 13, added Section 15-1501.8, entitled “Pandemic of 2020” to the School Code and it is only applicable to the 2019-2020 school year. 24 P.S. § 15-1501.8.

25. As part of this amendment, School Districts are provided the authority to renegotiate school bus transportation services to “to ensure contracted personnel and fixed costs, including administrative and equipment, are maintained during the period of school closure.” 24 P.S. §15-1501.1(l)(1).

26. The law specifically provides that “[d]uring the period of school closure, the school bus transportation contractor shall submit weekly documentation to the school entity that its complement levels remain at or above the level on March 13, 2020, in order to continue being paid. Id.

27. The law further provides that if the School District operates within the confines of Act 13, its transportation costs would be reimbursed from the Pennsylvania Department of Education at a rate it would have received “had the COVID-19 Pandemic not occurred” requiring the cancelation of the remainder of the 2019-2020 school year. 24 P.S. §15-1501.1(l)(2).

28. On or about March 25, 2020, Representative Jesse Topper spoke regarding Act 13 and explained that the purpose of the bill was to require bus contractors to submit proof that there were continuing to pay their personnel at their compliment levels in order to receive payments. A

true and correct copy of the House Journal, Session 2020, No. 13 is attached hereto as Exhibit “C”.¹

29. The School District contacted the Defendant several times to arrange payment under the conditions of Act 13 and requested documentation that Defendant was maintaining its complement levels in order to provide payment.

30. The Transportation Agreement provides that Defendant submit PDE 1043 and PDE 1049 to the District.

31. Under normal circumstances, the School Code, Sections 25-2541, and 25-2543 require that the School District attest to the amount of costs provided by the Defendant, which requires Defendant to submit PDE 1043 and PDE 1049 forms. This information is required to be submitted by the District on or before September 25, 2020 to receive reimbursement for transportation costs for the 2019-2020 school year. 24 P.S. § 25-2541; 25 P.S. § 25-2543.

32. Defendant is now refusing to provide this information prior to the District making payments and is now claiming that the District has breached its contract, thereby trying to hold the School District hostage by refusing to provide transportation services for students once the 2020-2021 school year begins.

33. Upon information and belief, the Defendant refused to provide this information because it laid off all of its workers upon the closure of schools by Governor Wolf.

34. Upon further information and belief, the Defendant now seeks payment in full of the 2019-2020 bulk rate even though it has not been compensating its employees or acting to ensure that its buses and vehicles were maintained during the closed portion of the 2019-2020 school year.

¹ Representative Hopper’s comments regarding Act 13 are found on page 17.

35. Defendant seeks payment through the use of taxpayer funds to be compensate for service that was not provided for a period of fifty-two days.

36. Unless the District bends to the will of Defendant and pays the disputed amount owed in contravention with Act 13, there will be no transportation services provided when School begins on August 26, 2020.

37. This creates an emergency for the School District because in less than two weeks it will start school and some students will have difficulties attending because they have no other means of transportation besides utilizing a school bus.

38. The School District is unable to contract with another transportation provided on such short notice because of the strict regulations that these entities are forced to abide by due to the COVID-19 Pandemic.

39. As stated above, the School District has filed an action underlying this request for a preliminary injunction seeking relief in the form of a declaratory judgment as well as permanent injunctive relief.

40. However, due to the fact that the 2020-2021 school year is approaching, and because the School District's students do not have means of transportation, the School District seeks preliminary injunctive relief to continue transportation services until the matter is decided on its merits.

PRELIMINARY INJUNCTIVE RELIEF

41. The School District incorporates by references all of the preceding paragraphs of this Complaint as if fully set forth herein. The School District repeats and realleges each and every allegation contained in paragraphs 1 through 36 above with the same force and effect as if fully set forth herein.

An Injunction is Necessary to Prevent Immediate and Irreparable Harm

42. As of the time of filing this Motion, the School District does not have a way to transport its students to and from school when the 2020-2021 school year beings on August 26, 2020.

43. The School District – and the students of McKeesport – will be irreparably harmed if Defendant denies transportation services because it would not be able to provide education to those students unable to get to school.

44. Further, the School District will be harmed because if it does not submit the PDE Forms required to be completed by Defendant by September 25, 2020, it will not receive reimbursement from PDE for transportation services.

45. This reimbursement from PDE amounts to over 50% of the District’s costs for student transportation.

46. The threat of losing its reimbursement would unquestionably have a highly detrimental effect on the budget for the 2020-2021 school year, which will impact the District’s taxpayers.

Greater Harm Would Result from Refusing an Injunction Than from Granting It

47. Greater harm would result to the School District by allowing Defendant to willfully breach and otherwise perform acts contrary to the terms and conditions of the Transportation

Agreement; namely the Defendant cannot hold the District hostage by refusing to provide bussing services while this issue is litigated.

48. As stated above, the irreparable harm to the District is in the form of not being able to transport students for the start of the 2020-2021 school year and it will not receive reimbursement for transportation services.

49. The harm that the Defendant will suffer is negligible, if not non-existent, in comparison.

50. At this point, the Defendant has been made whole for the services provided during the 2019-2020 school year because the School District compensated it for the 128 of which services were provided.

51. Should this Court enjoin Defendant's conduct and require them to transport students in accordance with the terms and conditions of the Transportation Agreement for the 2020-2021 school year, the Defendant would not be harmed.

52. The Defendant would be compensated in accordance with the Transportation Agreement for services rendered for the 2020-2021 school year.

53. The only remaining issue would be the dispute over the alleged funds that Defendant claims the District owes it for services not provided after March 13, 2020, when Pennsylvania Public Schools were forced to close due to the COVID-19 Pandemic.

54. Thus, the Defendant is unable to articulate any harm should this court enjoin it from declaring breach of contract and refusing to provide transportations services beginning on August 26, 2020.

An Injunction will Preserve the Status Quo

55. Injunctive relief will serve only to preserve the status quo of the Parties' obligations under the Transportation Agreement until this Court resolves the ultimate issue regarding payment to the Defendant for the period after March 13, 2020.

56. If the Defendant is required to transport students for the 2020-2021 school year, the School District will compensate it for those services.

57. Additionally, if this court requires Defendant to submit the PDE Forms to the District and they contain information showing that the Defendant's full complement of workers were maintained for the period after March 13, 2020, the District will provide compensation in accordance with Act 13.

58. Finally, if this documentation is submitted by Defendant to the District, then the entirety of the underlying Declaratory Judgment would likely be mooted because Defendant would be paid in full if its documentation supports the District doing so.

The School District has a Clear Right to Relief

59. As stated in the foregoing paragraphs, the School District has a clear right to relief and is likely to prevail on the merits.

60. Act 13 requires that the Defendant prove it maintained its complement levels on a weekly basis in order to be paid for services not provided during the school shutdown because of the COVID-19 Pandemic. 24 P.S. §15-1501.1(1)(2).

61. The Defendant has refused to provide this information, yet demands full payment of the bulk rate, which is in contravention of Act 13.

62. Further the Transportation Agreement requires that Defendant produce the information on PDE 1043 and PDE 1049 forms.

The Injunction is Reasonable Suited to Abate the Offending Activity

63. Injunctive relief is only sought hereunder to prevent the Defendant from declaring the Transportation Contract void and from refusing to provide transportation services for the 2020-2021 school year.

64. Injunctive relief is further sought to require the Defendant to submit required documentation so that the School District can request reimbursement for transportation expenses from PDE.

65. This relief will preserve the status quo while this Court determines whether or not the School District must compensate Defendant for services not provided because of the COVID-19 Pandemic shutdown.

The Injunction Will Not Adversely Affect Any Public Interest

66. The injunction request will not adversely affect any public interest, rather it will maintain it.

67. Granting the injunction will allow the School District to begin operating for the 2020-2021 school year, which will protect the ensure that public education within the School District is attainable to all students.

WHEREFORE, Plaintiff McKeesport Area School District respectfully requests that this Honorable Court grant injunctive relief in the form of a preliminary injunction:

- a. Directing Defendant, Pennsylvania Coach Lines, Inc., to perform its services under the terms of the Transportation Agreement for the 2020-2021 School Year; and
- b. Directing the Defendant, Pennsylvania Coach Lines, Inc., to adhere to Act 13 and submit all forms and documentation required, including but not limited to, PDE Forms 1043 and 1049, if it wants payment for services never rendered during the

period of time school was closed due to Governor Wolf's orders in response to the Covid-19 Pandemic; and

- c. Any further relief that the Court warrants a necessary to restore the status quo amongst the parties.

Respectfully Submitted:
DODARO, MATTA & CAMBEST, P.C.

By: /s/ Krisha A. DiMascio
Krisha A. DiMascio, Esquire
Joseph R. Dalfonso, Esquire

*Solicitors for McKeesport Area
School District*

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
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McKEESPORT AREA SCHOOL DISTRICT,)	Civil Action
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Plaintiff,)	No: GD-20-008633
)	
v.)	
)	
PENNSYLVANIA COACH LINES, INC.)	
)	
Defendant.)	

ORDER

AND NOW, this ____ day of _____, 2020, upon consideration of Plaintiff's Emergency Motion for Preliminary Injunction, any responses thereto, upon consideration of the evidence submitted by the parties at the evidentiary hearing, and upon consideration of the legal arguments presented at the hearing and in the parties' pre and post hearing written submissions, it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

Plaintiff's Motion for Emergency Preliminary Injunction is GRANTED and a Preliminary Injunction is hereby entered as follows. Defendant Pennsylvania Coach Lines, Inc. is hereby ORDERED to:

- a. Continue to perform its services under the terms of the Transportation Agreement for the 2020-2021 School Year; and
- b. Adhere to Act 13 and submit all forms and documentation required by Plaintiff, including but not limited to, PDE Forms 1043 and 1049, if it wants payment for services never rendered during the period of time school was closed due to Governor Wolf's orders in response to the Covid-19 Pandemic.

BY THE COURT:

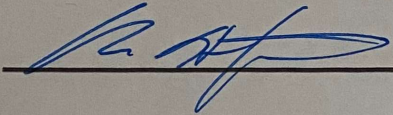
_____, J.

VERIFICATION

The language of the foregoing document is that of counsel and not necessarily my own; however, I have read the foregoing document and the factual information contained therein is true and correct to the best of my personal knowledge, except as to any averments specifically stated to be "on information and belief." To the extent that the factual averments of this document are stated to be "on information and belief," the averments are true and correct to the best of my information and belief. To the extent that the content of the foregoing document is that of counsel, I have relied upon counsel in making this Verification and said content is true and correct to the best of my information and belief.

I understand that false statements which are made herein are subject to penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

Date: 8/13/2020



CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted By: Dodaro, Matta & Cambest, P.C.

Signature: /s/ Krisha A. DiMascio

Name: Krisha A. DiMascio, Esquire

Attorney No.: 306749

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that a true and correct copy of the foregoing Plaintiff's Emergency Motion for Preliminary Injunctive Relief was mailed via U.S. Mail and e-mail to the following on August 14, 2020:

Ray F. Middleman, esquire
Eckert Seamans
U.S. Steel Tower
600 Grant Street, 44th Floor
Pittsburgh, PA 15219

Respectfully Submitted:
DODARO, MATTA & CAMBEST, P.C.

By: /s/ Krisha A. DiMascio
Krisha A. DiMascio, Esquire
Joseph R. Dalfonso, Esquire

*Solicitors for McKeesport Area
School District*

EXHIBIT A

Ray F. Middleman
412.566.6054
rmiddleman@eckertseamans.com

August 4, 2020

Via Email (kdimascio@law-dmc.com)

Krishna A. DiMascio, Esquire
Dodaro Matta & Cambest, PC
Southpointe Town Center
1900 Main Street Suite 207
Canonsburg, PA 15317

Re: PA Coach Lines v. McKeesport Area School District

Dear Ms. DiMascio:

In light of our recent discussions and my unanswered correspondence from over a week ago, my client has directed that I put the McKeesport Area School District on notice of Breach and Termination pursuant to Paragraph 24 of the Parties' Transportation Agreement of December 5, 2018. In the event that the McKeesport Area School does not cure its Default, be aware that my client intends to direct its resources to other school districts in need of school bus services. We note that McKeesport Area School District has failed to timely pay its contractual obligations in excess of 45 days.

As per my prior correspondence to you, Pennsylvania Coach Lines has completed the Form 1049 as of this date. When payment is received, the Form 1049 will be released.

Very truly yours,

Ray F. Middleman

Ray F. Middleman

cc: *David Sunstein*
Lindsey Conrad Kennedy, Esq.

EXHIBIT B

TRANSPORTATION AGREEMENT

THIS AGREEMENT, made this 5th day of December, 2018, by and between:

MCKEESPORT AREA SCHOOL DISTRICT, and/or successors duly organized and operating under the laws of the Commonwealth of Pennsylvania, with its administrative offices located at 3590 O'Neil Boulevard, McKeesport, Allegheny County, Pennsylvania 15132 (hereinafter referred to as "the School District).

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PENNSYLVANIA COACH LINES, INC., a Pennsylvania corporation, with its offices located at 415 Rebecca Street, McKeesport, Pennsylvania 15132 (hereinafter referred to as "Contractor" or PA Coach Lines").

WITNESSETH:

WHEREAS, the CONTRACTOR has submitted a proposal to the SCHOOL DISTRICT to provide school bus transportation services to the SCHOOL DISTRICT. The contract commences July 1, 2019 and terminates June 30, 2025. The District has the option of extending the contract an additional three (3) years, commencing on July 1, 2025 and terminating August 30, 2028 and by proposal of the CONTRACTOR is attached hereto as Exhibit "A"; and

WHEREAS, the SCHOOL DISTRICT desires to accept the submitted proposal of the CONTRACTOR for providing such school bus transportation services to the SCHOOL DISTRICT commencing July 1,

2019, in accordance with Exhibit "A" attached hereto; and

WHEREAS, the SCHOOL DISTRICT and the CONTRACTOR herein desire to enter into a written agreement for said school bus transportation services consistent with the proposal of the CONTRACTOR to the SCHOOL DISTRICT.

