

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, MARCH 15, 2016

SESSION OF 2016

200TH OF THE GENERAL ASSEMBLY

No. 11

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

The SPEAKER. Our prayer today will be offered by Father Joe Carolin of the Harrisburg Diocese, and he is the hospital chaplain at the South Mountain Restoration Center in Franklin County and is a guest of our good friend and colleague, Representative Schemel.

FATHER JOSEPH CAROLIN, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us all pause, realizing that we are in God's presence. May we realize that God as our source, our origin, and as our destiny must guide all of us. May we accept the guidance and empowerment God chooses for us. May we be open to any change God wills for us. May we have that courage. Let us never abuse the power we have to create just ways of caring for each other. May we realize we are a people, a Commonwealth shared, given, and made holy by God in God's presence. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, March 14, 2016, will be postponed until printed.

JOURNALS APPROVED

The SPEAKER. The following 2015 Journals are in print and, without objection, will be approved:

Monday, September 28, 2015;
Tuesday, September 29, 2015;
Wednesday, September 30, 2015;
Monday, October 5, 2015;
Tuesday, October 6, 2015;
Wednesday, October 7, 2015;

Monday, October 19, 2015;
Tuesday, October 20, 2015; and
Wednesday, October 21, 2015.

SENATE MESSAGE

RECESS RESOLUTION FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate,
March 14, 2016

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, March 21, 2016, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, March 21, 2016, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?
Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

LEAVES OF ABSENCE

The SPEAKER. And turning to leaves of absence, the majority whip has indicated that Representative CHRISTIANA of Beaver County has requested a leave for the day and Representative Gene DiGIROLAMO of Bucks County has requested leave for the day. Without objection, those will be granted.

The minority whip, Mike Hanna, has indicated that Representative CRUZ of Philadelphia County would like to be marked for the day, Representative Pete DALEY of Washington County for the day, Representative STURLA of Lancaster County for the day, Representative DAVIDSON of Delaware County for the day, and Representative SAMUELSON of Northampton County for the day. All request leaves of absence. Without objection, that will be granted.

MASTER ROLL CALL

The SPEAKER. We are prepared to take the master roll. Members, please proceed to vote.

The following roll call was recorded:

PRESENT—192

Acosta	Farina	Krueger	Ravenstahl
Adolph	Farry	Lawrence	Readshaw
Baker	Fee	Lewis	Reed
Barbin	Flynn	Longietti	Reese
Barrar	Frankel	Mackenzie	Regan
Benninghoff	Freeman	Maher	Roae
Bizzarro	Gabler	Mahoney	Roebuck
Bloom	Gainey	Major	Ross
Boback	Galloway	Maloney	Rothman
Boyle	Gergely	Markosek	Rozzi
Bradford	Gibbons	Marshall	Saccone
Briggs	Gillen	Marsico	Sainato
Brown, R.	Gillespie	Masser	Sankey
Brown, V.	Gingrich	Matzie	Santarsiero
Bullock	Godshall	McCarter	Santora
Burns	Goodman	McClinton	Saylor
Caltagirone	Greiner	McGinnis	Schemel
Carroll	Grove	McNeill	Schlossberg
Causar	Hahn	Mentzer	Schreiber
Cohen	Hanna	Metcalfe	Schweyer
Conklin	Harhai	Metzgar	Simmons
Corbin	Harhart	Miccarelli	Sims
Costa, D.	Harkins	Millard	Snyder
Costa, P.	Harper	Miller, B.	Sonney
Cox	Harris, A.	Miller, D.	Staats
Culver	Harris, J.	Milne	Stevens
Cutler	Heffley	Moul	Tallman
Daley, M.	Helm	Mullery	Taylor
Davis	Hennessey	Murt	Thomas
Dawkins	Hickernell	Mustio	Tobash
Day	Hill	Neilson	Toepel
Dean	Irvin	Nesbit	Toohil
Deasy	James	Neuman	Topper
DeLissio	Jozwiak	O'Brien	Truitt
Delozier	Kampf	O'Neill	Vereb
DeLuca	Kaufer	Oberlander	Vitali
Dermody	Kauffman	Ortitay	Ward
Diamond	Kavulich	Parker, D.	Warner
Donatucci	Keller, F.	Pashinski	Watson
Driscoll	Keller, M.K.	Payne	Wentling
Dunbar	Keller, W.	Petrarca	Wheatley
Dush	Killion	Petri	Wheeland
Ellis	Kim	Pickett	White
Emrick	Kinsey	Pyle	Youngblood
English	Kirkland	Quigley	Zimmerman
Evankovich	Klunk	Quinn	
Evans	Knowles	Rader	Turzai,
Everett	Kortz	Rapp	Speaker
Fabrizio	Kotik		

