

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, OCTOBER 26, 2015

SESSION OF 2015

199TH OF THE GENERAL ASSEMBLY

No. 74

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

HON. THADDEUS KIRKLAND, member of the House of Representatives, offered the following prayer:

Let us pray:

It was once written by the songwriter that said, "If I can help somebody as I travel along..." my way, then "...my living shall not be in vain."

Our Father and our God, it is once again, O Lord, that we have come into Your presence with thanksgiving.

God, we thank You for life and health and strength, and we thank You, O God, for another day filled with brand-new mercies, another opportunity to get things right, another opportunity, O God, to help somebody. And so, God, we realize that even sometimes in our disagreeing, You still provide us with brand-new mercies. Even sometimes, O God, when we sometimes find ourselves partisan, You still provide us with brand-new mercies. Even sometimes, O God, when we find ourselves unwilling to bend or break or yield, You still provide us with brand-new mercies.

And so, God, as we come together as this body and this House, we pray, O God, that You would constantly remind us that You said in Your Word to come and let us reason together, reason together so that we might be able to help the least of these, reason together so that we might be able to help those in need throughout the Commonwealth of Pennsylvania, reason together to do the things that are pleasing in Your eyes.

God, we thank You for this opportunity just to humble ourselves before You, and to here from heaven, order our footsteps, direct our tongues, control our hearts and our minds, so that we might reason together.

We say this prayer in the mighty and matchless name of Your son, Jesus the Christ. With thanksgiving, our soul says amen.

PLEDGE OF ALLEGIANCE

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

The SPEAKER. Thank you, Representative.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, October 21, 2015, will be postponed until printed.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1229, PN 1614

By Rep. TAYLOR

An Act designating the overpass on State Route 3145 over Interstate 376, BMS 02-3145-0010-0537, in the Market District at Settlers Ridge, Robinson Township, Allegheny County, as the Roy F. Johns, Jr., Overpass.

TRANSPORTATION.

HB 1347, PN 2444 (Amended)

By Rep. TAYLOR

An Act designating a portion of State Route 981 in Mount Pleasant Township, Westmoreland County, as the James Paul Takitch Honorary Highway.

TRANSPORTATION.

HB 1579, PN 2273

By Rep. TAYLOR

An Act designating a bridge on that portion of State Route 62 over the Allegheny River, Tionesta Borough, Forest County, as the Lt. Col. Michael McLaughlin/AMVETS Post 113 Memorial Bridge.

TRANSPORTATION.

HB 1638, PN 2443 (Amended)

By Rep. PICKETT

An Act amending the act of December 29, 1972 (P.L.1713, No.367), known as the Motor Vehicle Physical Damage Appraiser Act, further providing for compliance with act.

INSURANCE.

SB 385, PN 1363 (Amended)

By Rep. TAYLOR

An Act amending the act of December 8, 2004 (P.L.1801, No.238), known as the Transit Revitalization Investment District Act, in general provisions, further providing for definitions; in TRID creation and location, further providing for criteria for proposed TRID, for TRID designation, for implementing authority, for TRID planning study factors, for roles and responsibilities of public transportation agencies and municipalities and for amendments to TRID planning study; in land development powers of public transportation agencies, further providing for development or redevelopment of property; in value capture approaches, further providing for creation of value capture area and for dedication of tax revenues; providing for capture of TRID tax revenue; and, in community involvement, further

providing for public meeting to explain TRID and alternative implementation approaches.

TRANSPORTATION.

SB 887, PN 1364 (Amended) By Rep. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for duty of driver in construction and maintenance areas or on highway safety corridors and for duty of driver in emergency response areas.

TRANSPORTATION.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1660 By Representatives REED, COX, BENNINGHOFF, QUIGLEY, COHEN, GERGELY, ROZZI, TALLMAN, REGAN, DRISCOLL, READSHAW, CAUSER, PETRARCA, SONNEY, DUSH, LONGIETTI, MILLARD, R. BROWN, MALONEY, THOMAS, HENNESSEY, KNOWLES, VEREB, IRVIN, BAKER, DIGIROLAMO, ELLIS, SCHWEYER, BOBACK, PICKETT, CALTAGIRONE, RAPP, McNEILL, MUSTIO, KINSEY, TOEPEL, HICKERNELL, SAINATO, KAUFFMAN, MILNE, MAHONEY, HARHART, MARSICO, A. HARRIS, PAYNE, MAJOR, D. COSTA, GROVE, O'NEILL, FARINA, WHEELAND, HAHN, PEIFER, OBERLANDER, GOODMAN, JOZWIAK, NEILSON, BARRAR, SCHEMEL, WARD, GABLER and TOPPER

An Act designating a bridge on that portion of State Route 403 over the Two Lick Creek, Clymer Borough, Indiana County, as the Sergeant James Robert Pantall Memorial Bridge.

Referred to Committee on TRANSPORTATION, October 23, 2015.

No. 1661 By Representatives MUSTIO, GODSHALL, KOTIK and MENTZER

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, providing for storm water management plans and facilities.

Referred to Committee on LOCAL GOVERNMENT, October 23, 2015.

No. 1662 By Representatives KINSEY, NEILSON, KOTIK, BISHOP, MURT, McNEILL, J. HARRIS, THOMAS, ROZZI, YOUNGBLOOD, MASSER, ROEBUCK, GIBBONS, D. COSTA, COHEN, DEAN, BARRAR, O'BRIEN, FREEMAN, FABRIZIO, V. BROWN, TOOHL, KORTZ, DRISCOLL, GERGELY, STURLA, ACOSTA, BIZZARRO, SCHWEYER, O'NEILL, D. MILLER, SIMS, BULLOCK, MCCLINTON, RAPP and DAVIDSON

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for definition of children with exceptionalities, reports and examination.

Referred to Committee on EDUCATION, October 23, 2015.

No. 1664 By Representatives KAMPF, SCHLOSSBERG, THOMAS, PASHINSKI, BISHOP, DRISCOLL, BOYLE, LEWIS, MURT, SCHWEYER, ZIMMERMAN, D. COSTA, WARD, DiGIROLAMO, BRADFORD and WATSON

An Act amending the act of October 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human Relations Act, further providing for the title of the act, for findings and declaration of policy, for right to freedom from discrimination in employment, housing and public accommodation, for definitions, for unlawful discriminatory practices, for prohibition of certain real estate practices, for powers and duties of the commission, for educational program, for construction and exclusiveness of remedy and for cooperation of State agencies.

Referred to Committee on HUMAN SERVICES, October 23, 2015.

SENATE BILL FOR CONCURRENCE

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

SB 411, PN 1335

Referred to Committee on STATE GOVERNMENT, October 23, 2015.

LEAVES OF ABSENCE

The SPEAKER. We will turn to leaves of absence. The majority whip indicates that Representative WATSON of Bucks County would like to be marked on leave for the day, and Representative MAHER of Allegheny County would like to be marked on leave of absence for the week. Without objection, those will be granted.

The minority whip requests a leave of absence for Representative DeLUCA of Allegheny County for the day, Representative HARHAI of Westmoreland County for the day, and Representative KRUEGER of Delaware County for the day. Without objection, those leaves of absence will be granted.

MASTER ROLL CALL

The SPEAKER. We will turn to the master roll. Members will proceed to vote.

The following roll call was recorded:

PRESENT—198

Table with 4 columns of names: Acosta, Evankovich, Kortz, Rapp; Adolph, Evans, Kotik, Ravenstahl; Baker, Everett, Krieger, Readshaw; Barbin, Fabrizio, Lawrence, Reed; Barrar, Farina, Lewis, Reese; Benninghoff, Farry, Longietti, Regan; Bishop, Fee, Mackenzie, Roebuck; Bizzarro, Flynn, Mahoney, Ross; Bloom, Frankel, Major, Rothman; Boback, Freeman, Maloney, Rozzi; Boyle, Gabler, Markosek, Sacccone; Bradford, Gainey, Marshall, Sainato; Briggs, Galloway, Marsico, Samuelson; Brown, R., Gergely, Masser.