NOW, THEREFORE, in consideration of the mutual promises, covenants and undertakings hereinafter set forth, the SCHOOL DISTRICT and the CONTRACTOR, intending to be legally bound, hereby agree as follows:

1. **SERVICES.** Contractor does hereby agree to exclusively provide such transportation services as required by the McKeesport Area School District as follows:

A. Regular transportation, grades K thru 12 students, to and from McKeesport Area School District facilities and/or designated non-public school facilities for all resident pupils from their designated residential pick-up points to their designated destinations, and return of such pupils to their drop-off points in the afternoon according to a regular schedule and along regular routes established by the Contractor with the cooperation and approval of the School District. The parties will cooperate in achieving a safe, efficient and orderly system of pupil transportation. Contractor will furnish such data as requested, including a schedule of routes. The designated pick-up and drop-off points shall include, but not be limited to, student residences, public elementary and secondary schools in the School District, non-public elementary and secondary schools not operated for profit located within the School District, and/or non-public elementary and secondary schools operated for profit located within ten (10) miles of the closest boundary of the School District. Transportation shall also include transportation for kindergarten students, students in vocational technical school, charter schools, and special education students, according to a regular schedule along regular routes as established by Contractor with the approval of the School District for each school year covered by this Agreement.

B. Contractor will also provide all transportation services for all field trips, athletic events, after school trips and early dismissals.

All such transportation services shall be scheduled by the McKeesport Area School District prior to each school year or as dictated by admissions or

deletions of these schools and transportation services throughout the school year.

It is understood by and between the parties hereto that Contractor shall be the exclusive supplier of transportation services subject to the limitations set forth, during the term of the Agreement.

2. **CONSIDERATION.** In consideration of such services, the School District agrees to pay unto Contractor for such services, compensation during school years 2019-20, 2020-21, 2021-22, 2022-23, 2023-24, 2024-25, and the additional three (3) year option, according to the rate schedule attached hereto and made part hereof as Exhibit "A". Except as set forth herein provided, the School District agrees to pay such sums to Contractor upon receipt of an invoice on a monthly basis. **Monthly invoices will be submitted in ten (10) equal payments beginning with the invoice for the month of September.** Contractor will also receive from the District, following the completion of ten (10) days of public school operation during each school year, a payment equal to ten (10) times the estimated daily rate under this Agreement. This payment will be deducted from the Contractor's invoice for the last full school month (usually May).

3. **TERM.** The term of the contract shall begin July 1, 2019 and terminate June 30, 2025, with a District option of an additional three (3) years. This contract shall continue in full force unless terminated as set forth in this Agreement or by mutual consent of the Parties.

4. **INDEPENDANT CONTRACTOR.** It is understood and agreed between the parties that the Contractor is being retained only for the purposes and to the extent set forth in this Agreement and its relationship to the McKeesport Area School District during the term of this Agreement is that of an independent contractor. None of the employees of the Contractor shall be considered to have employee status with the McKeesport Area School District. Furthermore, the Contractor agrees and acknowledges that it is solely responsible for complying with provisions of the Pennsylvania Worker's Compensation Act, the Pennsylvania Unemployment Compensation act and all other statutes and regulations governing employees.

5. **TRANSPORTATION FOR NONSCHOOL DISTRICT ACTIVITIES.** Transportation provided for students and paid for by parent teacher associations, clubs, etc. shall not be part of this Agreement and those parties

shall have the right to use any Contractor they choose.

6. **TRANSPORTATION FOR DISPLACED STUDENTS.** Transportation shall be provided for all displaced (homeless) students who meet the criteria set forth in the McKinney-Vento Homeless Education Assistance Act of 1987, 42 U.S.C. §11301 et.seq. Transportation arrangements shall be timely made with the District upon request. Transportation Service for the Displaced Students shall be comparable to the Districts' established transportation policies and arrangements mutually made by the Contractor and the District. Transportation for Displaced Students are not part of the bulk rate and will be billed separately according to the "Additional Charges" rates sheet in Exhibit "A".

7. **REPORTS AND FORM PREPARATION.** Contractor shall prepare all forms required by any Government Agency including PDE 1043 and PDE1049 forms in a typewritten manner so that the proper school authorities need only to review and sign these forms. Contractor agrees to furnish such reports as may be required by the Board or its designated representatives.

8. **WORKSHEETS.** On or before September 1st of each year during the term of this Agreement, the Contractor shall complete a worksheet for each vehicle covered by this contract. The worksheet shall specify the VIN number, route number, number of days transported, daily mileage traveled with students, daily miles traveled without students, number of students assigned, year of manufacture, seating capacity and the driver assigned.

9. **INDEMNIFICATION.** The Contractor agrees to indemnify and hold harmless the District and any of its elected officials, officers, agents, servant or employees from and against all claims, demands losses, costs, damages, suits, judgment penalties, expenses and liabilities of any kind or nature whatsoever arising directly or indirectly out of or in connection with the performance of this Agreement, including but not limited to any claims which may be brought by any third parties by reason of injury to person or property resulting from negligence, carelessness, intentional conduct in the performance of the Contractor's obligations under this Agreement.

To the extent permitted by law, the District shall hold the Contractor, its officers, employees, agents, successors and assigns harmless and does hereby indemnify the Contractor its officers, employees, agents, successors and assigns from and against every claim or demand which may be made by any person, firm, corporation or other entity arising from or caused by act,

neglect, default or omission of the District, its governing Board, officers, employees or agents, except to the extent that such claims or demand arises from or is caused by the negligence or willful misconduct of the Contractor, its agents or employees.

10. **RADIOS AND CAMERAS.** The Contractor agrees to provide at the cost of the Contractor, both two-way radios and video cameras in all buses used for transportation services.

11. **DRIVERS.** The Contractor agrees that every school bus driver shall meet all the regulations of the Bureau of Traffic Safety of the Pennsylvania Department of Transportation in regards to application, age, fitness, competence, training, conduct, licensing, physical examination and continuing eligibility, provided that such operators shall have passed periodically administered physical examinations required by either the Pennsylvania Public Utility Commission or the Department of Transportation.

Contractor agrees to comply with all provisions of the Omnibus Transportation Employees Testing Act of 1991 and any regulations promulgated thereunder. In addition, Contractor shall assume full responsibility for the cost and performance of the mandatory drug and alcohol testing of the drivers as required by the Act.

The School District delegates to the Contractor the authority to supervise and to control students while such students are in the buses, pursuant to such rules as may be adopted by the District in its sole discretion, PROVIDED HOWEVER, that such delegation of the authority shall not include the right to administer corporal punishment.

Contractor agrees that its bus drivers will report any behavioral problems, and any resultant disciplinary measure, to the building principal immediately in writing on forms provided by the District.

11. **DRIVER CLEARANCE.** All persons employed by the CONTRACTOR under this Agreement shall be in full compliance with Act 34 of 1985, Act 151, Act 24 of 2011, and Section 111 of the Public School Code of 1949, as amended, relating to employee background checks, criminal conviction reporting requirements, and all other applicable Federal, State, and local statutes and regulations relating to employee background checks and criminal conviction reporting requirements.

The Contractor shall provide on or before the start of school each year, at no cost to the District, copies of Act 34, and Act 151 clearances and private licenses for each driver assigned to transport MASD students.

12. **PASSENGERS ON BUSES.** Contactor agrees that no person other than a school pupil shall be transported in school vehicles except that a teacher or other school personnel may ride when designated by the Superintendent of Schools or his/her designee, pursuant to Section 5517 of the Pennsylvania Criminal Code. Nothing except passenger and their belongings shall be transported in the school vehicles while it is engaged in transporting pupils to and from school.

13. **REMOVAL OF DRIVERS.** The District, at its sole discretion, shall reserve the right to require the Contractor to remove or suspend any driver not performing to the satisfaction of the District. All requests for the removal of any driver from service shall be submitted to the Contractor in written form.

14. **INSURANCE.** The Contractor shall carry with an insurance company or companies authorized to insure such risks in Pennsylvania, public liability and property damage insurance with respect to each vehicle used by it under this Agreement in policy amounts of not less than \$5,000,000 per accident, or such greater amount as shall be required by law. The Contractor shall also carry applicable Workmen's Compensation insurance. The District shall be an additional named insured under said policies and certified copies of such policies shall be on file with the District before service begins.

15. **SPARE BUSES.** Spare buses shall be available during school hours for emergency use and shall be sent whenever a regular bus is unable to operate. The Contractor agrees that the spare buses shall be dispatched to replace the disabled vehicle within thirty (30) minutes.

16. **BUS IDENTIFICATION NUMBERS.** The Contractor agrees to place bus identification numbers on all contracted vehicles as requested by the McKeesport Area School District.

17. **CHANGE IN NUMBER OF VEHICLES AND/OR ROUTES.** The District reserves the right to increase or decrease the number of required vehicles and to change any and all bus routes throughout the term of this contract, subject to the conditions of Exhibit A. Any matter not specifically contained herein shall be addressed and adjusted by the District excepting that no

vehicle shall be deleted from the schedule without first consulting with the Contractor and providing cause of said reduction. The decision of the District shall be final.

18. **SUPERVISORS.**

A. The Contractor agrees to provide at least one (1) full time supervisor on duty between 6:00 AM and 5:00 PM and at least one (1) full time mechanic on duty at the garage.

B. Contractor agrees to provide Supervisors who are capable of handling all emergencies that may occur and must have completed the Pennsylvania Bus Driver's Training course and be certified as an instructor.

C. The bus supervisor and drivers must be available to meet with parents, students and District Administrators to resolve any problems that may occur in the operation of the vehicles.

19. **PLANNING ROUTES AND BUS SCHEDULES.** The Contractor must provide assistance in planning bus schedules and routing each year. A tentative transportation schedule, including bus number, student roster and stops, shall be presented to the Director of Transportation for approval no later than July 30 of each year. A final transportation schedule shall be presented to the Director of Transportation by August 10. The Contractor agrees, and shall make every effort, that no student shall be riding a bus or van either to or from school in excess of one and one-half (1-1/2) hours.

20. **ACCIDENT REPORTING.** The Contractor shall report any bus accident to the Principal and the Director of Transportation immediately. A bus accident report shall be completed and given to the Director of Transportation within twenty-four (24) hours of the incident. All appropriate forms required by the Pennsylvania Department of Transportation shall be submitted in a timely fashion.

21. **FUEL.** If it proves advantageous to the Contractor, as determined by the Contractor, in its sole discretion, the District will be required to participate in the Allegheny Intermediate Unit Joint Fuel Purchasing program, or any other program, including, but not limited to, Nymex Future Diesel Commodity Contracts, that would prove beneficial to the contractor.

In the event the cost of fuel exceeds the ceiling price of \$2.65 per gallon, as determined by the fuel program contracted price, the District and the Contractor would share in the additional cost of the increase on an equal (50%/50%) basis of said increase in \$.05 increments.

For fuel escalator purposes, the School District's monthly consumption shall be calculated using the total daily miles traveled, provided from the Transfinder routing software. Mileages shall be divided by the appropriate miles-per-gallon (MPG) figure for each type of vehicle, resulting in the actual gallons per vehicle consumption.

It is further agreed that the cost of such fuel shall be deducted from the Contractor's monthly invoice with the balance being due to the Contractor less any other agreed upon adjustments.

23. **LOCATION OF TERMINAL/BUS GARAGE.** Contractor agrees that during the term of this agreement, Contractor will maintain a terminal/bus garage within the boundaries of the McKeesport Area School District and operate the school district's transportation program from said location.

24. **TERMINATION.** This Agreement may be terminated by either the District or the Contractor in the event that the other party shall fail to perform any of the terms and conditions of this Agreement and if such default shall continue for a period of forty-five (45) days after written notice thereof - if after said forty-five (45) day period either party fails or neglects to cure such default, this Agreement may be terminated without further notice to either party.

25. **NON-TRANSFERABLE CONTRACT.** This agreement shall not be transferred or assigned without the prior approval of the Board of School Directors and the written consent of the School District.

26. **SUB-CONTRACTING.** Contractor reserves the right to sub-contract transportation services to other companies that have common ownership with Pennsylvania Coach Lines, Inc.

26. **SEVERABILITY.** If any term, condition, clause or provision of this Agreement shall be determined or declared to be void or invalid in law or otherwise, then only that term, condition, clause or provision shall be stricken

from this Agreement and in all other respects this Agreement shall be valid and continue in full force, effect and operation. Likewise, the failure of either the Contractor or the District to meet its obligations under any one (1) or more of the paragraphs herein, with the exception of the satisfaction of the conditions precedent, shall in no way void or alter the remaining obligations of the Contractor and/or the District.

27. **INTEGRATION.** This Agreement constitutes the entire understanding of the Contractor and the District and supersedes and all prior agreements and negotiations between them. There are no representations or warranties other than those expressly set forth herein.

28. **NOTICES.** Whenever any notice is required to be given by the District to the Contractor under the provisions of this Agreement, The District shall provide such notice to the Contractor by Certified mail, return receipt requested, addressed to the following address:

Pennsylvania Coach Lines, Inc.
415 Rebecca Street
P.O. Box 3052
McKeesport, PA 15134

Whenever any notice is required to be given by the Contractor to the District under the provisions of this Agreement, the Contractor shall provide such notice to the District by Certified mail, return receipt requester, addressed to the following address.

McKeesport Area School District
3590 O'Neil Boulevard
McKeesport, PA 15132
Attn: Dr. Mark Holtzman Jr.

27. **DATE OF EXECUTION.** The date of execution of this Agreement shall be defined as the date upon which it is executed by the Contractor and the District, if they have each executed the agreement on the same date. Otherwise, the "date of execution" shall be defined as the date of execution by the party last executing this agreement.

ATTEST

MCKEESPORT AREA SCHOOL DISTRICT



SECRETARY


PRESIDENT

DATE: July 27, 2019

PENNSYLVANIA COACH LINES, INC


SECRETARY


PRESIDENT

DATE: July 26, 2019

EXHIBIT A

		Six (6) Contract Term						Optional Three (3) Contract Term			
School Term	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028		
Yearly Bulk Rate	\$2,223,487.67	3% increase	3% increase*	3% increase*	3% increase*	3% increase*	3% increase*	3% increase*	3% increase*		
Daily Monitor Rate	\$67.85 5 hr Minimum \$14.68 Each Additional Hour	→									
Charter Rates:		→									
In-District	\$123.95	→									
Out of District	The first 200 charters are complimentary. All additional Charters will be billed at \$169.62 (4 Hour Minimum), \$42.41 Each Additional Hour	→									
Activity Bus/Intra-District Bus	The first 950 Activities /Intra-District buses are complimentary. Buses thereafter will be billed at \$89.00 per bus per day.	→									

*The yearly bulk rate (as defined in Exhibit "A") is for unlimited student transportation services to any and all schools located within Allegheny County. This rate is based on a 180 day school year or less. If there is ever an extension to the school year, the additional service will be billed at a prorated rate. It is with the full understanding that the bulk rate will not be offered unless the following guidelines set forth below are followed in their entirety.