ADDITIONS—0**NOT VOTING—0****EXCUSED—8**

Christiana	Daley, P.	DiGirolamo	Samuelson
Cruz	Davidson	Peifer	Sturla

LEAVES ADDED—16

Boyle	Harper	Mullery	Thomas
Bradford	Hennessey	Reed	Toohil
Carroll	Kaufer	Reese	Vereb
Gingrich	Kotik	Ross	Watson

LEAVES CANCELED—9

Bradford	Harper	Reed	Samuelson
Carroll	Hennessey	Ross	Vereb
Davidson			

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

GUESTS INTRODUCED

The SPEAKER. Members, please take your seats. We are going to introduce our guests today. We have quite a few guests with us today.

Located in the rear of the House, the Chair welcomes the group Joy Bells. Please stand. And they are guests of Representative Santora, Jamie Santora of Delaware County, and Representative Tom Killion of Delaware County. It is so good to see you. Thank you for being with us today.

And Representative Schemel, who is here with me up at the rostrum, has two guests to our left, Herb Cassel and Carole Gallagher. Please stand. Herb and Carole, it is great to have you. Thank you for being here.

Also to the left, guests of Representative Duane Milne, we have Steven and Nanciann Woodward of Chester Springs. Please stand. Great to see you. And they have with them Anna Schulz. Anna is a German exchange student. She is here to learn about the role of State government. No better place to learn about it than right here.

Thank you for being with us. Anna, lots of exciting things on the plate. Good to see you.

Representative Justin Simmons has a guest here today, Jessica O'Donnell. Jessica, it is so great to have you. Thank you for being with us.

And our good friend, Representative Judy Ward, her district office manager, Amanda Walker. Amanda, thanks so much for being with us here today, from back in Blair County.

We also have here a guest of Representative Sheryl Delozier in Cumberland County. She has with us today Alyssa Vorbeck. She is interning for the House Archives, and she is a senior at Messiah College – right? – at Messiah College. Please stand. Thank you so much for being with us today.

Donna Oberlander, the majority caucus secretary, has a guest in the rear of the House, Carla Yacoviello. Carla, how are you doing? Thanks so much for being with us today.

And Representative Rich Irvin has in the rear of the House a guest, Christy Billet. I believe I am saying that correctly. Christy, please stand. Thank you.

Representative Kate Harper has a guest, Jessica Banotai. Jessica, if you will stand, please. Jessica, great to have you here today. Thank you so much for being here.

And in the rear of the House, we welcome a guest of Representative Lynda Culver's, Kelly Stroup. Kelly, thank you so much for being with us today.

Representative Marcy Toepel has a guest in the rear of the House, Victoria Van Natten. Victoria, thank you so much for being here.

And in the well of the House, right in front of us, Representative Delozier has two guest pages, Cassie White and Nikhil Nayyar. Please stand. Thank you so much for being with us today.

Now, I know that Sandy Major has guests with us. She will be introducing them when we do a resolution on the American Association of Cardiovascular and Pulmonary Rehabilitation. So I am going to wait until we get to that resolution. And then I know Representative Sims has guests from Philadelphia when we do HR 625, and Representative McCarter has guests when we do HR 655. Representative Barrar and Representative Murt have guests with respect to HR 713. So we are going to proceed to those resolutions now, and those guests will be recognized by the respective sponsors of the resolutions.

LEAVE OF ABSENCE

The SPEAKER. Representative VEREB has requested to be placed on leave for the rest of the day. Without objection, that will be granted.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. SCHWEYER called up **HR 696, PN 2854**, entitled:

A Resolution designating March 16, 2016, as "Pennsylvania Transit Workers Appreciation Day."