Brown, V.	Gibbons	Matzie	Sankey
Bullock	Gillen	McCarter	Santarsiero
Burns	Gillespie	McClinton	Santora
Caltagirone	Gingrich	McGinnis	Saylor
Carroll	Godshall	McNeill	Schemel
Causer	Goodman	Mentzer	Schlossberg
Christiana	Greiner	Metcalfe	Schreiber
Cohen	Grove	Metzgar	Schweyer
Conklin	Hahn	Miccarelli	Simmons
Corbin	Hanna	Millard	Sims
Costa, D.	Harhart	Miller, B.	Snyder
Costa, P.	Harkins	Miller, D.	Sonney
Cox	Harper	Milne	Staats
Cruz	Harris, A.	Moul	Stephens
Culver	Harris, J.	Mullery	Sturla
Cutler	Heffley	Murt	Tallman
Daley, M.	Helm	Mustio	Taylor
Daley, P.	Hennessey	Neilson	Thomas
Davidson	Hickernell	Nesbit	Tobash
Davis	Hill	Neuman	Toepel
Dawkins	Irvin	O'Brien	Toohil
Day	James	O'Neill	Topper
Dean	Jozwiak	Oberlander	Truitt
Deasy	Kampf	Ortitay	Vereb
DeLissio	Kaufer	Parker, C.	Vitali
Delozier	Kauffman	Parker, D.	Ward
Dermody	Kavulich	Pashinski	Warner
Diamond	Keller, F.	Payne	Wentling
DiGirolamo	Keller, M.K.	Peifer	Wheatley
Donatucci	Keller, W.	Petrarca	Wheeland
Driscoll	Killion	Petri	White
Dunbar	Kim	Pickett	Youngblood
Dush	Kinsey	Pyle	Zimmerman
Ellis	Kirkland	Quigley	
Emrick	Klunk	Quinn	Turzai,
English	Knowles	Rader	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

DeLuca	Krueger	Maher	Watson
Harhai			

LEAVES ADDED—1

Simmons

LEAVES CANCELED—1

Watson

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

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. D. COSTA called up **HR 24, PN 23**, entitled:

A Resolution recognizing October 29, 2015, as "Psoriasis Day" in Pennsylvania on behalf of the many individuals who suffer from psoriasis and psoriatic arthritis.

* * *

Ms. ACOSTA called up **HR 346, PN 1605**, entitled:

A Resolution recognizing 2015 as the "Year of the Veteran in Pennsylvania" to highlight and celebrate the accomplishments of veterans as well as to continue to raise public awareness of issues related to veterans and the ongoing initiatives to serve those who have served their country.

* * *

Mr. PETRARCA called up **HR 544, PN 2376**, entitled:

A Resolution designating the week of November 2 through 6, 2015, as "Pennsylvania Education for Youth Experiencing Homelessness Awareness Week" and November 6, 2015, as "Red Shirt Day" in Pennsylvania.

* * *

Mr. FABRIZIO called up **HR 553, PN 2413**, entitled:

A Resolution recognizing the month of October 2015 as "National Medicine Abuse Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—198

Acosta	Evankovich	Kortz	Rapp
Adolph	Evans	Kotik	Ravenstahl
Baker	Everett	Krieger	Readshaw
Barbin	Fabrizio	Lawrence	Reed
Barrar	Farina	Lewis	Reese
Benninghoff	Farry	Longietti	Regan
Bishop	Fee	Mackenzie	Roae
Bizzarro	Flynn	Mahoney	Roebuck
Bloom	Frankel	Major	Ross
Boback	Freeman	Maloney	Rothman
Boyle	Gabler	Markosek	Rozzi
Bradford	Gainey	Marshall	Saccone
Briggs	Galloway	Marsico	Sainato
Brown, R.	Gergely	Masser	Samuelson
Brown, V.	Gibbons	Matzie	Sankey
Bullock	Gillen	McCarter	Santarsiero
Burns	Gillespie	McClinton	Santora
Caltagirone	Gingrich	McGinnis	Saylor
Carroll	Godshall	McNeill	Schemel
Causer	Goodman	Mentzer	Schlossberg
Christiana	Greiner	Metcalfe	Schreiber
Cohen	Grove	Metzgar	Schweyer
Conklin	Hahn	Miccarelli	Simmons
Corbin	Hanna	Millard	Sims
Costa, D.	Harhart	Miller, B.	Snyder
Costa, P.	Harkins	Miller, D.	Sonney
Cox	Harper	Milne	Staats
Cruz	Harris, A.	Moul	Stephens
Culver	Harris, J.	Mullery	Sturla
Cutler	Heffley	Murt	Tallman
Daley, M.	Helm	Mustio	Taylor
Daley, P.	Hennessey	Neilson	Thomas
Davidson	Hickernell	Nesbit	Tobash
Davis	Hill	Neuman	Toepel
Dawkins	Irvin	O'Brien	Toohil
Day	James	O'Neill	Topper
Dean	Jozwiak	Oberlander	Truitt
Deasy	Kampf	Ortitay	Vereb
DeLissio	Kaufer	Parker, C.	Vitali

Delozier	Kauffman	Parker, D.	Ward
Dermody	Kavulich	Pashinski	Warner
Diamond	Keller, F.	Payne	Wentling
DiGirolamo	Keller, M.K.	Peifer	Wheatley
Donatucci	Keller, W.	Petrarca	Wheeland
Driscoll	Killion	Petri	White
Dunbar	Kim	Pickett	Youngblood
Dush	Kinsey	Pyle	Zimmerman
Ellis	Kirkland	Quigley	
Emrick	Klunk	Quinn	Turzai,
English	Knowles	Rader	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

DeLuca	Krueger	Maher	Watson
Harhai			

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

STATEMENT BY MR. PETRARCA

The SPEAKER. Representative Joe Petrarca is recognized to speak on HR 544.

Sir, please suspend.

Members, please take your seats. All members, please take your seats.

Any conversations please take outside to the anterooms. Before Representative Petrarca speaks, I would ask that all members please take their seats. Members, please take the conversations to the anterooms. Members, I would like to give the floor to Representative Petrarca.

Representative Petrarca, the floor is yours.

Mr. PETRARCA. Thank you, Mr. Speaker.

I would like to thank the House for voting in the affirmative for HR 544, which designates the week of November 2-6 as "Pennsylvania Education for Youth Experiencing Homelessness Awareness Week" and November 6 as "Red Shirt Day" in Pennsylvania.

Homelessness is a problem for everyone in Pennsylvania, and certainly more so for our children. In the school year 2013-14, almost 25,000 Pennsylvania schoolchildren experienced inadequate housing or a homeless situation. As disturbing as that number is, maybe more disturbing is the fact that it was a 9-percent increase from the number in the previous school year.

There are a lot of reasons for homelessness with our schoolchildren in Pennsylvania, from parental joblessness, domestic violence, to child abuse. A number of different situations can cause this, and we know, we know that a stable, a stable environment, a stable school environment could be one of the most positive things that could happen to keep these children on the right track, to make them feel secure and safe.

GUESTS INTRODUCED

Mr. PETRARCA. Federal law known as the McKinney-Vento Act provides for educational stability in Pennsylvania and the protection of children in the public school system. In

Pennsylvania that law is enforced through fantastic partnerships with local education agency homeless liaisons and regional and State coordinators, and we are very happy to have two of those people with us here today. To the left of the Speaker, I would like to introduce Sonia Pitzi, who is the coordinator for the Pennsylvania Education for Youth Experiencing Homelessness, and Jaison Bloom—

The SPEAKER. Sir, if you will just suspend for a moment.

Members, Representative Petrarca is introducing two guests to the chamber with respect to the resolution, education for youth experiencing homelessness day. Our two guests are now standing.

Representative Petrarca, if you could please reintroduce our guests to the members here, and we are going to give them a loud applause here in just a second, but please introduce those individuals. Thank you.

Mr. PETRARCA. Thank you, Mr. Speaker.

I would like to introduce two individuals who spend a lot of time with our children – day or night they can be called upon in any type situation – who certainly give a new definition to "first responders." They are Sonia Pitzi, who is the Pennsylvania Education for Youth Experiencing Homelessness coordinator for this area, and Jaison Bloom, the assistant education liaison. Please welcome them to the hall of the House.

Mr. Speaker, we know that our youth are our most precious resource. We also know that they are our most vulnerable.

And I would like to thank, again, this House for voting in support of HR 544 that establishes the Pennsylvania Education for Youth Experiencing Homelessness Awareness Week in Pennsylvania, and hopefully we can bring those numbers down and eliminate this problem. Thank you.

The SPEAKER. Thank you, sir.

STATEMENT BY MS. ACOSTA

The SPEAKER. Representative Leslie Acosta is recognized to speak on HR 346.