EXHIBIT A cont.

Bulk Guidelines

In order to provide the MCKEESPORT AREA SCHOOL DISTRICT with a yearly bulk rate, the District must agree to cooperate and abide by the following bulk transportation guidelines:

- In cooperation with the District, the Contractor will have the responsibility for scheduling and routing of the District's student transportation services.
- The primary objective is to maximize the ridership of every route to the legal seating capacity of each school bus. Contractor will attempt to limit high school and middle school bus capacities to two students per seat.
- Students will only be picked up and dropped off at MCKEESPORT AREA SCHOOL DISTRICT board approved bus stops.
- Students will be picked up and dropped off at the closest District designated stop, based on the relative distance from the student's residence to the stop. Students' stops will be chosen based on the following factors: geographic, safety and logical soundness for each particular route. In cooperation with the District, the Carrier will establish the routes and assign each student to their respective stop.
- The carrier will make every effort to limit the amount of time a student spends on a bus to less than (1) one hour for intra-district routes. On out of district routes, the Carrier will endeavor to limit routes to less than one and a half (1 1/2) hours.

Exceptions

Additional charges: If the District fails to adhere to the above-mentioned guidelines, and as a result, additional vehicles need to be added, the District will be charged for said vehicles set forth in Exhibit "A", Additional Charges.

Special transportation requests: Any special transportation requests made by the District will be billed separately from the bulk rate at the additional charge rates set forth in Exhibit "A." Examples of these requests include but are not limited to: exclusive ride requirements do to physical and/or mental health problems, behavioral issues, parental concerns or unspecified District requests. Additional requests may result from road closures or detours. Charges for monitors, homeless, field trips, charters, sporting events and activities will be billed separately in accordance with rate set forth in Exhibit "A."

Exhibit B cont.

Shared Services

If any special transportation requests made by the District or transportation services provided out of the Allegheny County is shared with another district, then the additional charge rate will be prorated as shown by the examples below:

Shared Routes (Single School)

- If the majority of the students being transported to a single school are MASD students, then the route will be billed at 75% of the contractual rate.
Example: You have six (6) MASD students going to the Deaf School along with two (2) Steel Valley students.
- If less than the majority of the students being transported to a single school are MASD students, then that route will be billed at 50% of the contractual rate.
Example: You have six (2) MASD students going to the Deaf School along with two (6) Steel Valley students.

Shared Routes (Multiple Routes on a Bus)

- If 2/3 of the transportation segments are MASD segments, then this route is not considered a shared route and receives no reduction in rate.
Example: The run does a McKeesport High School, McKeesport Middle School, and St Elizabeth (which is shared), no reduction in rate.
- If less than 2/3 of the transportation segments are MASD segments, then the rate is calculated on each segment based on its composition. A fully dedicated segment will be billed at 100% of that segment's allocation, while non-dedicated segments will be billed at 50% of that segment's allocation.
Example: The run does a McKeesport High School, St Elizabeth (shared), and Propel (PM only shared). Regular route rate \$150.00. The route will be broken down into 5 segments, MAHS-AM, MAHS-PM, SE-AM, SE-PM, Propel-PM.

	<u>Charge</u>	<u>Segment</u>	
• <u>Segment</u>	<u>per Segment</u>	<u>Allocation</u>	<u>Charge</u>
• MAHS-AM	\$30.00	0%	\$30.00
• MAHS-PM	\$30.00	0%	\$30.00
• SE-AM	\$30.00	50%	\$15.00
• SE-PM	\$30.00	50%	\$15.00
• Propel-PM	\$30.00	50%	\$15.00
		Route Rate	\$105.00

Exhibit B cont.

Shared Routes (One Route Bus going to Multiple Schools)

- If MASD students are transported to two thirds or more of the schools on a shared ride route, MASD is charged 75% of the contractual rate.

Example: The route goes to Hillcrest, which takes three (3) WM students and six (6) McKeesport students, St. Catherine (all MASD students), and St. Thomas (all MASD students).

If MASD students do not attend all of the schools on the route, they will be billed at 50% of the contractual rate.

Example: The route goes to Wesley Academy, which has no MASD students, and Christian Jubilee, with only MASD students

**Addendum to the Transportation Agreement
Between Pennsylvania Coach Lines
And
McKeesport Area School District**

This is a summary of the agreement reached for an addendum to the contract beginning on July 1, 2019, regarding the transportation of the DART children as deemed necessary by the McKeesport Area School District.

Agreement for the DART students is as follows:

The McKeesport Area School District agrees to pay Pennsylvania Coach Lines in the amount of *\$85,000 per year for transportation of DART students.

Pennsylvania Coach Lines will work collaboratively with the employees of the McKeesport Area School District to ensure accurate logs are kept and bookkeeping necessary for reimbursement is completed.

Pennsylvania Coach Lines will offer support during submission times of the ACCESS billing.

If the ACCESS billing yields at least \$125,000 in additional funds back to the McKeesport Area School District for that school year, then that amount *(\$125,000) will be the total provided to Pennsylvania Coach Lines, once the funding has been received by the District.

* Each subsequent year will increase in accordance with Exhibit "A".

ATTEST



SECRETARY

MCKEESPORT AREA SCHOOL DISTRICT



PRESIDENT

DATE: June 26, 2019

PENNSYLVANIA COACH LINES, INC



SECRETARY



PRESIDENT

DATE: July 26, 2019

EXHIBIT C

PA H.R. Jour., 2020 Reg. Sess. No. 13

 Image 1 within document in PDF format.

House Journal, Session of 2020, No. 13

Wednesday, March 25, 2020

Pennsylvania House of Representatives
204th General Assembly, 2020 Regular Session

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, MARCH 25, 2020

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

HON. ROB W. KAUFFMAN, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Let us bow our heads.

Lord, You are good and Your mercy endureth forever and ever. Lord, we rejoice in Your goodness today, and more than ever, we rely on Your goodness today. Lord, we need Your mercy today more than ever and we rely on that. Lord, forgive us, as we have relied on our own devices and our own goodness and our own mercy. Forgive us as a nation, as we have done that so regularly. Forgive us as a State, as we have relied on our own selves and the history of Your goodness and mercy to this Holy Experiment. But forgive us as a body, as we have relied on ourselves to be that which this Commonwealth needs, because, Lord, we need You now more than ever.

Lord, let Your goodness and Your mercy rain down on this nation, let it rain down on this Commonwealth, and, Lord, today let it rain down in this chamber as we attempt to do that which You have called us to do in service to the people of this Commonwealth.

Lord, help us this day, in the name of Your precious son, Jesus. In His name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, March 24, 2020, will be postponed until printed.

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 885 be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REREPORTED FROM COMMITTEE

SB 751, PN 1599 (Amended)

By Rep. SAYLOR

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employees, further providing for rating system and for persons to be suspended and providing for a revised rating system; and, in terms and courses of study, providing for pandemic of 2020.

APPROPRIATIONS.

HOUSE BILL INTRODUCED AND REFERRED

No. 2371 By Representatives STURLA and SONNEY

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for assessment of occupations; and making a related repeal.

Referred to Committee on LOCAL GOVERNMENT, March 25, 2020.

LEAVES OF ABSENCE

The SPEAKER. There are no requests for leaves.

MASTER ROLL CALL

The SPEAKER. We are going to proceed to take the master roll.

Obviously, members can vote remotely under this temporary rule. They have conveyed that already to their respective whips, the majority whip and the minority whip.

In addition, those members that are in their offices, under our permanent rules, can contact a member to vote them on the master roll.

(Members proceeded to vote.)

The SPEAKER. The minority whip, Representative Jordan Harris, on the master roll vote, please.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate, Mr. Speaker.

The SPEAKER. Thank you.

And my understanding is, from the majority whip, Representative Kerry Benninghoff, that the electronic board is correct with respect to the Republican Caucus.

The following roll call was recorded:

PRESENT-198

Barrar	Fiedler	Lawrence	Reese
Benninghoff	Fitzgerald	Lee	Rigby
Bernstine	Flynn	Lewis	Roae
Bizzarro	Frankel	Longietti	Roebuck
Boback	Freeman	Mackenzie	Rothman
Borowicz	Fritz	Madden	Rowe
Boyle	Gabler	Malagari	Rozzi
Bradford	Gainey	Maloney	Ryan
Briggs	Galloway	Markosek	Sainato
Brooks	Gaydos	Marshall	Samuelson
Brown	Gillen	Masser	Sanchez
Bullock	Gillespie	Matzie	Sankey
Burgos	Gleim	McCarter	Sappey
Burns	Goodman	McClinton	Saylor
Caltagirone	Green	McNeill	Schemel
Carroll	Gregory	Mehaffie	Schlossberg
Causer	Greiner	Mentzer	Schmitt
Cephas	Grove	Merski	Schroeder
Ciresi	Hahn	Metcalfe	Schweyer
Comitta	Hanbidge	Metzgar	Shusterman
Conklin	Harkins	Mihalek	Simmons
Cook	Harris	Millard	Sims
Cox	Heffley	Miller, B.	Snyder
Cruz	Helm	Miller, D.	Solomon
Culver	Hennessey	Mizgorski	Sonney
Cutler	Hershey	Moul	Staats
Daley	Hickernell	Mullery	Stephens
Davidson	Hohenstein	Mullins	Struzzi

Davis, A.	Howard	Murt	Sturla
Davis, T.	Innamorato	Mustello	Thomas
Dawkins	Irvin	Neilson	Tobash
Day	Isaacson	Nelson	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufer	Otten	Warner
Dermody	Kauffman	Owlett	Warren
Diamond	Keefer	Pashinski	Webster
Donatucci	Keller	Peifer	Wentling
Dowling	Kenyatta	Petrarca	Wheatley
Driscoll	Kim	Pickett	Wheeland
Dunbar	Kinsey	Polinchock	White
Dush	Kirkland	Puskaric	Williams
Ecker	Klunk	Quinn	Youngblood
Emrick	Knowles	Rabb	Zabel
Evans	Kortz	Rader	Zimmerman
Everett	Kosierowski	Rapp	
Farry	Krueger	Ravenstahl	Turzai, Speaker
Fee	Kulik	Readshaw	

ADDITIONS-0

NOT VOTING-0

EXCUSED-2

Mako Pyle

The SPEAKER. There are 198 members voting. We have a quorum.

We are going to take committee announcements and caucus announcements at this time.

Before I call on the majority Appropriations chair, are there any other committee chairs that have any announcements?

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair calls upon the majority Appropriations chair, Stan Saylor.

Thank you, sir.

Mr. SAYLOR. Thank you, Mr. Speaker.

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

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

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

REPUBLICAN CAUCUS

The SPEAKER. The majority caucus chair, Representative Marcy Toepel, for a caucus announcement.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus at 11:45. We would be prepared to return to the floor at 1 o'clock. Thank you.

The SPEAKER. Thank you, Madam Chair.

DEMOCRATIC CAUCUS

The SPEAKER. The Democratic leader, Representative Frank Dermody, for a Democratic caucus announcement.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, the Democrats will also caucus at 11:45; 11:45, virtually.

The SPEAKER. Thank you.

RECESS

The SPEAKER. The House will stand in recess until 1 p.m.; 1 p.m.

RECESS EXTENDED

The time of recess was extended until 1:30 p.m.; further extended until 1:45 p.m.; further extended until 2 p.m.

AFTER RECESS

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

The SPEAKER. This is from our Chief Clerk.

Chief Clerk, will you - this is a little out of the ordinary here - but Chief Clerk, will you tell everybody the measures that you have taken at our request with respect to the chamber, what happened in terms of cleaning. Do you mind just explaining what you have done.

Mr. REDDECLIFF. Between last week and then each evening, we have had a professional firm come in and clean by using a fine mist in the House chamber, both caucus rooms, and in addition, we have been hitting the touch points more closely with a scaled-back cleaning crew every night and other little things that we have been doing, as well as trying to keep your microphones cleaned and the doors open so you do not have to touch those. So we are asking you to continue to keep your microphones - I know reflexively you want to put your microphones down, but if you just walk up to it, our staff up here will turn your microphones on. All you have to do is walk up to your microphones. So we are trying to do as many things as we possibly can.

The SPEAKER. Thank you, sir.

BILLS REREPORTED FROM COMMITTEE

HB 1564, PN 3497

By Rep. SAYLOR

An Act amending Titles 42 (Judiciary and Judicial Procedure), 53 (Municipalities Generally) and 57 (Notaries Public) of the Pennsylvania Consolidated Statutes, in Uniform Unsworn Foreign Declarations Act, further providing for heading of chapter, for short title of chapter, for definitions, for applicability and for form of unsworn declaration; in general provisions, emergency seat of government, providing for other emergencies and further providing for applicability of subchapter; in consolidated county assessment, further providing for definitions, for subjects of local taxation and for assessment of mobile homes and house trailers; and, in Revised Uniform Law on Notarial Acts, further providing for authority to perform notarial act, providing for notarial act performed by remotely located individual and further providing for notification regarding performance of notarial act on electronic record and selection of technology.

APPROPRIATIONS.

SB 422, PN 1600

By Rep. SAYLOR

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preliminary provisions, further providing for definitions; in county boards of elections, further providing for powers and duties of county boards; in ballots, further providing for forms of ballots, printing ballots, numbers; in electronic voting systems, further providing for forms, for election day procedures and the process of voting and for post election procedures; in preparation for and conduct of primaries and elections, further providing for manner of applying to vote, persons entitled to vote, voter's certificates, entries to be made in district register, numbered lists of voters, challenges and for deadline for receipt of valid voter registration application; in voting by qualified absentee electors, further providing for applications for official absentee ballots, for approval of application for absentee ballot, for absentee and mail-in electors files and lists, for official absentee voters ballots, for envelopes for official absentee ballots, for delivering or mailing ballots, for voting by absentee electors, for canvassing of official absentee ballots and mail-in ballots and for public records and repealing provisions relating to violation of provisions relating to absentee voting; in voting by qualified mail-in electors, further providing for qualified mail-in electors, for applications for official mail-in ballots, for approval of application for mail-in ballot, for official mail-in elector ballots, for envelopes for official mail-in ballots, for voting by mail-in electors and for public records and repealing provisions relating to violation of provisions relating to mail-in voting; providing for Pennsylvania Election Law Advisory Board; in penalties, further providing for violations of provisions relating to absentee electors ballots; providing for emergency provisions for 2020 general primary election; and making a related repeal.