Ms. MAJOR called up **HR 699, PN 2875**, entitled:

A Resolution designating the week of March 13 through 19, 2016, as "Pulmonary Rehabilitation Week" in Pennsylvania.

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Mrs. DAVIS called up **HR 701, PN 2885**, entitled:

A Resolution recognizing the month of March 2016 as "National Women's History Month" and March 8, 2016, as "International Women's Day" in Pennsylvania.

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Mr. MURT called up **HR 703, PN 2891**, entitled:

A Resolution designating the month of March 2016 as "Brain Injury Awareness Month" in Pennsylvania.

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Mrs. BULLOCK called up **HR 704, PN 2892**, entitled:

A Resolution recognizing the month of February 2016 as "National Spay and Neuter Awareness Month" and February 23, 2016, as "World Spay Day" in Pennsylvania.

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Ms. DONATUCCI called up **HR 708, PN 2901**, entitled:

A Resolution designating March 9, 2016, as "Registered Dietitian Nutritionist Day" in Pennsylvania.

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Mrs. BULLOCK called up **HR 710, PN 2903**, entitled:

A Resolution recognizing March 2, 2016, as "Read Across America Day" in Pennsylvania.

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Mr. MURT called up **HR 713, PN 2906**, entitled:

A Resolution designating the month of March 2016 as "American Red Cross Month" in Pennsylvania.

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Mrs. TOEPEL called up **HR 727, PN 2934**, entitled:

A Resolution recognizing February 29, 2016, as "Rare Disease Day" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—191

Acosta	Farina	Kotik	Rapp
Adolph	Farry	Krueger	Ravenstahl
Baker	Fee	Lawrence	Readshaw
Barbin	Flynn	Lewis	Reed
Barrar	Frankel	Longietti	Reese
Benninghoff	Freeman	Mackenzie	Regan
Bizzarro	Gabler	Maher	Roae
Bloom	Gainey	Mahoney	Roebuck
Boback	Galloway	Major	Ross
Boyle	Gergely	Maloney	Rothman
Bradford	Gibbons	Markosek	Rozzi
Briggs	Gillen	Marshall	Saccone
Brown, R.	Gillespie	Marsico	Sainato
Brown, V.	Gingrich	Masser	Sankey
Bullock	Godshall	Matzie	Santarsiero
Burns	Goodman	McCarter	Santora
Caltagirone	Greiner	McClinton	Saylor
Carroll	Grove	McGinnis	Schemel
Causar	Hahn	McNeill	Schlossberg
Cohen	Hanna	Mentzer	Schreiber
Conklin	Harhai	Metcalfe	Schweyer
Corbin	Harhart	Metzgar	Simmons
Costa, D.	Harkins	Miccarelli	Sims
Costa, P.	Harper	Millard	Snyder
Cox	Harris, A.	Miller, B.	Sonney
Culver	Harris, J.	Miller, D.	Staats
Cutler	Heffley	Milne	Stephens
Daley, M.	Helm	Moul	Tallman
Davis	Hennessey	Mullery	Taylor
Dawkins	Hickernell	Murt	Thomas
Day	Hill	Mustio	Tobash
Dean	Irvin	Neilson	Toepel
Deasy	James	Nesbit	Toohil
DeLissio	Jozwiak	Neuman	Topper
Delozier	Kampf	O'Brien	Truitt
DeLuca	Kaufner	O'Neill	Vitali
Dermody	Kauffman	Oberlander	Ward
Diamond	Kavulich	Ortitay	Warner
Donatucci	Keller, F.	Parker, D.	Watson
Driscoll	Keller, M.K.	Pashinski	Wentling
Dunbar	Keller, W.	Payne	Wheatley
Dush	Killion	Petrarca	Whealand
Ellis	Kim	Petri	White
Emrick	Kinsey	Pickett	Youngblood
English	Kirkland	Pyle	Zimmerman
Evankovich	Klunk	Quigley	
Evans	Knowles	Quinn	Turzai,

Everett Fabrizio	Kortz	Rader	Speaker
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NAYS—0

NOT VOTING—0

EXCUSED—9

Christiana Cruz Daley, P.	Davidson DiGirolamo	Peifer Samuelson	Sturla Vereb
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolutions were adopted.