Ms. ACOSTA. Thank you, Mr. Speaker.

I would like to thank my colleagues for their support of HR 346, which recognizes 2015 as the "Year of the Veteran." Our State has one of the largest veteran populations in the country, with roughly 1 million veterans calling Pennsylvania their home. I know some of our colleagues in this great body have served in the military, and I would also like to thank you as well.

Our veterans make great sacrifices so that we may all be free. They face dangers we civilians could only dream of, all to keep us safe, and many have died for our nation so that we may enjoy the lifestyle that we have today. A simple thank you will never be enough to convey our immense gratitude to these courageous men and women and to their families for sharing these heroes with us every day.

While veterans from all over our great nation have served our country, it is fitting that we single out Pennsylvania for its role in our military history. The city of Philadelphia, which I am proud to represent, is the birthplace of the United States Army, the United States Navy, and the United States Marine Corps. Our State has had ties to American veterans for hundreds of years, even before the Revolutionary War began. We should all be extremely proud of our State's prominent role in the establishment of our nation's military and of the men and

women who served throughout history. Let us keep our veterans in our thoughts and prayers, not just today or on Veterans Day, but every day.

Thank you again to my colleagues for your support on this resolution, and thank you to our veterans for your service to this great country.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

GUEST INTRODUCED

The SPEAKER. I think it only fitting at this time to welcome a particular guest, a guest of Representative Zimmerman. Located to the left of the rostrum, the Chair welcomes United States Army veteran Walter Kunicki from East Earl Township. Please rise. Mr. Kunicki is a Vietnam veteran who served in a communications unit, and was also trained in environmental safety. Thank you for your service, and thank you for coming in with Representative Zimmerman today. We greatly appreciate having you today.

PAUL WEN-LIANG CHANG INTRODUCED

The SPEAKER. Members, we have an outstanding guest with us today, and I am honored to introduce him: the Ambassador of the Taipei Economic and Cultural Office in New York, Paul Wen-liang Chang, who comes from Taiwan.

And as many of you know, Taiwan is a country of 23 million individuals, and I think is our 10th, this country's 10th largest trading partner on the globe. He is based in, the Ambassador is based in New York City. He himself has a master's from Elliot School of International Affairs, George Washington University. He is an expert on dealing with international organizations. He previously was an ambassador to Switzerland for Taiwan. He is in charge of the bilateral economic and cultural liaison for four States – Connecticut, New York, New Jersey, and Pennsylvania. And he is in the Capitol this week to sign an agreement with the Commonwealth of Pennsylvania for mutual recognition of driver's licenses, and that helps facilitate travel and economic development. He indicates that there are at least 1,000 students from Taiwan being educated in the Commonwealth of Pennsylvania at this time.

And as you may know, Pennsylvania maintains a trade office, Pennsylvania itself maintains a trade office in Taiwan. Taiwan is just about 120 miles from the mainland and also, as you know, both governments in China recognize the One-China Policy, as does the United States.

Ambassador, if you would not mind coming up to the rostrum, I would like you to just wave to everybody, and I am sure you are going to be greeted with a loud applause. Thank you so much for coming to the Commonwealth of Pennsylvania and to the House of Representatives. Thank you.

GUEST INTRODUCED

The SPEAKER. Located in the well of the House, we welcome guest page Rachel Martin, who is the guest of Representative Keith Gillespie. Thank you for being with us today, Rachel.

DANIEL BOONE MIDDLE SCHOOL ODYSSEY OF THE MIND TEAM PRESENTED

The SPEAKER. Our colleague, Representative David Maloney, is invited to the rostrum, and he is going to be presenting a citation to one of the teams at Daniel Boone Middle School, and he will give you much more information on this outstanding group of students from his district. So, members, if we could please give Representative Maloney and his guests our attention, he will be introducing them to you.

Representative Maloney, the floor is yours, sir.

Mr. MALONEY. Thank you, Mr. Speaker.

I rise today to recognize the remarkable achievement from the students of Daniel Boone Middle School, who are with us here today in the chamber. I would just like to read the five names: Taylor Eisenhuth, David Eurillo, Emma Hartman, Zoe Thompson, and Rachel Woomer.

Coached by parents Fran Thompson and Steph Woomer, this amazing team from Daniel Boone Middle School, standing right here today, competed against an elite selection of 63 teams from 8 countries to win the world championship for their division at the Odyssey of the Mind World Finals. Michigan State University this year hosted it.

Odyssey of the Mind began with Dr. C. Samuel Micklus, a college professor who believed that intelligence, initiative, and creativity were going unchallenged throughout the public school system, so he initiated this competition in response and gave children complex problems to be solved. Rather than grading on the basis of correct answers, he evaluated them on the ingenuity and the risk involved in taking unique approaches to solving these problems. This led to strong public interest and the birth of Odyssey of the Mind competitions.

The 2015 world finals included 847 teams representing 30 States and 16 countries. This year the team at Daniel Boone was tasked with creating a video game based on the story from Greek mythology of Pandora's box. Mr. Speaker, we all know that story. Pandora was many gifts given from the gods, including a box from Zeus himself. She was told never to open it, but owing to curiosity, Pandora did open the jar and spirits representing all the evils of the world flew out. She rushed to close the jar, trapping one last spirit inside, which was Hope.

The students here at Daniel Boone were tasked with creating a video game based on the myth of Pandora's box. The game required a prologue depicting the original story of the box, three characters representing the evils that escaped the box, and a power meter representing the health of the gaming avatar. To win the game, the player must release Hope into the world.

Today the phrase, "to open Pandora's box," means to perform an action that may seem small or innocent but that turns out to have severely detrimental and far-reaching consequences. I think we all here today are familiar with those.

So, Mr. Speaker, I ask my colleagues to join me in recognizing the excellence of the Berks County students who carried the torch for Pennsylvania in the world championships.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Maloney, and thank you, students from Daniel Boone Middle School, for being with us today.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of Connor Regan, who has been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Connor Regan.

Whereas, Connor Regan earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Connor is a member of Troop 316.

Now therefore, Mr. Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Connor Regan.

REPUBLICAN CAUCUS

The SPEAKER. We are going to call on the majority caucus chair, Sandy Major, for an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 1:30. I would ask our Republican members to please report to our caucus room at 1:30. We would be prepared, Mr. Speaker, to be back on the floor at 2:30. Thank you.

The SPEAKER. Thank you, Representative.

DEMOCRATIC CAUCUS

The SPEAKER. Representative Frankel, the minority caucus chair, is recognized for an announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 1:30. Democrats will caucus at 1:30.

**HUMAN SERVICES
COMMITTEE MEETING**

The SPEAKER. Representative DiGirolamo, chair of the Human Services Committee, for an announcement.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

There will be a voting meeting of the Human Services Committee at the break in G-50, Irvis Office Building; that is G-50, Irvis, at the break. We are going to be voting on one bill, HB 1664.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

There will be a voting meeting of the Human Services Committee at the break in G-50, Irvis Office Building.

RECESS

The SPEAKER. Members, at this time the House will be recessed until 2:30, unless sooner recalled by the Chair. Thank you.

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING****BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED****HB 484, PN 542**

By Rep. TOEPEL

An Act providing for the Early Childhood Vision Care Education Program and for powers and duties of the Department of Health.

HEALTH.

HB 1062, PN 1377

By Rep. TOEPEL

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, repealing certain provisions relating to county liability for nursing home care for persons at county-owned facilities.

HEALTH.

HB 1322, PN 2453 (Amended)

By Rep. TOEPEL

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, further providing for identification and proof of residence.

HEALTH.

HB 1351, PN 1848

By Rep. TOEPEL

An Act providing for the use of epinephrine auto-injectors by certain entities and organizations; and conferring powers and imposing duties on the Department of Health.

HEALTH.

HB 1625, PN 2454 (Amended)

By Rep. TOEPEL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, further providing for definitions and providing for education of school employees in diabetes care and management, for diabetes care in schools, for possession and use of diabetes medication and monitoring equipment, for liability, for coordinating, supervising or educating not considered delegation and for diabetes care in nonpublic schools.

HEALTH.

HB 1664, PN 2442

By Rep. DiGIROLAMO

An Act amending the act of October 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human Relations Act, further providing for the title of the act, for findings and declaration of policy, for right to freedom from discrimination in employment, housing and public accommodation, for definitions, for unlawful discriminatory practices, for prohibition of certain real estate practices, for powers and duties of the commission, for educational program, for construction and exclusiveness of remedy and for cooperation of State agencies.