APPROPRIATIONS.

The SPEAKER. We are going to start - I am missing our two whips, so I cannot start until I have our whips, believe it or not.

Under our temporary rule, the majority whip and the minority whip have to certify on record, have to state on the record that what we have been provided from those voting remotely on the electronic board is accurate. So we are not going to start until

the majority and minority whips get to the floor. We are going to start with third consideration bills, though. We are going to start with third consideration bills.

Members, we are going to move to, actually, some second consideration bills without amendments, which we have to go through as a formal process from the rostrum and in the chamber.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2009, PN 3051**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in organization of departmental administrative boards and commissions and of advisory boards and commissions, providing for Cybersecurity Coordination Board.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

The House proceeded to second consideration of **HB 1189, PN 2742**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for volunteer emergency responders employer tax credit.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. There is an amendment. It is a late-filed amendment. It was filed by Representative David Maloney, 04874.

The good Representative has indicated that he has waived off that amendment. That amendment is withdrawn. There are no other amendments.

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 896, PN 2087**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in neighborhood assistance tax credit, further providing for definitions, for public policy and for tax credit.

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 885, PN 1497**, entitled:

An Act amending the act of December 20, 1967 (P.L.869, No.385), known as the Public Works Contractors' Bond Law of 1967, further providing for duty of prime contractor to provide financial security in certain contracts involving public works and public improvements.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. There was an amendment that was offered by Representative Gaydos. It is amendment 04852. My understanding is that the amendment has been withdrawn.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair calls upon the majority whip, Representative Kerry Benninghoff. Sir.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Yes, that amendment was withdrawn, but Representative Val Gaydos would like her comments read across the record, and I will submit them accordingly.

Ms. GAYDOS submitted the following remarks for the Legislative Journal:

Mr. Speaker, I withdraw A04852 to HB 885. While a higher threshold might alleviate red tape for local municipalities to get projects under way, we also need to make sure that liabilities are not unfairly transferred to small subcontractors. At this time more than ever we need to protect small contractors. Under a higher threshold, there would be less financial protection for subcontractors - those who are least likely to shoulder the liability. This legislation tightens the bonding requirements by limiting the financial instruments used to secure them, which will provide greater protection to taxpayers.

The SPEAKER. Thank you, sir.

So there are no other amendments to HB 885, PN 1497.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

The SPEAKER. The majority whip, Representative Kerry Benninghoff, is on the floor. We are still awaiting the minority whip, Representative Jordan Harris. We cannot - for the record - certify the votes without the two whips being present.

RULES COMMITTEE MEETING

The SPEAKER. Members, at this time the Chair calls upon the majority leader, who is the chair of the Rules Committee, for a Rules Committee announcement.

Leader Bryan Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to call an immediate meeting of the Rules Committee in the majority caucus room. For the members' benefit, that is different than our normal meeting spot, the majority caucus room. And anybody who needs to submit a proxy, please see me. Thank you.

The SPEAKER. So, members, we are going to be at ease while the Rules Committee meets in the majority caucus room, but please stay on the floor or go to your offices; it is perfectly - either is fine. I will remain here at the rostrum.

The House will come to order.

The Rules Committee has completed its work. I see the Democratic whip, Representative Jordan Harris, is on the floor and ready to proceed. And I see the majority whip, the Republican whip, Representative Kerry Benninghoff, who is on the floor and ready to proceed.

Members, we are going to continue.

At this time the Speaker is reporting HR 2. This was reported from the Rules Committee as an original bill or, excuse me, as an original Rules resolution from that committee. So that is reported and we are going to call that HR 2 now for a vote.

So I am going to need a summary of HR 2. Yes, could we just read it out.

Thanks, Jordan, and thanks to our great work here from the team in front of us. It is on your systems. HR 2 should be on your voting system.

Okay. Sorry. It is not quite up yet so we are going to wait until it is posted. That could take some time, so we are going to move to second consideration votes - is that okay? - second consideration amendments. It is going to take a while for the resolution to be posted.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1822, PN 2484**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in Local Government Capital Project Loan Fund, further providing for definitions, for assistance to municipalities and for powers and duties of department.

On the question,

Will the House agree to the bill on second consideration?

Mr. **GALLOWAY** offered the following amendment No. **A03177**:

Amend Bill, page 3, line 10, by inserting after "point" , not to exceed two per centum per annum

On the question,

Will the House agree to the amendment?

The SPEAKER. We are on the amendment.

Yes, Leader, please go ahead.

Mr. **CUTLER**. Thank you, Mr. Speaker.

It is my understanding that this is an agreed-to amendment.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, this amendment is a win-win that will help our local communities. It will ensure that they have predictability when applying for a loan through the Local Government Capital Project Loan Fund. Under HB 1822, a variable interest rate is being implemented, which will be tied to the 10-year U.S. Treasury rate rounded to the closest quarter point. What my amendment will do is to put a 2-percent cap on the amount of interest that can be charged. Should a community apply for funding and the interest rate dips below 2 percent, they will be able to take advantage of that lower rate. When interest rates are high, communities can be assured that they will not pay more than 2 percent.

It is my understanding that this is an agreed-to amendment.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. Members, I know I stated this for the record yesterday, but for our viewing audience, the members that are voting remotely from their district offices, pursuant to our temporary rule, have submitted those votes to the respective whips and to the Chief Clerk, and Lori Hoffman and Al Hunt, the voting clerks for the House of Representatives, are entering those votes.

Members here are able to vote, and the members in their Capitol offices can alert any member on the floor to vote for them. That is pursuant to our regular, our permanent rules.

So voting is taking a little bit longer, but not much. And we will ask the whips at the end to certify or to state on the record that those reflect the votes that they have received remotely.

And thank you to Lori Hoffman and to Al Hunt for their work on this.

Also let us give a shout-out over there to Jason and Michelle. Let us give a round of applause to Jason and Michelle. They are managing all the amendments and bills that are coming through to be voted upon. Thank you, both of you.

Jason, go Irish.

At this time the Chair calls on the Democratic whip, Representative Jordan Harris, on amendment 03177.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. Thank you, sir.

And calling upon the majority whip, the Republican whip, Representative Kerry Benninghoff, with respect to amendment 3177.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The board does reflect a unanimous vote by the majority party. Thank you.

The SPEAKER. Thank you both.

The following roll call was recorded:

YEAS-198

Barrar	Fiedler	Lawrence	Reese
Benninghoff	Fitzgerald	Lee	Rigby
Bernstine	Flynn	Lewis	Roae
Bizzarro	Frankel	Longietti	Roebuck
Boback	Freeman	Mackenzie	Rothman
Borowicz	Fritz	Madden	Rowe
Boyle	Gabler	Malagari	Rozzi
Bradford	Gainey	Maloney	Ryan
Briggs	Galloway	Markosek	Sainato
Brooks	Gaydos	Marshall	Samuelson
Brown	Gillen	Masser	Sanchez
Bullock	Gillespie	Matzie	Sankey
Burgos	Gleim	McCarter	Sappey
Burns	Goodman	McClinton	Saylor
Caltagirone	Green	McNeill	Schemel
Carroll	Gregory	Mehaffie	Schlossberg
Causer	Greiner	Mentzer	Schmitt
Cephas	Grove	Merski	Schroeder
Ciresi	Hahn	Metcalfe	Schweyer
Comitta	Hanbidge	Metzgar	Shusterman
Conklin	Harkins	Mihalek	Simmons
Cook	Harris	Millard	Sims
Cox	Heffley	Miller, B.	Snyder
Cruz	Helm	Miller, D.	Solomon
Culver	Hennessey	Mizgorski	Sonney
Cutler	Hershey	Moul	Staats
Daley	Hickernell	Mullery	Stephens
Davidson	Hohenstein	Mullins	Struzzi

Davis, A.	Howard	Murt	Sturla
Davis, T.	Innamorato	Mustello	Thomas
Dawkins	Irvin	Neilson	Tobash
Day	Isaacson	Nelson	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Deloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufer	Otten	Warner
Dermody	Kauffman	Owlett	Warren
Diamond	Keefer	Pashinski	Webster
Donatucci	Keller	Peifer	Wentling
Dowling	Kenyatta	Petrarca	Wheatley
Driscoll	Kim	Pickett	Wheeland
Dunbar	Kinsey	Polinchock	White
Dush	Kirkland	Puskaric	Williams
Ecker	Klunk	Quinn	Youngblood
Emrick	Knowles	Rabb	Zabel
Evans	Kortz	Rader	Zimmerman
Everett	Kosierowski	Rapp	
Farry	Krueger	Ravenstahl	Turzai, Speaker
Fee	Kulik	Readshaw	

NAYS-0

NOT VOTING-0

EXCUSED-2

Mako Pyle

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 352, PN 1192**, entitled:

An Act authorizing local taxing authorities to provide for tax exemption incentives for certain deteriorated industrial, commercial, business and residential property and for new construction in deteriorated areas of communities; providing for an exemption schedule; and establishing standards and qualifications.

On the question,

Will the House agree to the bill on second consideration?

Mr. **SCHMITT** offered the following amendment No. **A04673**:

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

(3) The public hearing shall be held in accordance with 65 Pa.C.S. Ch. 7 (relating to open meetings).

On the question,

Will the House agree to the amendment?

The SPEAKER. Thank you.

The whip I think has indicated that this amendment is agreed to, correct?

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. The Chair calls upon the Democratic whip, Representative Jordan Harris, with respect to amendment 4673.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. Thank you, sir.

And the Chair recognizes the majority whip, Representative Kerry Benninghoff, on amendment 04673.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The board does reflect the unanimous vote by the majority party. Thank you.

The SPEAKER. Thank you, sir.

The following roll call was recorded:

YEAS-198

Barrar	Fiedler	Lawrence	Reese
Benninghoff	Fitzgerald	Lee	Rigby
Bernstine	Flynn	Lewis	Roae
Bizzarro	Frankel	Longietti	Roebuck
Boback	Freeman	Mackenzie	Rothman
Borowicz	Fritz	Madden	Rowe
Boyle	Gabler	Malagari	Rozzi
Bradford	Gainey	Maloney	Ryan
Briggs	Galloway	Markosek	Sainato
Brooks	Gaydos	Marshall	Samuelson
Brown	Gillen	Masser	Sanchez
Bullock	Gillespie	Matzie	Sankey
Burgos	Gleim	McCarter	Sappey
Burns	Goodman	McClinton	Saylor
Caltagirone	Green	McNeill	Schemel
Carroll	Gregory	Mehaffie	Schlossberg
Causer	Greiner	Mentzer	Schmitt
Cephas	Grove	Merski	Schroeder
Ciresi	Hahn	Metcalfe	Schweyer
Comitta	Hanbidge	Metzgar	Shusterman
Conklin	Harkins	Mihalek	Simmons
Cook	Harris	Millard	Sims
Cox	Heffley	Miller, B.	Snyder
Cruz	Helm	Miller, D.	Solomon
Culver	Hennessey	Mizgorski	Sonney
Cutler	Hershey	Moul	Staats
Daley	Hickernell	Mullery	Stephens
Davidson	Hohenstein	Mullins	Struzzi
Davis, A.	Howard	Murt	Sturla

Davis, T.	Innamorato	Mustello	Thomas
Dawkins	Irvin	Neilson	Tobash
Day	Isaacson	Nelson	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufer	Otten	Warner
Dermody	Kauffman	Owlett	Warren
Diamond	Keefer	Pashinski	Webster
Donatucci	Keller	Peifer	Wentling
Dowling	Kenyatta	Petrarca	Wheatley
Driscoll	Kim	Pickett	Wheeland
Dunbar	Kinsey	Polinchock	White
Dush	Kirkland	Puskaric	Williams
Ecker	Klunk	Quinn	Youngblood
Emrick	Knowles	Rabb	Zabel
Evans	Kortz	Rader	Zimmerman
Everett	Kosierowski	Rapp	
Farry	Krueger	Ravenstahl	Turzai, Speaker
Fee	Kulik	Readshaw	

NAYS-0

NOT VOTING-0

EXCUSED-2

Mako Pyle

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 751, PN 1599**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employees, further providing for rating system and for persons to be suspended and providing for a revised rating system; and, in terms and courses of study, providing for pandemic of 2020.

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?

The Chair calls upon Representative Jesse Topper, on SB 751, PN 1599. Sir, you may proceed.

Mr. TOPPER. Thank you, Mr. Speaker.

This emergency School Code amendment, which is applicable only to the 2019-2020 school year as a result of the pandemic of 2020, involves the following legislative changes. It eliminates the 180-day requirement for all schools, public and nonpublic, and home education programs, and allows the Secretary of Education to order the closure of all public schools; increases the number of allowable flexible instruction days; and waives applicable timelines to apply to participate in flexible instruction days.

As we move forward with this amendment, it is important to note that this is the primary goal of what we are trying to do here legislatively today, which is to ensure that all of our children, our students across the Commonwealth continue to receive some sort of education from our educators. With that in mind, no school employee employed as of March 13, 2020, shall receive more or less compensation because of school closures or shortened school year. There will be no loss in PSERS (Public School Employees' Retirement System) credit and no change in contributions. School cleaning staff must be provided appropriate cleaning materials and protective clothing and gear as recommended by the CDC (Centers for Disease Control and Prevention). And it extends continuing education credit compliance by 1 year.

We also are making some notes in terms of special education and those requirements in this amendment. We understand that this is one of the more difficult situations that we have struggled with in talking to all of our school districts back home. We believe that notice must be given to all parents of special education students in writing about a plan to ensure that those students can receive some sort of education at some point throughout this crisis.

Now, the intent of this legislation is to assist schools in trying to cope with the challenges that come from these school closures, and with regard to special education, we understand that the Federal government also has many guidelines that they have set forth over the years. The United States Secretary of Education has released guidelines to create relief for schools under the normal requirements of IDEA (Individuals with Disabilities Education Act), and this legislation is intended to reaffirm those guidelines and allow reasonable relief for these school entities during this crisis. School entities must make a good-faith effort to develop a plan to offer continuity of education and teaching and using alternative means during this period of school closure. The

Pennsylvania Department of Education will provide guidance, and IUs (intermediate units) can provide technical assistance. Plans need to be submitted, but not approved, by the Department of Education, and school entities must post their plans on their Web site for parents, taxpayers, and students alike.