The SPEAKER. We will first recognize Representative Murt to speak on HR 703. I would ask the members to please give him your attention. Members, please take your seats. Members, please take your seats. We will be able to move through the remarks on resolutions here fairly expeditiously.

LEAVE OF ABSENCE

The SPEAKER. The majority whip has indicated that Representative Kathy WATSON wishes to be placed on leave for the day. Without objection, that leave will be granted.

STATEMENTS BY MR. MURT

The SPEAKER. Representative Murt, the floor is yours, sir.
Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, HR 713 recognizes March as "American Red Cross Month" in the Commonwealth of Pennsylvania.

Since its founding in 1881 by Clara Barton, the American Red Cross and its volunteers have been providing relief to the victims of disasters across the nation. In 2015 alone, more than 7,000 volunteers in the Commonwealth of Pennsylvania donated their time and energy to their communities through the Red Cross.

Nationally, Mr. Speaker, the American Red Cross responds to about 70,000 disasters every year, ranging from home fires that affect a single family, to hurricanes that affect tens of thousands, to earthquakes that impact millions. In these events the Red Cross provides shelter, food, medical and mental health services to help and support families and entire communities get back on their feet.

Although the Red Cross is not a government agency, it is an essential part of the response when disaster strikes. They work in partnership with other agencies and organizations that provide services to disaster victims.

But one of their most unappreciated roles is how they help military members, veterans and their families, prepare for, cope with, and respond to the challenges of military service and deployment in particular. The Red Cross's emergency communications, training, support to wounded warriors and veterans, and access to community resources help an average of 150,000 military families and veterans each year. As a veteran of the war in Iraq, I know it was only the Red Cross that was able to get a soldier or military personnel out of the combat zone within 48 hours.

The Red Cross is one of the nation's leading provider of health and safety courses, such as CPR (cardiopulmonary resuscitation), first aid, and lifeguard training. Each year more than 9 million Americans participate in Red Cross training programs, including first responders, educators, babysitters, and people who want to be prepared to help others in an emergency.

Each year nearly 4 million people donate blood through the Red Cross, helping to provide more than 40 percent of America's blood supply.

The American Red Cross is part of the world's largest humanitarian network with 13 million volunteers in 187 countries. Working together, they help respond to disasters, build safer communities, and teach what are known as the rules of war. Each year they serve an average of more than 100 million people across the globe.

Mr. Speaker, at a local level, the southeastern Pennsylvania chapter of the American Red Cross alone has served nearly 4 million people in Philadelphia, Bucks, Chester, Delaware, and Montgomery Counties. The American Red Cross is dedicated to relieving human suffering, and for that we honor them.

At this time, Mr. Speaker, I would ask the volunteers with the American Red Cross that are with us today, either on the floor or up in the gallery, to please stand and be recognized. Can we please give them a round of applause, Mr. Speaker.

Thank you, Mr. Speaker.

The SPEAKER. Representative Murt, of course, spoke on HR 713 at that time.

Representative, do you wish to speak at this time on HR 703?

Mr. MURT. That is affirmative, Mr. Speaker. Thank you.

The SPEAKER. Okay. I am sorry; the original one that Representative Murt spoke on was HR 713. He will now speak on HR 703.

Please proceed, sir.

Mr. MURT. Thank you, Mr. Speaker.

First, I would like to thank my colleagues for their support of HR 713.

Mr. Speaker, in studying emergency department visits, hospitalization, and death data, the Centers for Disease Control and Prevention found that at least 1.4 million traumatic brain injuries occur in the United States each year. Of these, 50,000 result in death, 235,000 require hospitalization, and over 1 million have emergency room visits. There are countless more who receive other medical care or no care at all.

We as legislators and as caring members of our own communities must take the next necessary steps to help those with brain injuries live more productive lives.

Mr. Speaker, individuals who sustain brain injuries must have timely access to expert trauma care, specialized rehabilitation, lifelong disease management, and individualized services and supports in order to live healthy, independent, and satisfying lives. We must also remember that a brain injury affects not only the injured person but the whole family – from financial challenges and social upheaval to isolation and job loss. There is nothing more frustrating and financially crippling than discovering, after it is too late, that your health coverage does not provide the kind of treatments that you need.