HUMAN SERVICES.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1665 By Representatives QUINN, R. BROWN, CORBIN, DEAN, DELOZIER, ENGLISH, EVANKOVICH, EVERETT, GIBBONS, GROVE, KAUFFMAN, KAVULICH, KNOWLES, MALONEY, McGINNIS, D. MILLER, D. PARKER, RAPP, STEPHENS, TALLMAN, TOEPEL, TOPPER, WARD, WATSON, FARRY and BLOOM

An Act amending the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, further providing for salaries of members of the General Assembly and for expiration.

Referred to Committee on STATE GOVERNMENT, October 26, 2015.

No. 1666 By Representatives ZIMMERMAN, BLOOM, CAUSER, DIAMOND, ENGLISH, EVERETT, FEE, GABLER, GREINER, GROVE, A. HARRIS, HICKERNELL, PHILLIPS-HILL, IRVIN, JOZWIAK, M. K. KELLER, MAJOR, MALONEY, McGINNIS, B. MILLER, MURT, PEIFER, PICKETT, RADER, SAYLOR, SCHEMEL and WARD

An Act imposing a duty on the Department of Environmental Protection to maintain a system for applicants to track the status of certain permit applications; and providing for permit notifications.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 26, 2015.

SENATE BILL FOR CONCURRENCE

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

SB 874, PN 1334

Referred to Committee on CONSUMER AFFAIRS, October 26, 2015.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair notes the presence of the gentlelady, Mrs. Watson, and she will be added to the master roll.

LEAVE OF ABSENCE

The SPEAKER pro tempore. And at the request of the majority whip, the gentleman, Representative SIMMONS, is on leave for the day. Without objection, the leave will be so granted.

GUESTS INTRODUCED

The SPEAKER pro tempore. Located to the left of the rostrum, the Chair welcomes two Professional Fellows from the United States Department of State: Hoa Thanh from Vietnam and Su Sondar Koe from Burma. They are accompanied by

Scott Township Manager Denise Fitzgerald. They are the guests of Representative Dan Miller. Please rise and be recognized.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1603, PN 2318**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in uniform interstate family support, making extensive revisions to general provisions, jurisdiction, civil provisions of general application, establishment of support order, direct enforcement of order of another state without registration, enforcement and modification of support order after registration, determination of parentage, interstate rendition and miscellaneous provisions; and providing for support proceeding under convention.

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

* * *

The House proceeded to second consideration of **SB 590, PN 566**, entitled:

An Act amending the act of July 5, 2012 (P.L.1102, No.132), known as the State System of Higher Education Intellectual Property Act, further providing for title of act, for short title, for definitions and for repeal.

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 44, PN 2405**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for sentences for offenses committed with firearms.

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

THE SPEAKER (MIKE TURZAI) PRESIDING

The House proceeded to second consideration of **HB 1632, PN 2366**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for sentences for offenses committed with firearms and for sentences for certain drug offenses committed with firearms.

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 1601, PN 2408**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in other offenses, further providing for drug trafficking sentencing and penalties; in sentencing authority, further providing for sentences for offenses committed on public transportation, for sentences for offenses against elderly persons, for sentences for offenses against infant persons and for sentences for offenses committed while impersonating a law enforcement officer.

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

Mr. **MARSICO** offered the following amendment No. **A03700**:

Amend Bill, page 1, line 3, by inserting after "Statutes," in minors, further providing for sentencing and penalties for trafficking drugs to minors and for drug-free school zones;

Amend Bill, page 1, lines 14 and 15, by striking out all of said lines and inserting

Section 1. Sections 6314, 6317 and 7508(a), (b) and (d) of Title 18 of the Pennsylvania Consolidated Statutes are amended to read: § 6314. Sentencing and penalties for trafficking drugs to minors.

(a) General rule.—A person over 18 years of age who is convicted in any court of this Commonwealth of a violation of section 13(a)(14) or (30) of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, shall, if the delivery or possession with intent to deliver of the controlled substance was to a minor, be sentenced to a minimum sentence of at least one year total confinement, notwithstanding any other provision of this title or other statute to the contrary.

(b) Additional penalties.—In addition to the mandatory minimum sentence set forth in subsection (a), the person shall be sentenced to an additional minimum sentence of at least two years total confinement, notwithstanding any other provision of this title or other statute to the contrary, if the person did any of the following:

(1) Committed the offense with the intent to promote the habitual use of the controlled substance.

(2) Intended to engage the minor in the trafficking, transportation, delivery, manufacturing, sale or conveyance.

(3) Committed the offense within 1,000 feet of the real property on which is located a public, private or parochial school or a college or university.

(4) Committed the offense on a school bus or within 500 feet of a school bus stop.

(c) [Proof at sentencing.—The provisions of this section shall not be an element of the crime. Notice of the applicability of this section to the defendant shall not be required prior to conviction, but reasonable notice of the Commonwealth's intention to proceed under this section shall be provided after conviction and before sentencing. The applicability of this section shall be determined at sentencing. The court shall consider evidence presented at trial, shall afford the Commonwealth and the defendant an opportunity to present necessary additional evidence, and shall determine, by a preponderance of the evidence, if this section is applicable.] Application of mandatory minimum penalty.—Any provision of this section that requires imposition of a mandatory minimum sentence shall constitute an element enhancing the underlying offense. Any enhancing element must be proven beyond a reasonable doubt at trial on the underlying offense and must be submitted to the fact-finder for deliberation together with the underlying offense. If the fact-finder finds the defendant guilty of the underlying offense, the fact-finder shall then also decide whether any enhancing element has been proven.

(d) Authority of court in sentencing.—There shall be no authority for a court to impose on a defendant to which this section is applicable a lesser sentence than provided for in [subsection (a)] subsections (a) and (b), to place the defendant on probation or to suspend sentence. Nothing in this section shall prevent the sentencing court from imposing a sentence greater than that provided in this section. Sentencing guidelines promulgated by the Pennsylvania Commission on Sentencing shall not supersede the mandatory sentences provided in this section. Disposition under section 17 or 18 of The Controlled Substance, Drug, Device and Cosmetic Act shall not be available to a defendant to which this section applies.

(e) Appeal by Commonwealth.—[If a sentencing court refuses to apply this section where applicable, the Commonwealth shall have the right to appellate review of the action of the sentencing court. The appellate court shall vacate the sentence and remand the case to the sentencing court for imposition of a sentence in accordance with this section if it finds that the sentence was imposed in violation of this section.] If the fact-finder has found any enhancing element and a sentencing court imposes a sentence below the mandatory minimum sentence, the Commonwealth shall have the right to appellate review of the sentence. If the appellate court finds that the mandatory sentencing provision was applicable, the court shall vacate the sentence and remand for resentencing in accordance with that provision.

(f) Forfeiture.—Assets against which a forfeiture petition has been filed and is pending or against which the Commonwealth has indicated an intention to file a forfeiture petition shall not be subject to a fine under this section.

(g) Definition.—As used in this section, the term "minor" means an individual under 18 years of age.
§ 6317. Drug-free school zones.

(a) General rule.—A person 18 years of age or older who is convicted in any court of this Commonwealth of a violation of section 13(a)(14) or (30) of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, shall, if the delivery or possession with intent to deliver of the controlled substance occurred within 1,000 feet of the real property on which is located a public, private or parochial school or a college or university or within 250 feet of the real property on which is located a recreation center or playground or on a school bus, be sentenced to a minimum sentence of at least two years of total confinement, notwithstanding any other provision of this title, The Controlled Substance, Drug, Device and Cosmetic Act or other statute to the contrary. The maximum term of imprisonment shall be four years for any offense:

(1) subject to this section; and

(2) for which The Controlled Substance, Drug, Device and Cosmetic Act provides for a maximum term of imprisonment of less than four years.

If the sentencing court finds that the delivery or possession with intent to deliver was to an individual under 18 years of age, then this section shall not be applicable and the offense shall be subject to section 6314 (relating to sentencing and penalties for trafficking drugs to minors).