Payments to and from school entities: There will be no loss in any school subsidies or reimbursements. Charter schools will be paid the same tuition at the time of the closure. School entities will continue to pay IUs and career and technical centers, and they will still continue to pay for their employees. School entities will continue to pay private schools where they have placed students, as long as those students are being offered a continuation of educational services during the closure. School entities in the Commonwealth will continue to pay private residential rehabilitation institutions for the students enrolled as of March 13.

In regards to school bus transportation, school districts may renegotiate with their school bus contractors to continue paying them during school closures. We understand that these contractors are essential to the school districts and could be essential to their plans for continuing education. We would ask that the school bus contractors in this legislation submit proof that they are continuing to pay their personnel at their complement levels in order to receive payments. State reimbursement is available to school districts at the same level they would have received if the schools would not have shut down.

For home education, we will waive the 180-day requirement, as well as the required standardized testing and the evaluation requirement. The Secretary of Education has applied and been granted waivers to remove the standardized testing requirements for this school year.

In the end, Mr. Speaker, we also have a waiver process that the school entity may apply to the Secretary for a waiver of any other provision of the School Code, regulations, or standards as a result of the pandemic.

We understand that this is an emergency School Code vehicle. We understand that there are things that, as we continue through this crisis and this unprecedented time of school closures, could come up. We want to provide enough flexibility for the districts and for the department to be able to adapt to those changes.

Mr. Speaker, that summarizes the amendment in the underlying bill, SB 751, which, as you know, is the change to the teacher evaluation program in the State of Pennsylvania, which allows also more flexibility in terms of school districts to be able to evaluate their employees with less emphasis on the standardized testing.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Topper.

Representative Pam DeLissio.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, with full appreciation of what this represents, and I am grateful for everything that the amendment does, I just felt it important to be on the record today to comment on the 180-day waiver. There is no cap on that waiver. There is no requirement for remote learning. I think many of our school districts are ill-prepared to roll out remote learning in an equitable fashion for any number of reasons. So I am hoping, as the good gentleman has mentioned, that particularly around budget time, we are looking to particularly reinforce our basic education budget to help with the remediation that I think is going to be a given for the next school year 2020-2021. And if that includes bringing children back to school a few weeks earlier and keeping them in a few weeks later in order to help them make up, I look forward to being joined by my colleagues to make that happen. Thank you.

The SPEAKER. Representative Curt Sonney, the chair of the Education Committee.

Mr. SONNEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of SB 751. This Senate bill, as amended, will reassure our districts, our public school districts, that the educational system will be preserved. Now, coupled with the recent information out of the United States Department

of Education that they were also able to reassure our districts on how to proceed forward concerning special education, and I believe with the reassurances out of the Federal government and the passage of SB 751 that our districts should now have the reassurances that they need so that they can moved forward with plans to once again get our teachers teaching and get our students learning; realizing, Mr. Speaker, that this is only the beginning. We are going to have much more work to do, just like our districts have a tremendous amount of work in front of them today, but we can accomplish this as long as we work together.

Again, I rise to support SB 751. Thank you, Mr. Speaker.

The SPEAKER. Thank you.

And before I call on Representative Topper, whose amendment is within this bill, does any other member wish to be recognized?

Representative Topper, for final comments.

Mr. TOPPER. Thank you, Mr. Speaker.

And thanks to all the stakeholder groups, and of course, all the staff and all the members who helped. I particularly want to thank the chairman of the Education Committee, Chairman Sonney in the House, and the members of the Senate who also were involved in these negotiations.

We understand that this is an unprecedented time in our Commonwealth for so many, and so many of our families and businesses are struggling; we understand that. We also understand this has been an unprecedented and challenging time for our school districts, private and public, and we also understand that it has been a very challenging time for the most important stakeholder group when we talk about education, and that is our children.

The clarity that we are attempting to provide in this amendment is so that the children of this Commonwealth can continue to learn during these challenging times. We have heard it said many times before that we want more flexibility in our education system - not to teach to test, but to allow our educators to be creative in how they get the material to their students. Well, this is our time to show how creative we can actually be. This is the most essential time in our history that administrators and educators can come together to ensure that there is education going on in this Commonwealth for our children whom we are constitutionally obligated to educate while this crisis is going on.

I know that we can do it. I represent school districts in three counties. We have met with all of them. We have talked to those superintendents. They are willing and eager to get to this process, and many of them already have. Many of us have children that are already online and studying with Schoology and all the different ways that we can get the materials to them. We need that to continue. And for those school districts that are struggling to find their feet in this time, we know we have the IUs that can respond and can help them. That is the purpose of this amendment. Let me be crystal clear: it is to get our educators back to doing what I know they want to do, and that is educating our children during this time; to make sure that the resources will be guaranteed for them that they can continue to work even though we are very challenged with the closure of our buildings.

I know it can be done. I am confident it can be done, and, Mr. Speaker, with the passage of SB 751, we will continue to move forward during this time of crisis, as we continue to educate our kids in every manner that we have available to us.

Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

(Members proceeded to vote.)

The SPEAKER. At this time it looks like all the votes have been recorded. The Chair calls upon the Democratic whip, Representative Jordan Harris, with respect to SB 751.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. And the majority Republican whip, Representative Kerry Benninghoff, on SB 751.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board does reflect the unanimous vote by the majority party. Thank you.

The following roll call was recorded:

YEAS-198

Barrar	Fiedler	Lawrence	Reese
Benninghoff	Fitzgerald	Lee	Rigby
Bernstine	Flynn	Lewis	Roae
Bizzarro	Frankel	Longietti	Roebuck
Boback	Freeman	Mackenzie	Rothman
Borowicz	Fritz	Madden	Rowe
Boyle	Gabler	Malagari	Rozzi
Bradford	Gainey	Maloney	Ryan
Briggs	Galloway	Markosek	Sainato
Brooks	Gaydos	Marshall	Samuelson
Brown	Gillen	Masser	Sanchez
Bullock	Gillespie	Matzie	Sankey
Burgos	Gleim	McCarter	Sappey
Burns	Goodman	McClinton	Saylor
Caltagirone	Green	McNeill	Schemel
Carroll	Gregory	Mehaffie	Schlossberg
Causser	Greiner	Mentzer	Schmitt
Cephas	Grove	Merski	Schroeder
Ciresi	Hahn	Metcalfe	Schweyer
Comitta	Hanbidge	Metzgar	Shusterman

Conklin	Harkins	Mihalek	Simmons
Cook	Harris	Millard	Sims
Cox	Heffley	Miller, B.	Snyder
Cruz	Helm	Miller, D.	Solomon
Culver	Hennessey	Mizgorski	Sonney
Cutler	Hershey	Moul	Staats
Daley	Hickernell	Mullery	Stephens
Davidson	Hohenstein	Mullins	Struzzi
Davis, A.	Howard	Murt	Sturla
Davis, T.	Innamorato	Mustello	Thomas
Dawkins	Irvin	Neilson	Tobash
Day	Isaacson	Nelson	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufer	Otten	Warner
Dermody	Kauffman	Owlett	Warren
Diamond	Keefer	Pashinski	Webster
Donatucci	Keller	Peifer	Wentling
Dowling	Kenyatta	Petrarca	Wheatley
Driscoll	Kim	Pickett	Wheeland
Dunbar	Kinsey	Polinchock	White
Dush	Kirkland	Puskaric	Williams
Ecker	Klunk	Quinn	Youngblood
Emrick	Knowles	Rabb	Zabel
Evans	Kortz	Rader	Zimmerman
Everett	Kosierowski	Rapp	
Farry	Krueger	Ravenstahl	Turzai, Speaker

Fee

Kulik

Readshaw

NAYS-0

NOT VOTING-0

EXCUSED-2

Mako

Pyle

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 422, PN 1600**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preliminary provisions, further providing for definitions; in county boards of elections, further providing for powers and duties of county boards; in ballots, further providing for forms of ballots, printing ballots, numbers; in electronic voting systems, further providing for forms, for election day procedures and the process of voting and for post election procedures; in preparation for and conduct of primaries and elections, further providing for manner of applying to vote, persons entitled to vote, voter's certificates, entries to be made in district register, numbered lists of voters, challenges and for deadline for receipt of valid voter registration application; in voting by qualified absentee electors, further providing for applications for official absentee ballots, for approval of application for absentee ballot, for absentee and mail-in electors files and lists, for official absentee voters ballots, for envelopes for official absentee ballots, for delivering or mailing ballots, for voting by absentee electors, for canvassing of official absentee ballots and mail-in ballots and for public records and repealing provisions relating to violation of provisions relating to absentee voting; in voting by qualified mail-in electors, further providing for qualified mail-in electors, for applications for official mail-in ballots, for approval of application for mail-in ballot, for official mail-in elector ballots, for envelopes for official mail-in ballots, for voting by mail-in electors and for public records and repealing provisions relating to violation of provisions relating to mail-in voting; providing for Pennsylvania Election Law Advisory Board; in penalties, further providing for violations of provisions relating to absentee electors ballots; providing for emergency provisions for 2020 general primary election; and making a related repeal.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. Okay. We have in front of us an amendment. Now, this is on third consideration. The normal practice would be that you have to have a two-thirds vote to allow a vote on third consideration, an amendment, but this is, quote, unquote, a "technical amendment," and that has been agreed to, I understand, by both the majority and minority leaders.

So the Chair, in conjunction with the Parliamentarian, has ruled that it is technical and will allow a vote on amendment 04879.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. **EVERETT** offered the following amendment No. **A04879**:

Amend Bill, page 11, line 18, by inserting after "APPLICANT"

whose voter registration application is timely received under subsection (b) or (c)

Amend Bill, page 11, line 26, by inserting after "IF" under subsection (b) or (c)

Amend Bill, page 11, line 26, by inserting after "APPLICANT" timely

Amend Bill, page 15, lines 16 through 18, by striking out ", OR" in line 16, all of line 17 and "WHICHEVER IS EARLIER" in line 18

Amend Bill, page 22, line 9, by inserting a bracket before "RECEIVED"

Amend Bill, page 22, line 9, by striking out the bracket before "UNDER"

Amend Bill, page 22, lines 10 through 12, by striking out "FOLLOWING THE FINAL PRE-" in line 10, all of line 11 and "OF THE FINAL PRE-CANVASS MEETING, BUT" in line 12

Amend Bill, page 22, line 13, by striking out "PROCESS" and inserting

meeting

Amend Bill, page 22, lines 29 and 30; page 23, lines 1 and 2; by striking out "NO PERSON" in line 29, all of line 30 on page 22 and all of lines 1 and 2 on page 23

Amend Bill, page 28, line 18, by striking out "COUNT" and inserting
county

Amend Bill, page 29, lines 7 through 9, by striking out ", OR DURING" in line 7, all of line 8 and "IS EARLIER" in line 9

On the question,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. The Democratic whip, Representative Jordan Harris, on amendment 4879.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. Thank you, sir.

And the majority whip, Representative Kerry Benninghoff, on amendment 4879.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board does reflect the unanimous vote by the majority party.

The following roll call was recorded:

YEAS-198

Barrar	Fiedler	Lawrence	Reese
Benninghoff	Fitzgerald	Lee	Rigby

Bernstine	Flynn	Lewis	Roae
Bizzarro	Frankel	Longietti	Roebuck
Boback	Freeman	Mackenzie	Rothman
Borowicz	Fritz	Madden	Rowe
Boyle	Gabler	Malagari	Rozzi
Bradford	Gainey	Maloney	Ryan
Briggs	Galloway	Markosek	Sainato
Brooks	Gaydos	Marshall	Samuelson
Brown	Gillen	Masser	Sanchez
Bullock	Gillespie	Matzie	Sankey
Burgos	Gleim	McCarter	Sappey
Burns	Goodman	McClinton	Saylor
Caltagirone	Green	McNeill	Schemel
Carroll	Gregory	Mehaffie	Schlossberg
Causer	Greiner	Mentzer	Schmitt
Cephas	Grove	Merski	Schroeder
Ciresi	Hahn	Metcalfe	Schweyer
Comitta	Hanbidge	Metzgar	Shusterman
Conklin	Harkins	Mihalek	Simmons
Cook	Harris	Millard	Sims
Cox	Heffley	Miller, B.	Snyder
Cruz	Helm	Miller, D.	Solomon
Culver	Hennessey	Mizgorski	Sonney
Cutler	Hershey	Moul	Staats
Daley	Hickernell	Mullery	Stephens
Davidson	Hohenstein	Mullins	Struzzi
Davis, A.	Howard	Murt	Sturla
Davis, T.	Innamorato	Mustello	Thomas
Dawkins	Irvin	Neilson	Tobash

Day	Isaacson	Nelson	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufer	Otten	Warner
Dermody	Kauffman	Owlett	Warren
Diamond	Keefer	Pashinski	Webster
Donatucci	Keller	Peifer	Wentling
Dowling	Kenyatta	Petrarca	Wheatley
Driscoll	Kim	Pickett	Wheeland
Dunbar	Kinsey	Polinchock	White
Dush	Kirkland	Puskaric	Williams
Ecker	Klunk	Quinn	Youngblood
Emrick	Knowles	Rabb	Zabel
Evans	Kortz	Rader	Zimmerman
Everett	Kosierowski	Rapp	
Farry	Krueger	Ravenstahl	Turzai, Speaker
Fee	Kulik	Readshaw	

NAYS-0

NOT VOTING-0

EXCUSED-2

Mako

Pyle

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 third consideration as amended?

The SPEAKER. So, members, we now call up SB 422, PN 1600. Please keep in mind that it is amended by the technical amendment, 4879.

On the question recurring,

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

Bill as amended 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, I have Representative Garth Everett. Representative Garth Everett.

You are going to read a summary of what is included, what we are doing; yes, if you could. I think it is important. And then I will call upon Representative Boyle, and Representative Hohenstein, I think, wants to be recognized as well. Okay.

Representative Garth Everett, on SB 422.

Please proceed, sir.

Mr. EVERETT. Thank you, Mr. Speaker.

SB 422, as amended yesterday unanimously in the House, changes the date of Pennsylvania's primary from April 28 to June 2, and it makes some other important changes in the Election Code to allow our county election officials to have latitude to conduct our primary despite the challenges they are facing from the COVID-19 outbreak. And so I think between moving the date back and expanding the ability of our county election officials to cope with this problem that we have done a lot of good, and I want to thank everybody for their cooperation.

There were quite a few people that worked on this from the Department of State, our staff, Senate staff, from CCAP (County Commissioners Association of Pennsylvania), and election officials, and I want to thank everybody for their cooperation, and I think we have done something very good here today. Thank you.