As legislators, we must work to correct these problems and help the families of those suffering brain injuries to understand the options available to them. I hope that by supporting HR 703 and declaring March "Brain Injury Month" in the

Commonwealth of Pennsylvania, we will encourage people to change the way we think about the victims of brain trauma.

Mr. Speaker, we should resist expecting those injured to be who they were, even though they look better. Recognize that they experience physical fatigue as well as what we call brain fatigue. It is very difficult and tiring for the injured brain to think, process, and organize, and fatigue makes it even harder to think. When you see someone with a brain injury display what we would call a behavioral problem, realize that it is often an indication of the inability to cope with a specific situation and not always a mental health issue. There is frustration in the pain and exhaustion. Sometimes the confusion and noise are simply too difficult to filter. The more we learn about brain injuries, Mr. Speaker, the better we will be at tackling these challenges as legislators.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

STATEMENT BY MRS. DAVIS

The SPEAKER. Representative Tina Davis is recognized to speak on HR 701.

Mrs. DAVIS. Thank you, Mr. Speaker.

May I invite all the women up, please?

Thank you, Mr. Speaker.

The SPEAKER. Representative, just a second. Just one second.

Members, if we will all take our seats, please. If all the members could please take their seats. I would just respectfully ask that any conversations please be taken off the House floor and into the anterooms.

Representative Davis, the floor is yours.

Mrs. DAVIS. Thank you.

I want to thank everyone for your support of HR 701, celebrating March as "National Women's History Month." The theme for this year is working to form a more perfect union, to honor the contributions that women have made to public service and government.

As a woman pursuing a political career, I benefited greatly from the example of Frances Perkins, Golda Meir, Indira Gandhi, and so many more. They saw public service as a powerful means to strengthen our society and improve the lives of many. It is our responsibility as leaders to continue that cycle and to do our part to foster and encourage the careers and development of the next generation of women leaders.

And while it is a celebration, much work remains to be done. The role of women in government has changed significantly since the 19th Amendment took place in 1920, giving women not only the ability to vote but also the ability to run for office. More women hold positions at all levels of government now than ever before. However, at the start of session, Pennsylvania ranked 39th in the nation. That is down one spot from the previous year. Pennsylvania is one of a dozen or so States that has no women in the congressional delegation, but yet women comprise more than half of the population. Women only make up about 20 percent of our legislature. That disparity is hardly conducive to a representative government. While women today have more choices and more power than ever before, more women must step up to the plate if we are ever going to make a political move in a significant way.

Last week we marked March 8 as "International Women's Day." This year's theme was "Pledge for Parity." We can celebrate the advances but cannot ignore the challenges. Pennsylvania has had an equal pay law for 55 years, but women are still being paid a fraction of what men are paid. The pay gap exists for women with advanced degrees and high-paying, high-skill jobs as well as women in part-time positions and entry level. This is economically defeating and unfair.

And I want to show everybody today that we women up here do get along, and we do want to work to help everybody, and that is why we are together standing up here. So thank you.

Does anybody want to speak?

Thank you, Mr. Speaker.

GUESTS INTRODUCED

The SPEAKER. At this time the Chair recognizes Representative Matt Baker's guests, Tioga County Development Corporation's CLP (Community Leadership Program) leadership class. They are up in the gallery, and for everybody from Tioga County, please stand. Thank you for being here today. We appreciate it.

STATEMENT BY MS. MAJOR

The SPEAKER. Representative Sandra Major is recognized to speak on HR 699.

Ms. MAJOR. Thank you, Mr. Speaker.

I rise today to thank my colleagues for their support of HR 699, which designates the week of March 13 through 19 as "Pulmonary Rehabilitation Week" in Pennsylvania.

Pulmonary disease affects those patients with respiratory health issues, and it is the third leading cause of death in the Commonwealth and in our nation.

Pulmonary rehabilitation helps reduce patient symptoms and improve the overall well-being of people who have chronic breathing problems. Those in the medical field who work in this specialty deserve our recognition for the extraordinary work they do and the educational outreach that they perform.

Furthermore, I am grateful for the support of the House in adopting HR 677 last month, which recognized February 14 through 20 as "Cardiac Rehabilitation Week" in Pennsylvania.