(b) [Proof at sentencing.—The provisions of this section shall not be an element of the crime. Notice of the applicability of this section to the defendant shall not be required prior to conviction, but reasonable notice of the Commonwealth's intention to proceed under this section shall be provided after conviction and before sentencing. The applicability of this section shall be determined at sentencing. The court shall consider evidence presented at trial, shall afford the Commonwealth and the defendant an opportunity to present necessary additional evidence and shall determine by a preponderance of the evidence if this section is applicable.] Application of mandatory minimum penalty.—Any provision of this section that requires imposition of a mandatory minimum sentence shall constitute an element enhancing the underlying offense. Any enhancing element must be proven beyond a reasonable doubt at trial on the underlying offense and must be submitted to the fact-finder for deliberation together with the underlying offense. If the fact-finder finds the defendant guilty of the underlying offense, the fact-finder shall then

also decide whether any enhancing element has been proven.

(c) Authority of court in sentencing.—There shall be no authority for a court to impose on a defendant to which this section is applicable a lesser sentence than provided for in subsection (a), to place the defendant on probation or to suspend sentence. Nothing in this section shall prevent the sentencing court from imposing a sentence greater than that provided in this section. Sentencing guidelines promulgated by the Pennsylvania Commission on Sentencing shall not supersede the mandatory sentences provided in this section. Disposition under section 17 or 18 of The Controlled Substance, Drug, Device and Cosmetic Act shall not be available to a defendant to which this section applies.

(d) Appeal by Commonwealth.—[If a sentencing court refuses to apply this section where applicable, the Commonwealth shall have the right to appellate review of the action of the sentencing court. The appellate court shall vacate the sentence and remand the case to the sentencing court for imposition of a sentence in accordance with this section if it finds that the sentence was imposed in violation of this section.] If the fact-finder has found any enhancing element and a sentencing court imposes a sentence below the mandatory minimum sentence, the Commonwealth shall have the right to appellate review of the sentence. If the appellate court finds that the mandatory sentencing provision was applicable, the court shall vacate the sentence and remand for resentencing in accordance with that provision.

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

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

Mr. MARSICO. Thank you, Mr. Speaker.
I appreciate the attention of the members.

This amendment reinstates mandatory sentences for two statutes that are unconstitutional under the Supreme Court's ruling requiring the jury to make the findings beyond a reasonable doubt. The statutes are Title 18, section 6314, regarding trafficking drugs to minors, and Title 18, section 6317, which establishes drug-free school zones. This would add 1 year for selling to minors and add 2 years in school zones, so it would be a mandatory sentence of 3 years for selling to minors in school zones.

I appreciate an affirmative vote.

The SPEAKER. Does anybody else wish to be recognized on the amendment?

Representative Vitali, on amendment 3700.

Mr. VITALI. Thank you, Mr. Speaker.

I rise in opposition to this amendment. I think it takes us in the opposite direction as to where we want to go as far as mandatory minimum sentencing. I think what mandatory minimum sentencing generally has served to do is, A, fill up our prisons with those people who not necessarily are going to be the most harm to society. They have caused this Commonwealth great expense as far as costs of incarceration unnecessarily. They have disproportionately affected racial minorities. They have taken away the ability of judges to look at the individual facts and circumstances of each case and do justice; they have impeded a judge's ability to do justice generally. The trend over the years is to have recognized this flawed policy of mandatory minimum sentencing and move in the opposite direction.

Specifically with regard to the Marsico amendment, I have numerous concerns. With regard to section 6314, if a person 18 years of age sells any quantity of any type drug – in fact, one joint of marijuana – to someone, let us say, 17 years of age— So if an 18-year-old sells a joint to someone 17 years of age, they have to do 1 year total confinement regardless of the facts

and circumstances, even though neither may have had any prior criminal record. It really could impose an injustice upon them. Now, to make it worse, if that same 18-year-old sold it to a 17-year-old—

The SPEAKER. Representative, please suspend for just a second, please.

Members, Representative Vitali has the floor. I would ask all conversations please be taken to the anterooms, to the chamber. The Representative does have a right to be heard with respect to the amendment. All members, please take your seats. I would ask any conversations to please be taken to the anterooms.

Representative Vitali, on the amendment.

Mr. VITALI. So you have this 18-year-old selling one joint to a 17-year-old, which invokes a 1-year total confinement mandatory minimum. Now, with regard to that same transaction, if that occurs within 1,000 feet of a school, regardless of whether it is 11 at night or school is not in session or it is the summer or no kids are around, that triggers an additional 2 years. So you are talking 3 years total incarceration that would be triggered by this for simply one joint transaction from a 17-year-old to an 18-year-old. Now, you can also add into that, in addition to selling it around the school, selling it within 500 feet of a school bus stop, which could be anywhere, anywhere.

You know, a report several years ago by the Sentencing Commission specifically criticized this provision as being needlessly overbroad. It specifically, in its report, the Pennsylvania Sentencing Commission criticized the school zone sales as being needlessly overbroad and targeted this for close scrutiny. This is not something we ought to be doing.

There is another section in this bill, section 6317, which deals with school zones. With regard to this particular section, you do not even need a minor; all you need is an adult. There is no limit with regard to type or quantity, and this would trigger, if I am reading this correctly, 2 years' incarceration.

Mr. Speaker, the trend is not to put people in jail for 2 years for one person's selling of a joint to another. The trend is to legalize marijuana. You have several States in the Union where recreational use of marijuana is legal. We cannot even pay our budget let alone our corrections budget, and what we are trying to do is go back in time and impose these backwards, draconian sentences for acts that are legal in other States.

Mr. Speaker, this amendment is a step in the wrong direction, Mr. Speaker, and I would urge a "no" vote.

The SPEAKER. Thank you, Representative.

Representative Dan Frankel, on the amendment.

Mr. FRANKEL. Thank you, Mr. Speaker.

I join my colleague from Delaware County in asking opposition to this amendment.

This amendment is going in the exact opposite direction as to where I think this country is going on a bipartisan basis – away from mandatory sentencing; to take a look at giving judges discretion, particularly in instances where there is not any violence; to deal with nonviolent offenders in a way that makes sense; and deals with the specific circumstances of the crime to allow a judge to pass a just sentence.

Just recently a family testified at the Commission on Sentencing about their son, their son who had been a model student, an honors student involved in many great activities at the Penn State campus, but also was involved with selling a small amount, a nickel-bag amount of marijuana. This young man was sentenced to 2 years in State prison. I do not think that

is what we ought to be about, and I think we can all imagine children of our constituents, children of our own that make a dumb mistake that should not be put away for 2 years and have their lives ruined.

There seems to be a developing bipartisan consensus. Even the Koch brothers have made it a priority to take a look at eliminating mandatory sentencing, to take a look at criminal justice reform so that we are not punishing, in an unreasonable way, nonviolent offenders that cost our Commonwealth an enormous amount of tax dollars, but also cost our families an enormous amount of grief and sadness and ruin the lives of young people.

This is a mistake. It is going in the exact opposite direction that, bipartisanly, this country is headed in to do criminal justice reform and eliminate mandatory sentencing and restore the ability of our judges to be able to make fair sentencing with nonviolent criminals a priority.

So I urge my colleagues to oppose this amendment. Thank you.

The SPEAKER. The chair, Representative Ron Marsico, on the amendment.

Mr. MARSICO. Thank you, Mr. Speaker.

This mandatory minimum has been a law for 30 years, and what we are doing is we are fixing a procedural defect. And it seems to me that the previous speakers are protecting drug dealers that are selling to our kids, and I think that is wrong. I think if you sell drugs to kids in school zones, you should be put in jail for at least 3 years. It is a mandatory.

I appreciate your vote.

The SPEAKER. Representative Dawkins, on the amendment.

Mr. DAWKINS. Thank you, Mr. Speaker.

Just quickly, I want to bring some awareness to some of the, I think, unintended consequences of this piece of legislation. One being, and I do not know if folks know this, currently in the State of Pennsylvania only 3 percent of cases actually go to trial, which means most of the individuals who are convicted are convicted to a plea deal agreement.

One of my colleagues addressed this earlier, when we are talking about young kids who live in some of these neighborhoods, some of these urban neighborhoods, that we are looking at the mandatory minimum, being targeted only for a certain type of drug in these communities. When we have young kids who may make foolish decisions on a first offense, they may now be going in front of a judge and they may be threatened by the D.A. that says, "If you don't take this deal, you're going to be doing 10 to 20 years in jail." For someone who has never been in front of the judiciary system, they may actually take that deal thinking they are going to be better off by saying, "We are only going to offer you 6 months of probation," but if the mandatory minimum is triggered, that individual will be going to jail for whatever the mandatory minimum is. We are not allowing the judges to have the discretion. I think that is one of the problems that we see in our community, that we are sending a whole bunch of young African-American and Latino kids to prisons which are already overpopulated.