The SPEAKER. Thank you, Representative Everett, the chair of the State Government Committee.

And at this time Representative Boyle, on the bill, SB 422.

Mr. BOYLE. Thank you, Mr. Speaker.

I support this bill and I appreciate working with Chairman Everett. While I do support this bill, I believe that it does not go far enough. Ideally, I think we should have included mail-in voting and allocation of funds for counties to send out applications for mail-in votes. Unfortunately, this bill does not have that component. I understand the support was not there in the Republican Caucus, but hopefully, we can move to address that in weeks to come.

And practically, this was legislation we needed to do as State lawmakers because we are dealing with a public health crisis. New York State is projected to reach their peak with this virus on May 1. Our primary until this point is April 28. I think we are probably, according to what researchers are saying, we are about a week or two behind where New York is; hopefully, it is not as bad here as it has been in New York. And then logistically, we have to pass this bill because I have been talking to election workers, I have been talking to Democratic party leaders in the city of Philadelphia and also Montgomery County, and they are finding it very difficult to get poll workers. So those local activists - and it is not just a Democratic issue or a Philadelphia issue. We need to give more time for local people to be able to get poll workers for now the June 2 election.

So I urge passage of this bill. Thank you.

The SPEAKER. Representative Hohenstein. Sir, you can state your remarks here now. It is perfectly okay.

Mr. HOHENSTEIN. I have submitted written remarks for the record, sir. Thank you.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, I rise today to commend the leadership of all four legislative caucuses and the administration for reaching agreement on actions needed for the preservation of one of the central threads of our social and political fabric - access to full, free, and fair elections. All of us in this chamber are only here by the grace and will of our neighbors and constituents, and the action we take today is a recognition that we take our service seriously. In short, we cannot use elections as a tool for dominion of one perspective over another. Rather, we should see elections, and the governance that follows, as our opportunity to serve the greater good, recognizing that not all will have the same definition of what is right or wrong, what is truth or lies. In that respect, I am grateful that we have recognized a common truth - the sanctity of the vote.

However, I must say that I believe we will soon be called to revisit these issues, because as well-intentioned as this agreement is, it does not go far enough to protect the rights of our friends and fellow citizens. The current crisis will only get worse, the cases of coronavirus will not peak for another month or more, and they will continue with us, unsolved and uncured, for many months or years after. It is not enough to move the April primary. We also have to recognize that the November election is impacted as well.

To be clear, I am not saying that this pandemic is going to wipe us all out. No, the real threat here is not the direct impact of the disease, but rather the toll and costs of containing it. We have spoken of flattening a curve in public health to contain the spread of illness. There is a second curve we also need to flatten: the economic and social impact of our solutions to the first crisis.

We are like the citizens of Hamelin who need to pay the piper. If you remember the Grimm's Fairy Tales of our childhood, the town Hamelin was infested by rats. The Pied Piper played his flute and lured the rats away from the town. The town then reneged on its promise to pay the piper for his work. In response to the refusal to pay, the piper lured away the town's children. I bring this up to make the point that our solution to the threat to our public health has created a second crisis: an economic downturn. We will need to pay the piper if we are to keep the tapestry of our society intact. We cannot renege on our obligations to keep the wheels of our governmental and social systems moving.

As I have said, one essential thread to the tapestry of our government is our election system, our mechanism to ensure that we remain a country governed by the will of the people. I believe the future of in-person voting is in doubt. In November, we will not have any way of sanitizing the voting machines, no way of enticing an aging volunteer force of election workers to stay at their posts, and no way of effectively protecting the public health. Let us be clear, with the paltry sums we pay, election workers are effectively volunteers.

To that end, I am asking you, Mr. Speaker, the leaders of both House caucuses, the Senate leadership, and the Governor to continue discussions and come to agreement to preserve the integrity of the November elections - just as you have stepped into the gap to protect the primary. In my humble opinion, a proper solution to preserve the right to vote has to include the following elements currently missing in the Election Code:

A mechanism for a mail-in voter to confirm that their vote has been received and counted. One way to do this is to establish that a timely postmark before a deadline will provide for a valid vote. Another system is to provide a mailed receipt or an online verification mechanism for a voter to confirm their vote has been received;

Vote by mail will only be truly and universally accessible if the postage is prepaid. Making a voter pay - even for postage - for the right to vote will only suppress, not enhance, the right to vote;

Setting forth a signature match procedure with proper checks and balances. One system would require three people to void a ballot because the signature does not match what is on file. I can speak from experience that my own signature in the voting books at my polling place does not match my current signature. Non-matching signatures should be carefully vetted and every opportunity provided for adequate verification, and we should err on the side of allowing a voter's intention to be given full effect.

Again, Mr. Speaker, I applaud the compromise we have reached today, because it shows that government can function when we work together. I urge all my colleagues to continue our vigilance to preserve the will of the people in this time of great stress. I, for one, declare my optimism that we can craft solutions to this, and all of the other problems we face in this crisis, by working together and recognizing that we are to serve the greater good.

The SPEAKER. Okay. So they are submitted for the record. Thank you.

Representative Chris Sainato.

Mr. SAINATO. Thank you, Mr. Speaker.

I rise to support this very important piece of legislation. I commend the two chairmen of the State Government Committee in moving the election to June 2. I think we are in a very difficult time right now with what is happening throughout the nation and what is happening in Pennsylvania. As the chairman stated, it is so critical that we protect the integrity of our election in this State, and especially the health and welfare of the many people that work on the election boards. I know in my area, many of them are senior citizens. They have worked on these boards for 20, 30, 40, 50 years, and it is so critical that their health is protected, and I think what this bill does by giving us this extra time, it will hopefully achieve that goal, and let us hope we can have this health crisis behind us by June 2.

And it is such an important thing, and when you talk about elections and the integrity, I think Pennsylvania has come so far with the efforts we made last year in changing the Election Code with the no-fault absentee ballots. And who would have thought last year when we passed that historic piece of legislation that this year that could become so critical in this election cycle. And I think what we are having to see, Mr. Speaker - and I would encourage many residents in Pennsylvania to go that route. It would alleviate some of the problems on election day, and it would also help by doing the absentee ballots. And I think that is something we have to really look at right now and say, hey, you can do it. You can do it from the privacy of your home. Apply for an absentee ballot, and then we would have less problems, I think, on election day, on June 2.

We do not know what is going to be happening over the next 6 or 7 weeks, and I think we all hope and pray that it is going to be good, but we need to be prepared, and I think the efforts being made today here in the House of Representatives is something that is going to have long-term consequences. So I commend the makers and I would encourage everyone to support this piece of legislation.

The SPEAKER. Thank you, Representative Sainato.

Does any other member wish to speak on the bill before I call the chair of the State Government Committee?

Representative Garth Everett, on SB 422.

Mr. EVERETT. Thank you, Mr. Speaker.

And as the previous speaker pointed out, all voters in Pennsylvania have the option of mailing in, and I do not think that we should have made it mandatory. I think that voters should have the opportunity to exercise their constitutional right to vote in the way that they want to and that it would exceed our authority to require them to have to vote in a certain manner. I think we have done some real good here with allowing our county election officials to have an opportunity to process those mail-in ballots, and I think there will be quite a few of them. And I agree with the previous speaker that, particularly for those that are in vulnerable conditions and do not want to be out and about right now, that they should exercise that right to use their mail-in ballot that we have given them.

And again I want to thank everybody for their cooperation on getting this done and over to the Senate and off to the Governor this week, and we can then move on to the other pressing issues we have facing us.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

On the question recurring,

Shall the bill pass finally?

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

(Members proceeded to vote.)

The SPEAKER. The Chair calls upon the Democratic whip, Representative Jordan Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, the electronic board is accurate.

The SPEAKER. And that is with respect to SB 422. And at this time the Chair calls upon the majority Republican whip, Representative Kerry Benninghoff, on SB 422.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board does reflect the majority party's vote as being unanimous.

The SPEAKER. Thank you, Representative Benninghoff, the Republican whip.

The following roll call was recorded:

YEAS-198

Barrar	Fiedler	Lawrence	Reese
Benninghoff	Fitzgerald	Lee	Rigby
Bernstine	Flynn	Lewis	Roac
Bizzarro	Frankel	Longietti	Roebuck
Boback	Freeman	Mackenzie	Rothman
Borowicz	Fritz	Madden	Rowe
Boyle	Gabler	Malagari	Rozzi
Bradford	Gainey	Maloney	Ryan
Briggs	Galloway	Markosek	Sainato
Brooks	Gaydos	Marshall	Samuelson
Brown	Gillen	Masser	Sanchez

Bullock	Gillespie	Matzie	Sankey
Burgos	Gleim	McCarter	Sappey
Burns	Goodman	McClinton	Saylor
Caltagirone	Green	McNeill	Schemel
Carroll	Gregory	Mehaffie	Schlossberg
Causer	Greiner	Mentzer	Schmitt
Cephas	Grove	Merski	Schroeder
Ciresi	Hahn	Metcalfe	Schweyer
Comitta	Hanbidge	Metzgar	Shusterman
Conklin	Harkins	Mihalek	Simmons
Cook	Harris	Millard	Sims
Cox	Heffley	Miller, B.	Snyder
Cruz	Helm	Miller, D.	Solomon
Culver	Hennessey	Mizgorski	Sonney
Cutler	Hershey	Moul	Staats
Daley	Hickernell	Mullery	Stephens
Davidson	Hohenstein	Mullins	Struzzi
Davis, A.	Howard	Murt	Sturla
Davis, T.	Innamorato	Mustello	Thomas
Dawkins	Irvin	Neilson	Tobash
Day	Isaacson	Nelson	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufer	Otten	Warner
Dermody	Kauffman	Owlett	Warren
Diamond	Keefer	Pashinski	Webster
Donatucci	Keller	Peifer	Wentling

Dowling	Kenyatta	Petrarca	Wheatley
Driscoll	Kim	Pickett	Wheeland
Dunbar	Kinsey	Polinchock	White
Dush	Kirkland	Puskaric	Williams
Ecker	Klunk	Quinn	Youngblood
Emrick	Knowles	Rabb	Zabel
Evans	Kortz	Rader	Zimmerman
Everett	Kosierowski	Rapp	
Farry	Krueger	Ravenstahl	Turzai, Speaker
Fee	Kulik	Readshaw	

NAYS-0

NOT VOTING-0

EXCUSED-2

Mako

Pyle

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 **HB 1564, PN 3497**, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure), 53 (Municipalities Generally) and 57 (Notaries Public) of the Pennsylvania Consolidated Statutes, in Uniform Unsworn Foreign Declarations Act, further providing for heading of chapter, for short title of chapter, for definitions, for applicability and for form of unsworn declaration; in general provisions, emergency seat of government, providing for other emergencies and further providing for applicability of subchapter; in consolidated county assessment, further providing for definitions, for subjects of local taxation and for assessment of mobile homes and house trailers; and, in Revised Uniform Law on Notarial Acts, further providing for authority to perform notarial act, providing for notarial act performed by remotely located individual and further providing for notification regarding performance of notarial act on electronic record and selection of technology.

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?

Representative Emrick, do you wish to be recognized on the bill, sir?

Mr. EMRICK. Thank you, Mr. Speaker.

I just want to say thank you to the leader, the leader's office for calling this bill up. This bill is going to help tens of thousands of Pennsylvanians and it is critically important that we move this forward. So I just wanted to show my appreciation and ask for full support of HB 1564.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Greg Rothman, on HB 1564, PN 3497.

Mr. ROTHMAN. Thank you, Mr. Speaker.

I want to point out that, thanks to the good gentleman from Perry County, there is an amendment in this bill that allows for electronic notarization, and this will help our businesses that are out there right now in this crisis that are trying to stay in business and do business and provide the services they do, also while at the same time following the protocols to protect their customers, clients, and employees.

So I want to urge my colleagues to vote in favor of this bill and point out that the amendment that we passed yesterday is part of this bill.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

On the question recurring,

Shall the bill pass finally?

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

(Members proceeded to vote.)

The SPEAKER. The Chair calls upon the Democratic whip with respect to HB 1564. Representative Jordan Harris, please.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, the electronic board is accurate.

The SPEAKER. Thank you, sir.

Representative Kerry Benninghoff, our majority Republican whip, on HB 1564.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I do want to let you know that the board does reflect the vote unanimously of the majority party. Thank you.

The SPEAKER. Thank you, sir.

The following roll call was recorded:

YEAS-198

Barrar	Fiedler	Lawrence	Reese
Benninghoff	Fitzgerald	Lee	Rigby
Bernstine	Flynn	Lewis	Roae
Bizzarro	Frankel	Longietti	Roebuck
Boback	Freeman	Mackenzie	Rothman
Borowicz	Fritz	Madden	Rowe
Boyle	Gabler	Malagari	Rozzi
Bradford	Gainey	Maloney	Ryan
Briggs	Galloway	Markosek	Sainato
Brooks	Gaydos	Marshall	Samuelson
Brown	Gillen	Masser	Sanchez
Bullock	Gillespie	Matzie	Sankey
Burgos	Gleim	McCarter	Sappey
Burns	Goodman	McClinton	Saylor
Caltagirone	Green	McNeill	Schemel
Carroll	Gregory	Mehaffie	Schlossberg
Causar	Greiner	Mentzer	Schmitt
Cephas	Grove	Merski	Schroeder
Ciresi	Hahn	Metcalf	Schweyer
Comitta	Hanbidge	Metzgar	Shusterman
Conklin	Harkins	Mihalek	Simmons
Cook	Harris	Millard	Sims
Cox	Heffley	Miller, B.	Snyder
Cruz	Helm	Miller, D.	Solomon
Culver	Hennessey	Mizgorski	Sonney
Cutler	Hershey	Moul	Staats
Daley	Hickernell	Mullery	Stephens

Davidson	Hohenstein	Mullins	Struzzi
Davis, A.	Howard	Murt	Sturla
Davis, T.	Innamorato	Mustello	Thomas
Dawkins	Irvin	Neilson	Tobash
Day	Isaacson	Nelson	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufer	Otten	Warner
Dermody	Kauffman	Owlett	Warren
Diamond	Keefer	Pashinski	Webster
Donatucci	Keller	Peifer	Wentling
Dowling	Kenyatta	Petrarca	Wheatley
Driscoll	Kim	Pickett	Wheeland
Dunbar	Kinsey	Polinchock	White
Dush	Kirkland	Puskaric	Williams
Ecker	Klunk	Quinn	Youngblood
Emrick	Knowles	Rabb	Zabel
Evans	Kortz	Rader	Zimmerman
Everett	Kosierowski	Rapp	
Farry	Krueger	Ravenstahl	Turzai, Speaker
Fee	Kulik	Readshaw	

NAYS-0

NOT VOTING-0

EXCUSED-2

Mako

Pyle

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 SPEAKER. At this time we are going to still have an Appropriations Committee meeting and a Rules Committee meeting, I believe, and then we have one rule first that we have got to run. So I am going to run the House resolution.