Coronary heart disease is the leading cause of death in the nation, and Pennsylvania has the 18th highest death rate from cardiovascular disease in the country. The goal of cardiac rehabilitation specialists is to help heart disease patients learn to reduce their risk factors that increase the chance of future health problems.

Rehabilitation specialists are an important component of the cardiac or pulmonary disease patient's care plan. The job they do can have a huge impact on the future of their patients.

In fact, with me today, Mr. Speaker, are members of the American Association of Cardiovascular and Pulmonary Rehabilitation. Mr. Speaker, they are in the back of the hall of the House, and if they would please rise when I call their names: Stephen Lerner from LSI Medical Northeast Regional; Sue Acri, RRT Pinnacle Health Pulmonary Rehab; Lynne Xhilone from Pinnacle Health Cardiac Rehab; Michael Zehner from Penn State Hershey Medical Center Cardiac Rehab; Ruth Akers from Bryn Mawr Hospital Cardiac Rehab; Pat Comoss,

Nursing Enrichment Consultants, Inc., from right here in Harrisburg; and Nadine Greco from Wayne Memorial Hospital Cardiac Rehab Honesdale, which is in my legislative district. If you would all rise so we can welcome you.

We thank you for being here in the chamber today to highlight the importance of good health and to draw attention to two of our nation's leading killers.

Thank you, Mr. Speaker, and thank you, members, for your support of the two resolutions.

The SPEAKER. Thank you, Representative Major.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. McCARTER called up **HR 655, PN 2754**, entitled:

A Resolution honoring the life and extending condolences for the supreme sacrifice of Staff Sergeant Peter W. Taub, who tragically lost his life in service to our country in Afghanistan on December 21, 2015.

On the question,
Will the House adopt the resolution?

The SPEAKER. At this time the Chair would ask all the members to please take their seats. This is a condolence resolution, and I would very much ask that everybody please take their seats. Members, please take your seats.

Representative McCarter, please, the floor is yours, sir.

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

Thank you very much for allowing me to offer this resolution today honoring the service and supreme sacrifice of S. Sgt. Peter W. Taub, who lost his life too soon, at 30 years of age, on December 21, 2015, while serving valiantly in Afghanistan.

Staff Sergeant Taub grew up in Wyncote, a leafy, Victorian-dotted community in the heart of Cheltenham, part of my district. He was a 2004 graduate of Cheltenham High School.

Prior to his death, Peter served for 8 years with honor and distinction in the United States Air Force. True to the Air Force motto, Peter aimed high, joining the Air Force Office of Special Investigations, an independent Federal bureau of enforcement agency charged with identifying, investigating, and neutralizing criminal, terrorist, and espionage threats to personnel and resources of the United States Air Force and the Department of Defense, thereby protecting the national security of the United States.

Staff Sergeant Taub was the victim of a Taliban-sponsored suicide bombing attack near Bagram Air Base, the largest U.S. military installation in Afghanistan. The attack killed five other active-duty soldiers.

Peter will be remembered as a loving son, husband, and father; as a patriot who served our country with exceptional bravery, honor, and pride; as a soldier who made the greatest of all sacrifices in defense of freedom; and as a son of this Commonwealth taken far too soon.

Although the family could not be with us here today, we stand in grief with Peter's mother, Arlene Wagner; his father, Joel Taub; his stepmother, Donna Taub; his brother, Jonathan; his wife, Christina; and their young daughter, Penelope.

I want to thank again the members for entertaining this resolution today in honor of Staff Sergeant Taub's service and sacrifice for our nation.

On the floor with us here today, on behalf of the military, are Maj. Angela Stateler, headquarters of the Pennsylvania Adjutant General's Office military personnel management officer; Senior M. Sgt. Timothy Sevison, domestic operations planner; M. Sgt. Larry Boyer, logistics planner; and M. Sgt. Scott Wullbrandt, information technology specialist.

Mr. Speaker, I would appreciate it if the members would give our distinguished guests our usual warm welcome.

Thank you very much, Mr. Speaker.

The SPEAKER. Members, if you will, I would ask everybody to please stand in a moment of silence for the fallen soldier.

Representative McCarter, thank you for your very, very gracious and solemn words.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of S. Sgt. Peter W. Taub.)