We have to figure out a way to change the law to make it more fair, because some of the acts are unfortunate circumstances in some of these communities. I think we need to do a better job at educating our young kids on why it is important not to sell drugs rather than throwing them into jail

for a mandatory minimum, which is only going to make them a more hardened criminal when they return to our society.

So I will stand and oppose this amendment. Thank you.

The SPEAKER. Representative Mike Vereb, on the amendment.

Mr. VEREB. Thank you, Mr. Speaker.

I think the chairman illustrated it pretty well. The bottom line is, this amendment is an attempt to deter the sale of drugs within our school limits. While the underlying bill addresses more violent crimes and more substantial drug transactions, I certainly favor the amendment that the chairman is offering here and ask for an affirmative vote. Again, it really is the bottom line: Do we want to stop people from perpetrating school zones and selling drugs to our children or do we not?

Thank you, Mr. Speaker.

The SPEAKER. Representative Acosta, and then Representative McClinton – both want to speak?

Go ahead, Representative McClinton. You are first.

Ms. McCLINTON. Thank you, Mr. Speaker.

Mr. Speaker, for 7 years I was trial counsel at the Defender Association of Philadelphia. In that capacity, every single day I went to court in the city of Philadelphia and young men, young women, older men, older women, sat next to me with their life and their liberty depending on my ability to argue and stand up and articulate on their behalf.

Nevertheless, there were many times, notwithstanding my absolute best advocacy, that judges would look at my face and look at my client's face and say, "Ms. McClinton, I cannot help you, I cannot help your client, because Harrisburg sent down a law that makes sure that my hands are tied. I am not able to use my discretion, my wisdom, my ability to ascertain who the person is sitting in front of me and sentence him or her according to his or her criminal record and their likelihood to rehabilitate themselves.

What this amendment does is makes sure that judges, not only in Philadelphia County, not only in Delaware County, but all across this Commonwealth continue to not be able to use discretion and sentence people as people.

Currently I do not even need to tell you, Mr. Speaker, that over \$35,000 is spent per year to house one inmate in our State correctional facilities. We have a State correctional appropriation of \$5 billion. I wish I could tell you that since mandatory minimums took place that there are not any drugs being sold in the communities that I represent. I wish that I could tell you since you all sent down those first set of mandatory minimums way back when that folks are not walking around selling drugs in school zones.

Not only does this amendment not allow for judges to sentence people as people, but it also makes sure that regardless of the circumstance – it could be at 11:59 on December 25 outside of a school or near a playground – that you are now subject to this mandatory minimum sentence.

When are we going to be start treating people as people? When are we going to stop funding prison and start educating children and making sure that they have a way out? Because what happens when they do that 2 to 4 years in prison from the educational mandatory, they come out and they do not have any skills. They are not even a citizen anymore. They cannot get a job, they cannot take care of their children or their families, and they are second-class citizens. Every study shows that mandatory minimums are not working.

The President of the United States has chosen to release 6,000 nonviolent drug offenders. The President has decided to do that because every study indicates that this is not the way we win the war on crime. This is a war that was lost in the eighties when it started. But while I am here, I am going to let all of you know we can win it by opposing this amendment.

The SPEAKER. We have Representatives Acosta, Gainey, and O'Brien who wish to be recognized on the amendment.

Representative Acosta.

Ms. ACOSTA. Thank you, Mr. Speaker.

Mr. Speaker, you know, we are here talking about amendment A03700, and it is appalling to me that we are trying to, instead of putting some relief in place, reforming our criminal justice system – we are not doing that in this legislature. We are in an ineffective legislature. We should be doing things that are fair and appropriate for kids, and especially our young kids who— We are implementing sentencing that does not give these people an opportunity, once they get these sentences, to come out and have a normal life when they come out, because now they are marked with a criminal record. We should not be doing this to these people, Mr. Speaker.

And listen, I am not a lawyer by trade; I am a social worker by trade. I worked at the public defender's office and I have seen these kids come in and out. I understand that, you know what? When you commit a crime, you have to pay for that, but we have to be just in our sentencing guidelines and we are not. This legislature has to do a better job in implementing fair sentencing guidelines so that people— I understand that if you commit a crime, you have to pay for that, but not 3 years in a prison system, not 3 years in a prison system for offenses.

All I am saying, Mr. Speaker, is we have to rethink this through, and I am asking all the members from this legislature to please vote "no" on this amendment. It is wrong, it is not fair, and this is about race and wealth. This is about nothing else, only about race and wealth. We have to do a better job in this legislature to start instituting legislation that is fair across the board and not only redlining a segment of the population that is only Latino and African-American. Thank you.

The SPEAKER. Representative Gainey, on the amendment.

Mr. GAINNEY. Mr. Speaker, thank you.

You know, I heard my colleague across the hall say that this has been in existence for 20 years. We are asked to make a very important vote right now, and in 20 years, if it has been that long in existence, show me where it works, show me where we have had a reduction in drug arrests, and show me where these mandatory sentences have made a difference in improving humanity. If we cannot show by data that this works, then I am advising and asking my colleagues to vote "no."

You have heard someone say that this would be tough on drug dealers. Well, if we have not stopped the drug game in 40 to 50 years, how much stronger is this going to be on drug dealers? We have an option today, and that is to send the message that we are going in a new direction, one that talks about what we have to do to reduce recidivism, what we have to do to improve education, and stop putting mandatory sentences on things that do not work. You talk about taxpayer dollars – how are we saving the taxpayers money if we continue to vote on things that do not work? So if you have 20 years' worth of data to show this body that the sentences work, show us. If not, vote it down.

The SPEAKER. Representative Michael O'Brien.

Mr. O'BRIEN. Thank you, Mr. Speaker.

How sad and absurd that we are willing to mandate paying \$34,000 a year to incarcerate someone but are hard-pressed to find \$11,000 a year to educate someone. How sad and absurd. How sad and absurd.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

Representative Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I have listened very carefully to this debate on this amendment, and I guess I am a little perplexed about what incarceration means. I do not understand how we have an incarceration system where you put someone in jail for the purpose of rehabilitating them. They go in without a high school education; they come out without a high school education. How, Mr. Speaker, do we put someone in jail with a drug habit, they stay there for year after year after year, and they come out with a drug habit? What is wrong? What is wrong?

The system does not work. This amendment does not work. We need to do things differently.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—133

Adolph	Galloway	Major	Regan
Baker	Gibbons	Maloney	Roae
Barbin	Gillen	Marshall	Rothman
Barrar	Gillespie	Marsico	Rozzi
Benninghoff	Gingrich	Matzie	Saccone
Bizzarro	Greiner	McGinnis	Sainato
Bloom	Grove	Mentzer	Samuelson
Boback	Hahn	Metcalfe	Sankey
Boyle	Harhart	Metzgar	Santarsiero
Brown, R.	Harper	Miccarelli	Santora
Burns	Harris, A.	Millard	Saylor
Carroll	Heffley	Miller, B.	Schemel
Causser	Helm	Milne	Schreiber
Christiana	Hennessey	Moul	Schweyer
Corbin	Hickernell	Mullery	Snyder
Costa, P.	Hill	Murt	Sonney
Cox	Irvin	Mustio	Staats
Culver	James	Nesbit	Stephens
Cutler	Jozwiak	Neuman	Tallman
Daley, P.	Kampf	O'Neill	Taylor
Day	Kauffman	Oberlander	Tobash
Deasy	Kavulich	Pashinski	Toepel
Delozier	Keller, F.	Payne	Toohil
Dunbar	Keller, M.K.	Peifer	Topper
Dush	Killion	Petrarca	Vereb
Ellis	Klunk	Petri	Ward
Emrick	Knowles	Pickett	Warner
English	Kortz	Pyle	Wentling
Evankovich	Kotik	Quigley	White
Everett	Krieger	Rapp	Zimmerman
Farry	Lawrence	Ravenstahl	
Fee	Longiotti	Readshaw	Turzai,
Freeman	Mackenzie	Reed	Speaker
Gabler	Mahoney	Reese	

NAYS—64

Acosta	DeLissio	Harkins	Ortitay
Bishop	Dermody	Harris, J.	Parker, C.
Bradford	Diamond	Kaufert	Parker, D.