Members, please turn to supplemental D. Please turn to supplemental D House calendar, HR 2, PN 3502, sponsored by Representative Cutler, our majority leader and the chair of the House Rules Committee. This was passed out of the House Rules Committee, and it originated there as well. We are now going to take up HR 2, PN 3502.

SUPPLEMENTAL CALENDAR D

RESOLUTION

Mr. CUTLER called up **HR 2, PN 3502**, entitled:

A Resolution amending a temporary Rule of the House of Representatives, adopted March 16, 2020, relating to mass communication; and adopting a temporary Rule of the House of Representatives relating to members' and employees' expenses.

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair calls upon the majority leader, Representative Cutler, on HR 2.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, very briefly, for the benefit of the members, this rule would amend our temporary rule regarding the COVID-19 declaration. It would allow for mass communication, specifically excluding newsletters, during what would have otherwise been the blackout period, so long as it is limited to information directing constituents to public and private resources and services available to mitigate the impact of the State of disaster of emergency that was previously declared on March 6, 2020.

In regards to the members' expenses, recognizing that since many members' staff is working remotely and may not all have access to the secure system, it would open the window from January 1, 2020, until 180 days after the disaster ends so that expenses can be filed consistent with both our House rules as well as the IRS (Internal Revenue Service) regulations. I would urge all the members' support.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Leader.

The Democratic leader, Representative Frank Dermody, is recognized.

Mr. DERMODY. Thank you, Mr. Speaker.

I would also urge the members to support HR 2.

On the question recurring,

Will the House adopt the resolution?

(Members proceeded to vote.)

The SPEAKER. On HR 2 the Speaker calls upon the Democratic whip, Representative Jordan Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, the electronic board is accurate.

The SPEAKER. Thank you, sir.

The Chair calls upon the majority whip, Representative Kerry Benninghoff, on HR 2.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The board does reflect the unanimous vote by the majority party. Thank you very much.

The SPEAKER. Thank you, sir.

The following roll call was recorded:

YEAS-198

Barrar	Fiedler	Lawrence	Reese
Benninghoff	Fitzgerald	Lee	Rigby
Bernstine	Flynn	Lewis	Roae
Bizzarro	Frankel	Longietti	Roebuck
Boback	Freeman	Mackenzie	Rothman
Borowicz	Fritz	Madden	Rowe
Boyle	Gabler	Malagari	Rozzi
Bradford	Gainey	Maloney	Ryan
Briggs	Galloway	Markosek	Sainato
Brooks	Gaydos	Marshall	Samuelson
Brown	Gillen	Masser	Sanchez
Bullock	Gillespie	Matzie	Sankey
Burgos	Gleim	McCarter	Sappey
Burns	Goodman	McClinton	Saylor
Caltagirone	Green	McNeill	Schemel
Carroll	Gregory	Mehaffie	Schlossberg
Causer	Greiner	Mentzer	Schmitt
Cephas	Grove	Merski	Schroeder
Ciresi	Hahn	Metcalf	Schweyer

Comitta	Hanbidge	Metzgar	Shusterman
Conklin	Harkins	Mihalek	Simmons
Cook	Harris	Millard	Sims
Cox	Heffley	Miller, B.	Snyder
Cruz	Helm	Miller, D.	Solomon
Culver	Hennessey	Mizgorski	Sonney
Cutler	Hershey	Moul	Staats
Daley	Hickernell	Mullery	Stephens
Davidson	Hohenstein	Mullins	Struzzi
Davis, A.	Howard	Murt	Sturla
Davis, T.	Innamorato	Mustello	Thomas
Dawkins	Irvin	Neilson	Tobash
Day	Isaacson	Nelson	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufer	Otten	Warner
Dermody	Kauffman	Owlett	Warren
Diamond	Keefer	Pashinski	Webster
Donatucci	Keller	Peifer	Wentling
Dowling	Kenyatta	Petrarca	Wheatley
Driscoll	Kim	Pickett	Wheeland
Dunbar	Kinsey	Polinchock	White
Dush	Kirkland	Puskaric	Williams
Ecker	Klunk	Quinn	Youngblood
Emrick	Knowles	Rabb	Zabel
Evans	Kortz	Rader	Zimmerman
Everett	Kosierowski	Rapp	

Farry	Krueger	Ravenstahl	Turzai, Speaker
Fee	Kulik	Readshaw	

NAYS-0

NOT VOTING-0

EXCUSED-2

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

The SPEAKER. I think we are going to break for caucus, for the majority caucus; and for the minority caucus, I believe you will be virtual.

ANNOUNCEMENT BY MINORITY LEADER

The SPEAKER. So I am going to call on Leader Dermody with respect to the Democratic caucus; sir.

Mr. DERMODY. Thank you, Mr. Speaker.

I would like to inform the caucus, there is no need for a Democratic caucus. The Democrats will not be meeting.

The SPEAKER. Okay.

REPUBLICAN CAUCUS

The SPEAKER. The majority caucus chair, Representative Marcy Toepel, for a Republican caucus announcement, a majority caucus announcement.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus immediately at the break. Thank you.

The SPEAKER. Thank you.

RULES COMMITTEE MEETING

The SPEAKER. The Chair calls upon the majority leader, Representative Bryan Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, as the caucus chair indicated, the Republicans will caucus for HB 1232 and HB 68, which are back from the Senate on concurrence. Waiting to see the results of our caucus, I will tentatively call a Rules Committee meeting in the majority caucus room in approximately 1 hour. So 1 hour from when we break, we will do the Rules meeting. So that will be 4:30, and if we need to extend it, I will return to the floor and we can do so; however, I think we can be done in approximately 1 hour.

For the benefit of the members, by our clock, in terms of our internal rules and the 3-hour window, we could not vote the bill any sooner than 5:30, absent an agreement to proceed, according to our rules. So we will also be discussing that when we break as well.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 68, PN 3499**, and **HB 1232, PN 3500**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

RECESS

The SPEAKER. At this time we are going to stand in recess until 4:45, p.m.; 4:45 p.m. Oh, no. So 4:45 p.m. we will return to the floor, and as the leader has indicated, the Rules Committee is scheduled to meet at 4:30 p.m. Now, that could be extended by the leader and we will make that announcement, but at this time we will return to the floor at 4:45 p.m. Thank you.

AFTER RECESS

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

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 422, PN 1608**, and **SB 751, PN 1599**.

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:

SB 422, PN 1608

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preliminary provisions, further providing for definitions; in county boards of elections, further providing for powers and duties of county boards; in ballots, further providing for forms of ballots, printing ballots, numbers; in electronic voting systems, further providing for forms, for election day procedures and the process of voting and for post election procedures; in preparation for and conduct of primaries and elections, further providing for manner of applying to vote, persons entitled to vote, voter's certificates, entries to be made in district register, numbered lists of voters, challenges and for deadline for receipt of valid voter registration application; in voting by qualified absentee electors, further providing for applications for official absentee ballots, for approval of application for absentee ballot, for absentee and mail-in electors files and lists, for official absentee voters ballots, for envelopes for official absentee ballots, for delivering or mailing ballots, for voting by absentee electors, for canvassing of official absentee ballots and mail-in ballots and for public records and repealing provisions relating to violation of provisions relating to absentee voting; in voting by qualified mail-in electors, further providing for qualified mail-in electors, for applications for official mail-in ballots, for approval of application for mail-in ballot, for official mail-in elector ballots, for envelopes for official mail-in ballots, for voting by mail-in electors and for public records and repealing provisions relating to violation of provisions relating to mail-in voting; providing for Pennsylvania Election Law Advisory Board; in penalties, further providing for violations of provisions relating to absentee electors ballots; providing for emergency provisions for 2020 general primary election; and making a related repeal.

SB 751, PN 1599

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employees, further providing for rating system and for persons to be suspended and providing for a revised rating system; and, in terms and courses of study, providing for pandemic of 2020.

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

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 68, PN 3499

By Rep. CUTLER

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in administration of act, providing for unemployment compensation benefit notification by employers, in contributions by employers and employees, further providing for relief from charges; and providing for emergency provisions related to COVID-19.

RULES.

HB 1232, PN 3500

By Rep. CUTLER

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for emergency finance and tax provisions; in additional special funds, providing for COVID-19 response transfers and for the Enhanced Revenue Collection Account; in 2018-2019 budget implementation, further providing for Department of Revenue; and making an editorial change.

RULES.

The SPEAKER. Members, we have two bills on concurrence in Senate amendments. These bills, given our 24-hour notice, cannot be voted on until 5:31 p.m. Of course, we can always entertain a motion to suspend the 24-hour notice. It would only be about - it is actually 19 minutes; our clock in the back is a little fast. And at this time if anybody wants to make a motion with respect to a motion to suspend with respect to HB 68 or HB 1232, please, we will entertain such motion.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 21

The SPEAKER. The Chair calls upon the majority leader at this time. Representative Bryan Cutler, for a motion.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, we wish to make a motion to proceed on HB 1232 and HB 68, which were recently moved out of the Rules Committee for the purposes of initiating debate and a vote should we end debate prior to the posted time of 17:30, or 5:30 p.m. this afternoon, which is 15 minutes from now.

The SPEAKER. Thank you, sir.

On the question,

Will the House agree to the motion?

The SPEAKER. Representative Frank Dermody, the Democratic leader, on the motion, sir.

Mr. DERMODY. I urge the members to support the motion to proceed.

The SPEAKER. It is actually, the leader has filed a motion to proceed, so we are going to proceed. It will allow us to vote on HB 68 and HB 1232.

On the question recurring,

Will the House agree to the motion?

(Members proceeded to vote.)

The SPEAKER. The Chair calls upon the minority whip for the motion to proceed.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is accurate.

The SPEAKER. Thank you, sir.

The majority whip, on the motion to proceed.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic voting board expresses the votes for the majority party as they wish. Thank you.

The SPEAKER. Thank you.

The following roll call was recorded:

YEAS-193

Barrar	Fee	Kulik	Rigby
Benninghoff	Fiedler	Lawrence	Roae
Bernstine	Fitzgerald	Lee	Roebuck
Bizzarro	Flynn	Lewis	Rothman
Boback	Frankel	Longietti	Rowe
Borowicz	Fritz	Mackenzie	Rozzi
Boyle	Gabler	Madden	Ryan
Bradford	Gainey	Malagari	Sainato
Briggs	Galloway	Maloney	Sanchez
Brooks	Gaydos	Markosek	Sankey
Brown	Gillen	Marshall	Sappey
Bullock	Gillespie	Masser	Saylor
Burgos	Gleim	Matzie	Schemel
Burns	Goodman	McCarter	Schlossberg

Caltagirone	Green	McClinton	Schmitt
Carroll	Gregory	McNeill	Schroeder
Causer	Greiner	Mehaffie	Schweyer
Cephas	Grove	Mentzer	Shusterman
Ciresi	Hahn	Merski	Simmons
Comitta	Hanbidge	Metcalfe	Sims
Conklin	Harkins	Mihalek	Snyder
Cook	Harris	Millard	Solomon
Cox	Heffley	Miller, D.	Sonney
Cruz	Helm	Mizgorski	Staats
Culver	Hennessey	Moul	Stephens
Cutler	Hershey	Mullins	Struzzi
Daley	Hickernell	Murt	Sturla
Davidson	Hohenstein	Mustello	Thomas
Davis, A.	Howard	Neilson	Tobash
Davis, T.	Innamorato	Nelson	Toepel
Dawkins	Irvin	O'Mara	Toohil
Day	Isaacson	O'Neal	Topper
Deasy	James	Oberlander	Ullman
DeLissio	Jones	Ortitay	Vitali
Delloso	Jozwiak	Otten	Warner
Delozier	Kail	Owlett	Warren
DeLuca	Kaufer	Pashinski	Webster
Dermoddy	Kauffman	Peifer	Wentling
Diamond	Keefer	Petrarca	Wheatley
Donatucci	Keller	Pickett	Wheeland
Dowling	Kenyatta	Polinchock	White
Driscoll	Kim	Puskaric	Williams
Dunbar	Kinsey	Quinn	Youngblood

Dush	Kirkland	Rabb	Zabel
Ecker	Klunk	Rader	Zimmerman
Emrick	Knowles	Rapp	
Evans	Kortz	Ravenstahl	Turzai, Speaker
Everett	Kosierowski	Readshaw	
Farry	Krueger	Reese	

NAYS-5

Freeman	Miller, B.	Mullery	Samuelson
Metzgar			

NOT VOTING-0

EXCUSED-2

Mako	Pyle
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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.

SUPPLEMENTAL CALENDAR C

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 68, PN 3499**, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in administration of act, providing for unemployment compensation benefit notification by employers, in contributions by employers and employees, further providing for relief from charges; and providing for emergency provisions related to COVID-19.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair calls upon Representative Frank Ryan.

Mr. RYAN. Mr. Speaker, thank you very much.

Mr. Speaker, the Senate and House leadership have worked very diligently and have been in close contact with us over the past week to make this amendment, and here is what the amendment does. It makes changes to the Unemployment Compensation Law in response to the COVID-19 emergency. It requires that employers provide a notice about the availability of unemployment compensation programs to employees at the time of their separation. It requires this notice is a stipulation of Federal law - and this is the reason why this is done - to receive assistance for our State unemployment compensation program.

Additionally, it enacts emergency provisions of COVID-19, which expire on January 1, 2021. It does waive the waiting week requirement and job search registration requirements for all claimants for the duration of the disaster emergency. It provides relief from charges for contributory employers - those who paid the unemployment compensation taxes - and reimbursable employers, not-for-profits, and public employees who elected to pay a solvency fee to the Unemployment Compensation Trust Fund. It does provide relief for benefit charges to those employers for weeks of unemployment during the duration of the disaster for which COVID-19-related, other types of unemployment compensation costs were charged, and that will be provided automatically. It provides for a much more lenient repayment term for reimbursable employers who did not pay the solvency fee; it is 120 days to repay the benefits, which is up from the 90 days in the current law. And Labor and Industry can grant an additional 60 days upon a financial hardship request from the employer. Labor and Industry must also and is able to provide interest-free loan repayment plans for financial hardship, and then there is no interest on late payments will accrue or be charged until January 1, 2021. It authorizes the Secretary to enact emergency regulations necessary to comply with requirements for any Federal assistance for administrative costs, extended benefits, disaster, unemployment or any other unemployment assistance. Emergency regulations will expire 120 days after the Federal emergency provisions expire. It clarifies that the Federal assistance must be used prior to any State funds being made available for the unemployment compensation system. And then finally, it requires monthly reports to the General Assembly on unemployment compensation activity and any statutory changes that may be required to comply with ever-changing Federal law.