The SPEAKER. Thank you, members.

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

The following roll call was recorded:

YEAS—190

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

Dermody	Kaufer	O'Neill	Vitali
Diamond	Kauffman	Oberlander	Ward
Donatucci	Kavulich	Ortitay	Warner
Driscoll	Keller, F.	Parker, D.	Wentling
Dunbar	Keller, M.K.	Pashinski	Wheatley
Dush	Keller, W.	Payne	Wheeland
Ellis	Killion	Petrarca	White
Emrick	Kim	Petri	Youngblood
English	Kinsey	Pickett	Zimmerman
Evankovich	Kirkland	Pyle	
Evans	Klunk	Quigley	Turzai,
Everett	Knowles	Quinn	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—10

Christiana	Davidson	Samuelson	Vereb
Cruz	DiGirolamo	Sturla	Watson
Daley, P.	Peifer		

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

* * *

Mr. SIMS called up **HR 625, PN 2686**, entitled:

A Resolution honoring Philadelphia Police Deputy Commissioner Kevin J. Bethel for his years of devoted service to Pennsylvania and congratulating him on his retirement.

On the question,
Will the House adopt the resolution?

The SPEAKER. Representative Sims, the floor is yours, sir.

Mr. SIMS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask my colleagues for their affirmative vote on HR 625, which honors Philadelphia Police Deputy Commissioner Kevin Bethel for his 29 years of service and congratulates him on his retirement from the force.

Mr. Speaker, in 1986 Deputy Commissioner Bethel joined the Philadelphia Police Force, where his assignments over the years have included positions with the Patrol Bureau, the Special Investigative Bureau, Narcotics Strike Force, and Internal Affairs Division. He was appointed Deputy Commissioner in 2012 and requested the position of LGBT (Lesbian, Gay, Bisexual, and Transgender) liaison, where, among his many accomplishments, he set guidelines for proper police interaction with transgender and gender-nonconforming individuals. He regularly lectures on school diversion programs and racial and ethnic disparities at the Centers for Juvenile Law and Policy and Juvenile Justice Reform at Georgetown University and in January 2016 became the Millner Youth Justice Fellow at the Stoneleigh Foundation, continuing with his extraordinary work as an advocate for juvenile justice reform.

Deputy Commissioner Bethel has served with honor and distinction, and it is my esteemed privilege to honor and thank him and have him here today.

Deputy Commissioner, on behalf of the Pennsylvania House of Representatives and the people of the Commonwealth, we thank you for your outstanding service, and I would also ask my colleagues to please rise and pay tribute to Deputy Commissioner Kevin Bethel.

Thank you, Mr. Speaker.

The SPEAKER. Representative Jordan Harris.

Mr. J. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to make a comment on the resolution.

The SPEAKER. Yes, sir, you may.

Mr. J. HARRIS. I have known Deputy Commissioner Bethel for probably the last 7 or 8 years before coming to the legislature. I worked with then Captain Bethel when he was a Captain of the 17th Police District, as the police district that I live in in Philadelphia. After that, I worked with Deputy Commissioner Bethel and the city of Philadelphia when I was executive director of the Youth Commission. We worked together to end flash mobs in the city of Philadelphia, and now I have the pleasure of working with Kevin. He is my friend, and he is working on a diversionary program that he instituted in Philadelphia to stop arresting young people in Philadelphia schools but providing them other options, that has been proven to be successful.

So I just wanted to congratulate my dear friend, Deputy Commissioner Kevin Bethel, on all of his hard work and service that he has given to the Philadelphia Police Department, to the Philadelphia community, to Pennsylvania as a whole, and I look forward to the continued work that he is doing postretirement.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

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

The following roll call was recorded:

YEAS—190

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

Dawkins	Hennessey	Mullery	Taylor
Day	Hickernell	Murt	Thomas
Dean	Hill	Mustio	Tobash
Deasy	Irvin	Neilson	Toepel
DeLissio	James	Nesbit	Toohil
Delozier	Jozwiak	Neuman	Topper
DeLuca	Kampf	O'Brien	Truitt
Dermody	Kaufer	O'Neill	Vitali
Diamond	Kauffman	Oberlander	Ward
Donatucci	Kavulich	Ortitay	Warner
Driscoll	Keller, F.	Parker, D.	Wentling
Dunbar	Keller, M.K.	Pashinski	Wheatley
Dush	Keller, W.	Payne	Wheeland
Ellis	Killion	Petrarca	White
Emrick	Kim	Petri	Youngblood
English	Kinsey	Pickett	Zimmerman
Evankovich	Kirkland	Pyle	
Evans	Klunk	Quigley	Turzai,
Everett	Knowles	Quinn	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—10