Briggs	DiGirolamo	Keller, W.	Quinn
Brown, V.	Donatucci	Kim	Rader
Bullock	Driscoll	Kinsey	Roebuck
Caltagirone	Evans	Kirkland	Ross
Cohen	Fabrizio	Lewis	Schlossberg
Conklin	Farina	Markosek	Sims
Costa, D.	Flynn	Masser	Sturla
Cruz	Frankel	McCarter	Thomas
Daley, M.	Gainey	McClinton	Truitt
Davidson	Gergely	McNeill	Vitali
Davis	Godshall	Miller, D.	Watson
Dawkins	Goodman	Neilson	Wheatley
Dean	Hanna	O'Brien	Youngblood

NOT VOTING—1

Wheeland

EXCUSED—5

DeLuca	Krueger	Maher	Simmons
Harhai			

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

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

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 414, PN 1837**, entitled:

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, in standards for municipal pension systems, further providing for definitions and providing for special procedures for certain professional services contracts.

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 1606, PN 2324**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the posting of annual financial information for public school entities.

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

The SPEAKER. Now, my understanding is, Representative Gergely did have an amendment filed, 3676. My understanding is that it has been withdrawn? Leader Dermody, my understanding is — because the maker of the amendment is not here at the time—

Mr. DERMODY. Yes, it has been withdrawn. Yes. The SPEAKER. I understand he is on his way here. That amendment, 3676, will be withdrawn.

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

RESOLUTION

Mr. KAMPF called up **HR 540, PN 2370**, entitled:

A Resolution directing the Joint State Government Commission to conduct a comprehensive study of school discipline policies, laws and regulations, to establish an advisory committee and to make a report of its findings and recommendations.

On the question,
Will the House adopt the resolution?

Mr. KAMPF offered the following amendment No. **A03669**:

Amend Resolution, page 3, line 1, by inserting after "A" certified public school
Amend Resolution, page 3, line 1, by inserting after "TEACHER,"
a parent of a student enrolled in a public school,
Amend Resolution, page 3, line 14, by striking out "six" and inserting
12

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

The SPEAKER. On the amendment, Representative Kampf is recognized.

Mr. KAMPF. Thank you, Mr. Speaker.

Mr. Speaker, the amendment does a couple of things. It gives the Joint State Government Commission 12 months instead of 6 months to complete the study, it adds to the advisory committee a parent of a student enrolled in a public school, and it clarifies the addition in committee of a teacher to be a certified public school teacher.

That is what the amendment does, Mr. Speaker.

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

The following roll call was recorded:

YEAS—198

Acosta	Evankovich	Kortz	Rapp
Adolph	Evans	Kotik	Ravenstahl
Baker	Everett	Krieger	Readshaw
Barbin	Fabrizio	Lawrence	Reed
Barrar	Farina	Lewis	Reese
Benninghoff	Farry	Longietti	Regan
Bishop	Fee	Mackenzie	Roae
Bizzarro	Flynn	Mahoney	Roebuck
Bloom	Frankel	Major	Ross
Boback	Freeman	Maloney	Rothman
Boyle	Gabler	Markosek	Rozzi
Bradford	Gainey	Marshall	Saccone
Briggs	Galloway	Marsico	Sainato
Brown, R.	Gergely	Masser	Samuelson

Brown, V.	Gibbons	Matzie	Sankey
Bullock	Gillen	McCarter	Santarsiero
Burns	Gillespie	McClinton	Santora
Caltagirone	Gingrich	McGinnis	Saylor
Carroll	Godshall	McNeill	Schemel
Causar	Goodman	Mentzer	Schlossberg
Christiana	Greiner	Metcalfe	Schreiber
Cohen	Grove	Metzgar	Schweyer
Conklin	Hahn	Miccarelli	Sims
Corbin	Hanna	Millard	Snyder
Costa, D.	Harhart	Miller, B.	Sonney
Costa, P.	Harkins	Miller, D.	Staats
Cox	Harper	Milne	Stephens
Cruz	Harris, A.	Moul	Sturla
Culver	Harris, J.	Mullery	Tallman
Cutler	Heffley	Murt	Taylor
Daley, M.	Helm	Mustio	Thomas
Daley, P.	Hennessey	Neilson	Tobash
Davidson	Hickernell	Nesbit	Toepel
Davis	Hill	Neuman	Toohil
Dawkins	Irvin	O'Brien	Topper
Day	James	O'Neill	Truitt
Dean	Jozwiak	Oberlander	Vereb
Deasy	Kampf	Ortitay	Vitali
DeLissio	Kaufar	Parker, C.	Ward
Delozier	Kauffman	Parker, D.	Warner
Dermody	Kavulich	Pashinski	Watson
Diamond	Keller, F.	Payne	Wentling
DiGirolamo	Keller, M.K.	Peifer	Wheatley
Donatucci	Keller, W.	Petrarca	Wheeland
Driscoll	Killion	Petri	White
Dunbar	Kim	Pickett	Youngblood
Dush	Kinsey	Pyle	Zimmerman
Ellis	Kirkland	Quigley	
Emrick	Klunk	Quinn	Turzai,
English	Knowles	Rader	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

DeLuca	Krueger	Maher	Simmons
Harhai			

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 adopt the resolution as amended?

The following roll call was recorded:

YEAS-198

Acosta	Evankovich	Kortz	Rapp
Adolph	Evans	Kotik	Ravenstahl
Baker	Everett	Krieger	Readshaw
Barbin	Fabrizio	Lawrence	Reed
Barrar	Farina	Lewis	Reese
Benninghoff	Farry	Longiotti	Regan
Bishop	Fee	Mackenzie	Roae
Bizzarro	Flynn	Mahoney	Roebuck
Bloom	Frankel	Major	Ross
Boback	Freeman	Maloney	Rothman
Boyle	Gabler	Markosek	Rozzi
Bradford	Gainey	Marshall	Saccone
Briggs	Galloway	Marsico	Sainato
Brown, R.	Gergely	Masser	Samuelson

Brown, V.	Gibbons	Matzie	Sankey
Bullock	Gillen	McCarter	Santarsiero
Burns	Gillespie	McClinton	Santora
Caltagirone	Gingrich	McGinnis	Saylor
Carroll	Godshall	McNeill	Schemel
Causar	Goodman	Mentzer	Schlossberg
Christiana	Greiner	Metcalfe	Schreiber
Cohen	Grove	Metzgar	Schweyer
Conklin	Hahn	Miccarelli	Sims
Corbin	Hanna	Millard	Snyder
Costa, D.	Harhart	Miller, B.	Sonney
Costa, P.	Harkins	Miller, D.	Staats
Cox	Harper	Milne	Stephens
Cruz	Harris, A.	Moul	Sturla
Culver	Harris, J.	Mullery	Tallman
Cutler	Heffley	Murt	Taylor
Daley, M.	Helm	Mustio	Thomas
Daley, P.	Hennessey	Neilson	Tobash
Davidson	Hickernell	Nesbit	Toepel
Davis	Hill	Neuman	Toohil
Dawkins	Irvin	O'Brien	Topper
Day	James	O'Neill	Truitt
Dean	Jozwiak	Oberlander	Vereb
Deasy	Kampf	Ortitay	Vitali
DeLissio	Kaufar	Parker, C.	Ward
Delozier	Kauffman	Parker, D.	Warner
Dermody	Kavulich	Pashinski	Watson
Diamond	Keller, F.	Payne	Wentling
DiGirolamo	Keller, M.K.	Peifer	Wheatley
Donatucci	Keller, W.	Petrarca	Wheeland
Driscoll	Killion	Petri	White
Dunbar	Kim	Pickett	Youngblood
Dush	Kinsey	Pyle	Zimmerman
Ellis	Kirkland	Quigley	
Emrick	Klunk	Quinn	Turzai,
English	Knowles	Rader	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

DeLuca	Krueger	Maher	Simmons
Harhai			

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

RULES COMMITTEE MEETING

The SPEAKER. The chair of the Rules Committee, the majority leader, Representative Reed, is recognized for an announcement.

Mr. REED. Thank you very much, Mr. Speaker.

There will be an immediate meeting of the Rules Committee in the Appropriations conference room. Thank you.

The SPEAKER. There will be an immediate meeting of the Rules Committee in the Appropriations conference room.

We are going to put the House at ease for the Rules Committee meeting, so we are just going to be at ease. My understanding is that meeting will not take that much time, so, members, we are going to be at ease for the time being.