Mr. Speaker, I would ask for a unanimous vote, for a favorable vote on this Senate concurrence.

The SPEAKER. Does anybody else wish to be recognized?

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.

(Members proceeded to vote.)

The SPEAKER. The Democratic whip is recognized on HB 68, concurrence vote.

Mr. HARRIS. Thank you, Mr. Speaker.

The electronic board is correct.

The SPEAKER. Thank you, sir.

The majority whip, on HB 68 concurrence.

Mr. BENNINGHOFF. Thank you, Mr. Speaker. The electronic board does reflect the unanimous vote by the members of the majority party. Thank you.

The SPEAKER. Thank you, sir.

The following roll call was recorded:

YEAS-198

Barrar	Fiedler	Lawrence	Reese
Benninghoff	Fitzgerald	Lee	Rigby
Bernstine	Flynn	Lewis	Roae

Bizzarro	Frankel	Longiatti	Roebuck
Boback	Freeman	Mackenzie	Rothman
Borowicz	Fritz	Madden	Rowe
Boyle	Gabler	Malagari	Rozzi
Bradford	Gainey	Maloney	Ryan
Briggs	Galloway	Markosek	Sainato
Brooks	Gaydos	Marshall	Samuelson
Brown	Gillen	Masser	Sanchez
Bullock	Gillespie	Matzie	Sankey
Burgos	Gleim	McCarter	Sappey
Burns	Goodman	McClinton	Saylor
Caltagirone	Green	McNeill	Schemel
Carroll	Gregory	Mehaffie	Schlossberg
Causer	Greiner	Mentzer	Schmitt
Cephas	Grove	Merski	Schroeder
Ciresi	Hahn	Metcalfe	Schweyer
Comitta	Hanbidge	Metzgar	Shusterman
Conklin	Harkins	Mihalek	Simmons
Cook	Harris	Millard	Sims
Cox	Heffley	Miller, B.	Snyder
Cruz	Helm	Miller, D.	Solomon
Culver	Hennessey	Mizgorski	Sonney
Cutler	Hershey	Moul	Staats
Daley	Hickernell	Mullery	Stephens
Davidson	Hohenstein	Mullins	Struzzi
Davis, A.	Howard	Murt	Sturla
Davis, T.	Innamorato	Mustello	Thomas
Dawkins	Irvin	Neilson	Tobash
Day	Isaacson	Nelson	Toepel

Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufer	Otten	Warner
Dermody	Kauffman	Owlett	Warren
Diamond	Keefer	Pashinski	Webster
Donatucci	Keller	Peifer	Wentling
Dowling	Kenyatta	Petrarca	Wheatley
Driscoll	Kim	Pickett	Wheeland
Dunbar	Kinsey	Polinchock	White
Dush	Kirkland	Puskaric	Williams
Ecker	Klunk	Quinn	Youngblood
Emrick	Knowles	Rabb	Zabel
Evans	Kortz	Rader	Zimmerman
Everett	Kosierowski	Rapp	
Farry	Krueger	Ravenstahl	Turzai, Speaker
Fee	Kulik	Readshaw	

NAYS-0

NOT VOTING-0

EXCUSED-2

Mako

Pyle

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.

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 1232, PN 3500**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for emergency finance and tax provisions; in additional special funds, providing for COVID-19 response transfers and for the Enhanced Revenue Collection Account; in 2018-2019 budget implementation, further providing for Department of Revenue; and making an editorial change.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. We have in front of us Representative George Dunbar, the prime sponsor of the bill, to talk about the amendments inserted by the Senate and the underlying bill.

Representative Dunbar.

Mr. DUNBAR. Thank you, Mr. Speaker.

To deal with some of the challenges we are now facing due to the COVID-19 pandemic, the Senate has amended HB 1232 with a few amendments. First off, it provides temporary authorization to the Department of Revenue to deal with State tax issues like filing and payment deadlines. It also allows temporary authorization to DCED (Department of Community and Economic Development) as it relates to local taxation issues and to help them deal with local governing bodies in the political subdivisions for helping them provide provisions, ordinances, and resolutions to deal with the same tax filings and deadlines.

It also extends temporary regulations published under Act 16 of 2016, otherwise known as the Medical Marijuana Act, until November 2021. And lastly, it provides the Secretary of the Budget, that they may transfer the sum of \$50 million from special funds under the Governor's jurisdiction to a restricted account, and these funds are to be utilized to acquire medical equipment and supplies for health-care entities to meet urgent patient and staff needs to address surge demand. The health-care entities shall include, but are not limited to, hospitals and nursing facilities, as well as emergency medical services.

Like I said, this is a challenging time we are in, and I would appreciate an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. Does anybody else wish to be recognized?

Moved by the gentleman, Representative George Dunbar, that the House concur in the amendments inserted by the Senate.

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.

(Members proceeded to vote.)

The SPEAKER. So on HB 1232 concurrence, the Chair calls upon Representative Jordan Harris, the minority whip.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, the electronic board is accurate.

The SPEAKER. Thank you, sir.

The Chair now calls upon the majority whip, Representative Kerry Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

The electronic board does reflect the unanimous vote by the majority party. Thank you.

The SPEAKER. Thank you, sir.

The following roll call was recorded:

YEAS-198

Barrar	Fiedler	Lawrence	Reese
Benninghoff	Fitzgerald	Lee	Rigby
Bernstine	Flynn	Lewis	Roae
Bizzarro	Frankel	Longietti	Roebuck
Boback	Freeman	Mackenzie	Rothman
Borowicz	Fritz	Madden	Rowe
Boyle	Gabler	Malagari	Rozzi
Bradford	Gainey	Maloney	Ryan
Briggs	Galloway	Markosek	Sainato
Brooks	Gaydos	Marshall	Samuelson
Brown	Gillen	Masser	Sanchez
Bullock	Gillespie	Matzie	Sankey
Burgos	Gleim	McCarter	Sappey
Burns	Goodman	McClinton	Saylor
Caltagirone	Green	McNeill	Schemel
Carroll	Gregory	Mehaffie	Schlossberg
Causar	Greiner	Mentzer	Schmitt
Cephas	Grove	Merski	Schroeder
Ciresi	Hahn	Metcalfe	Schweyer
Comitta	Hanbidge	Metzgar	Shusterman
Conklin	Harkins	Mihalek	Simmons
Cook	Harris	Millard	Sims
Cox	Heffley	Miller, B.	Snyder
Cruz	Helm	Miller, D.	Solomon
Culver	Hennessey	Mizgorski	Sonney

Cutler	Hershey	Moul	Staats
Daley	Hickernell	Mullery	Stephens
Davidson	Hohenstein	Mullins	Struzzi
Davis, A.	Howard	Murt	Sturla
Davis, T.	Innamorato	Mustello	Thomas
Dawkins	Irvin	Neilson	Tobash
Day	Isaacson	Nelson	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufer	Otten	Warner
Dermody	Kauffman	Owlett	Warren
Diamond	Keefer	Pashinski	Webster
Donatucci	Keller	Peifer	Wentling
Dowling	Kenyatta	Petrarca	Wheatley
Driscoll	Kim	Pickett	Wheeland
Dunbar	Kinsey	Polinchock	White
Dush	Kirkland	Puskaric	Williams
Ecker	Klunk	Quinn	Youngblood
Emrick	Knowles	Rabb	Zabel
Evans	Kortz	Rader	Zimmerman
Everett	Kosierowski	Rapp	
Farry	Krueger	Ravenstahl	Turzai, Speaker
Fee	Kulik	Readshaw	

NAYS-0

NOT VOTING-0

EXCUSED-2

Mako

Pyle

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.

STATEMENT BY MINORITY WHIP

The SPEAKER. Representative Jordan Harris, the minority whip.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, before we leave the chamber for the evening, I just wanted to take a moment and say that we are in unprecedented times in our Commonwealth and in our country and across this world, but this week has shown how our Commonwealth can come together and put people first and do what is necessary to provide relief to our Commonwealth and all of its citizens. I wanted to take a moment just to thank all of our staff on both sides of the aisle for sacrificing and being here in Harrisburg, thank all our members for their collective work in taking up the responsibility of representing each and every one of our constituents.

So I just wanted to take this opportune time to say, even in the middle of a crisis, thank you to all of those who dedicate themselves. Thank you to our first responders. And we will get through this together.

Thank you, Mr. Speaker.

STATEMENT BY MAJORITY LEADER

The SPEAKER. Bryan Cutler, the majority leader.

Mr. CUTLER. Thank you, Mr. Speaker.

I wanted to echo the comments of my colleague. I want to thank all the members, both those who were here physically as well as those voting remotely for the first time in the history of our Commonwealth. I want to thank, most importantly, our staff, because many of our staff, since we initiated the continuing operation plan nearly 3 weeks ago, have been here each and every day putting this in place so that we can continue to be one of only a handful of functioning legislative bodies currently in the country. Additionally, we have received requests regarding our rule, because other legislative bodies wish to emulate it, and I think that that is probably the issue that really is, quite frankly, the highest praise for us as a body: finding a way to continue to function in these troubling times. We have delivered on a whole series of bills, from election reform to education reform - continuing to educate the young students who are currently at home - unemployment reform, and resources for our frontline health-care workers, those individuals who are selflessly giving of themselves to protect all of us.

But most importantly, Mr. Speaker, in times that are troubling, when you look back through our history, oftentimes when trials come up, it brings out the worst in some people. But I am proud to have said, as we gathered here today and throughout this week, it has brought out the best. I think that is the one thing that speaks to our democracy and the value of our Republic, because we have been able to continue to meet the needs of our constituents even in an uncertain time. That, Mr. Speaker, I believe delivers hope to everyone that we will continue to meet their needs, we will continue to work on their issues, but most importantly, Mr. Speaker, we will continue to work together. Thank you for your help this week.

STATEMENT BY SPEAKER

The SPEAKER. Thank you to everybody. To each and every one of you, there was some criticism - not a lot - but there was some criticism when we came into session on Monday, March 16, where we in fact took the vote on the temporary rule to allow for remote voting for our members that could not get here or had to be at home back in their districts. The fact of the matter is,

I think the work that we have done this week proves that that decision was in fact the correct decision, and each and every one of you, as legislators here or in your Capitol office or in your district office, are performing your duties as elected officials, as part of democracy. Thank you to each and every one of you and to the staffs on both sides of the aisle.

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 68, PN 3499

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in administration of act, providing for unemployment compensation benefit notification by employers, in contributions by employers and employees, further providing for relief from charges; and providing for emergency provisions related to COVID-19.

HB 1232, PN 3500

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for emergency finance and tax provisions; in additional special funds, providing for COVID-19 response transfers and for the Enhanced Revenue Collection Account; in 2018-2019 budget implementation, further providing for Department of Revenue; and making an editorial change.

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

REPUBLICAN CAUCUS

The SPEAKER. Members, there is going to be a House Republican caucus immediately after this session.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Also, we are going to go on a 12-hour call of the Chair. We are going to be on a 12-hour call of the Chair. We are going to leave the desk open. We are on a 12-hour call of the Chair. We are presently to be back on April 6 at 1 p.m.; Monday, April 6, at 1 p.m., but we are at the call of the Chair. So we could be called back to vote next week. So please pay attention. The announcement will come from both the Speaker's Office and from the Chief Clerk's Office.

BILLS RECOMMITTED

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

HB 885;

HB 896;

HB 1189;

HB 1822;

HB 2009; and

SB 352.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 327 be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 2120 be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL TABLED

The SPEAKER. The majority leader moves that HB 2120 be removed from the active calendar and placed on the tabled calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1555, PN 3006**, entitled:

Amending Titles 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for order of probation and for modification or revocation of order of probation; in other criminal provisions, further providing for definitions and for supervisory relationship to offenders; and, in Pennsylvania Board of Probation and Parole, further providing for supervisory relationship to offenders.

On the question,

Will the House agree to the bill on second consideration?

BILL TABLED

The SPEAKER. The majority leader moves that HB 1555 be removed from the active calendar and placed on the tabled calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 1555 be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

The House proceeded to second consideration of **HB 2040, PN 2867**, entitled:

An Act providing for the PA Second Chance Jobs website and for powers and duties of the Department of Labor and Industry.

On the question,

Will the House agree to the bill on second consideration?

BILL TABLED

The SPEAKER. The majority leader moves that HB 2040 be removed from the active calendar and placed on the tabled calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 2040 be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1106, PN 1599**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for environmental permits and plan approvals; making related repeals; and abrogating regulations.

On the question,

Will the House agree to the bill on third consideration?

BILL TABLED

The SPEAKER. The majority leader moves that HB 1106 be removed from the active calendar and placed on the tabled calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 1106 be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

RESOLUTIONS

Mr. CUTLER called up **HR 206, PN 1938**, entitled:

A Concurrent Resolution petitioning the Congress of the United States to call a Convention for proposing amendments pursuant to Article V of the Constitution of the United States limited to proposing amendments that impose fiscal restraints on the Federal Government, limit the power and jurisdiction of the Federal Government and limit the terms of office for its officials and for members of Congress.

On the question,

Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 206 be removed from the active calendar and placed on the tabled calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HR 206 be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

Mr. CUTLER called up **HR 607, PN 2841**, entitled:

A Resolution designating December 1, 2019, as "Penske Truck Leasing Day" in Pennsylvania.

On the question,

Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The majority leader moves that HR 607 be removed from the active calendar and placed on the tabled calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HR 607 be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS AND RESOLUTIONS PASSED OVER

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

RECESS

The SPEAKER. So we are on a 12-hour call of the Chair. Please pay attention to your e-mails. The notices would come from the Speaker's Office and from the Chief Clerk's Office. We are scheduled to return on April 6, Monday, at 1 p.m. We will be swearing in three new members on that date. Thank you. We are in recess.

The House Republican caucus is going to take place at this time. It will not be long, but we are going to have a short House Republican caucus.

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