The House is back in order.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned HB 138, PN 2256, and HB 1275, PN 2336, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 138, PN 2256 By Rep. REED

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for soliciting by first responder organizations.

RULES.

HB 1275, PN 2336 By Rep. REED

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, further providing for definitions, for public health dental hygiene practitioner and for restricted faculty license.

RULES.

SUPPLEMENTAL CALENDAR A

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to HB 138, PN 2256, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for soliciting by first responder organizations.

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

The SPEAKER. It will be moved by the gentleman, Representative Farry, that the House concur in the amendments inserted by the Senate.

The Chair now recognizes Representative Frank Farry for a brief description of the Senate amendments and any comment on the bill.

Mr. FARRY. Thank you, Mr. Speaker.

The bill was amended in Senate committee. It was an agreed-to amendment that provides liability protections for both the municipalities and PENNDOT during the collection of coin toss and boot drives, and also technical amendments.

I recommend an affirmative vote. Thank you.

The SPEAKER. Thank you, Representative.

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

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

The following roll call was recorded:

YEAS—198

Table listing names of members who voted 'YEAS' (198 total). Includes names like Acosta, Adolph, Baker, Barbin, Barrar, Benninghoff, Bishop, Bizzarro, Bloom, Boback, Boyle, Bradford, Briggs, Brown, R., Brown, V., Bullock, Burns, Caltagirone, Carroll, Causer, Christiana, Cohen, Conklin, Corbin, Costa, D., Costa, P., Cox, Cruz, Culver, Cutler, Daley, M., Daley, P., Davidson, Davis, Dawkins, Day, Dean, Deasy, DeLissio, Delozier, Dermody, Diamond, DiGirolamo, Donatucci, Driscoll, Dunbar, Dush, Ellis, Emrick, English, Evankovich, Evans, Everett, Fabrizio, Farina, Farry, Fee, Flynn, Frankel, Freeman, Gabler, Gainey, Galloway, Gergely, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Goodman, Greiner, Grove, Hahn, Miccarelli, Millard, Miller, B., Miller, D., Milne, Moul, Mullery, Murt, Mustio, Neilson, Nesbit, Neuman, O'Brien, O'Neill, Oberlander, Ortitay, Parker, C., Parker, D., Pashinski, Payne, Peifer, Petrarca, Petri, Pickett, Pyle, Quigley, Rader, Rapp, Ravenstahl, Readshaw, Reed, Reese, Regan, Roae, Roebuck, Ross, Rothman, Rozzi, Saccone, Sainato, Samuelson, Sankey, Santarsiero, Santora, Saylor, Schemel, Schlossberg, Schreiber, Schweyer, Sims, Snyder, Sonney, Staats, Stephens, Sturla, Tallman, Taylor, Thomas, Tobash, Toepel, Toohil, Topper, Truitt, Vereb, Vitali, Ward, Warner, Watson, Wentling, Wheatley, Wheeland, White, Youngblood, Zimmerman, Turzai, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—5

Table listing names of members who were 'EXCUSED' (5 total): DeLuca, Harhai, Krueger, Maher, Simmons.

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 **HB 1275, PN 2336**, entitled:

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, further providing for definitions, for public health dental hygiene practitioner and for restricted faculty license.

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

The SPEAKER. Moved by the gentleman, Representative O'Neill, that the House concur in the amendments inserted by the Senate.

The Chair recognizes Representative O'Neill for a brief description of the Senate amendments and for any remarks on the bill. Representative O'Neill.

Mr. O'NEILL. Thank you, Mr. Speaker.

Mr. Speaker, the House inserted an amendment language into HB 1275 that dealt with public health hygiene practitioners and how they may practice.

Under current law, they are only allowed to practice in institutions such as personal care homes. This amendment allows them – the Board of Dentistry – to allow them to practice in noninstitutional settings; for example, in someone's home if they are homebound due to some illness or due to elderly age. Thank you.

The SPEAKER. Thank you, sir.

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

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

The following roll call was recorded:

YEAS—198

Acosta	Evankovich	Kortz	Rapp
Adolph	Evans	Kotik	Ravenstahl
Baker	Everett	Krieger	Readshaw
Barbin	Fabrizio	Lawrence	Reed
Barrar	Farina	Lewis	Reese
Benninghoff	Farry	Longietti	Regan
Bishop	Fee	Mackenzie	Roae
Bizzarro	Flynn	Mahoney	Roebuck
Bloom	Frankel	Major	Ross
Boback	Freeman	Maloney	Rothman
Boyle	Gabler	Markosek	Rozzi
Bradford	Gainey	Marshall	Saccone
Briggs	Galloway	Marsico	Sainato
Brown, R.	Gergely	Masser	Samuelson
Brown, V.	Gibbons	Matzie	Sankey
Bullock	Gillen	McCarter	Santarsiero
Burns	Gillespie	McClinton	Santora
Caltagirone	Gingrich	McGinnis	Saylor
Carroll	Godshall	McNeill	Schemel
Causar	Goodman	Mentzer	Schlossberg
Christiana	Greiner	Metcalfe	Schreiber
Cohen	Grove	Metzgar	Schweyer
Conklin	Hahn	Miccarelli	Sims
Corbin	Hanna	Millard	Snyder
Costa, D.	Harhart	Miller, B.	Sonney
Costa, P.	Harkins	Miller, D.	Staats
Cox	Harper	Milne	Stephens
Cruz	Harris, A.	Moul	Sturla
Culver	Harris, J.	Mullery	Tallman
Cutler	Heffley	Murt	Taylor

Daley, M.	Helm	Mustio	Thomas
Daley, P.	Hennessey	Neilson	Tobash
Davidson	Hickernell	Nesbit	Toepel
Davis	Hill	Neuman	Toohil
Dawkins	Irvin	O'Brien	Topper
Day	James	O'Neill	Trutt
Dean	Jozwiak	Oberlander	Vereb
Deasy	Kampf	Ortitay	Vitali
DeLissio	Kaufer	Parker, C.	Ward
Delozier	Kauffman	Parker, D.	Warner
Dermody	Kavulich	Pashinski	Watson
Diamond	Keller, F.	Payne	Wentling
DiGirolamo	Keller, M.K.	Peifer	Wheatley
Donatucci	Keller, W.	Petrarca	Wheeland
Driscoll	Killion	Petri	White
Dunbar	Kim	Pickett	Youngblood
Dush	Kinsey	Pyle	Zimmerman
Ellis	Kirkland	Quigley	
Emrick	Klunk	Quinn	Turzai,
English	Knowles	Rader	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

DeLuca	Krueger	Maher	Simmons
Harhai			

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.

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 138, PN 2256

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for soliciting by first responder organizations.

HB 1275, PN 2336

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, further providing for definitions, for public health dental hygiene practitioner and for restricted faculty license.

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

BILLS RECOMMITTED

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

- HB 44;
- HB 414;
- HB 1601;

HB 1603;
HB 1606;
HB 1632; and
SB 590.

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

BILLS REMOVED FROM TABLE

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

HB 231;
HB 698;
HB 1168;
HB 1233;
SB 77;
SB 609; and
SB 737.

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 48, PN 1884**, entitled:

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, in conservation and natural resources, providing for water well construction standards.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 48 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 Chair recognizes the majority leader, who moves that HB 48 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 283, PN 282**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in tax for education, further providing for exclusions from sales and use tax.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 283 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 Chair recognizes the majority leader, who moves that HB 283 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 421, PN 456**, entitled:

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, in senior citizens property tax and rent rebate assistance, further providing for definitions.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 421 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 Chair recognizes the majority leader, who moves that HB 421 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 1098, PN 1414**, entitled:

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for the definition of "new motor vehicle."

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1098 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 Chair recognizes the majority leader, who moves that HB 1098 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 ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 166, PN 1155**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in criminal history record information, further providing for general regulations and providing for order for limited access; and, in governance of the system, providing for petition for expungement or order for limited access fee.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 166 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 Chair recognizes the majority leader, who moves that SB 166 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 third consideration of **SB 494, PN 442**, entitled:

An Act amending the act of July 11, 1996 (2nd Sp.Sess., P.L.1879, No.10), known as the Flood Insurance Education and Information Act, further providing for flood insurance education and information.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 494 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 Chair recognizes the majority leader, who moves that SB 494 be removed from the tabled calendar and placed on the active calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Representative Judy Ward moves that the House adjourn until Tuesday, October 27, 2015, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 3:31 p.m., e.d.t., the House adjourned.