Christiana	Davidson	Samuelson	Vereb
Cruz	DiGirolamo	Sturla	Watson
Daley, P.	Peifer		

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

MOMENT OF SILENCE FOR HON. WILLIAM STEWART

The SPEAKER. Representative Burns has asked to be recognized on unanimous consent. Representative Burns.

Mr. BURNS. I would just like to have a moment of silence for the passing of a former member of the 72d District, Representative Bill Stewart.

The SPEAKER. Members, would you please rise at this time. A former member has passed. I believe he also was a former Senator as well, served both in this chamber and in the Senate, William Stewart, and we will have a moment of silence as requested by Representative Burns.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable William Stewart.)

The SPEAKER. Thank you, members.

VOTE CORRECTION

The SPEAKER. The Chair recognizes Representative Sims on unanimous consent.

Mr. SIMS. Thank you, Mr. Speaker.

Mr. Speaker, this morning at a State Government Committee meeting I requested, by proxy, to be voted a "yes" on HB 340, and I was inadvertently voted a "no." I would like the record to reflect the correction, please.

The SPEAKER. Yes, sir. That will be corrected. Thank you very much.

URBAN AFFAIRS COMMITTEE MEETING

The SPEAKER. Representative Scott Petri, for a committee announcement.

Mr. PETRI. Thank you, Mr. Speaker.

The Urban Affairs Committee will be having a voting meeting immediately upon recess, at the first break, in room 205, Ryan Office Building. That is an immediate voting meeting for Urban Affairs members. Thank you.

The SPEAKER. Yes, sir.

The Urban Affairs Committee will be having a voting meeting immediately upon recess, at the first break, in room 205, Ryan Office Building.

RULES COMMITTEE MEETING

The SPEAKER. Representative Reed, for a Rules Committee announcement, sir.

Mr. REED. Thank you, Mr. Speaker.

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

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

REPUBLICAN CAUCUS

The SPEAKER. Madam Chair, Representative Sandra Major, is recognized for a caucus announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 12:30. I would ask our Republican members to please report to our caucus room at 12:30. We would be prepared to come back on the floor, Mr. Speaker, at 1:30. Thank you.

The SPEAKER. Thank you, Madam Chair.

DEMOCRATIC CAUCUS

The SPEAKER. Representative Dan Frankel, for a minority caucus announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will also caucus at 12:30. Democrats will caucus at 12:30. Thank you.

The SPEAKER. Thank you, Representative.

BILLS REPORTED AND REREFERRED TO COMMITTEE ON FINANCE

HB 799, PN 945

By Rep. PAYNE

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for statement of purpose; providing for special lottery sales; establishing the Economic Development Fund for Mass Transit; and further providing for disposition of funds, for unclaimed prize money and for deposits and transactions.

Reported from Committee on GAMING OVERSIGHT with request that it be rereferred to Committee on FINANCE.

HB 1243, PN 1637

By Rep. PAYNE

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in State lottery, further providing for assignability of prizes drawn and providing for withholding prize winnings.

Reported from Committee on GAMING OVERSIGHT with request that it be rereferred to Committee on FINANCE.

HB 1245, PN 1639

By Rep. PAYNE

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in State Lottery, further providing for tax exemption.

Reported from Committee on GAMING OVERSIGHT with request that it be rereferred to Committee on FINANCE.

The SPEAKER. Without objection, those bills will be so rereferred.

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

HB 340, PN 2947 (Amended)

By Rep. METCALFE

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

STATE GOVERNMENT.

RECESS

The SPEAKER. The House will stand in recess until 1:30 p.m. Thank you.

RECESS EXTENDED

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

AFTER RECESS

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Samuelson is on the floor and should be placed on the master roll, please.

LEAVE OF ABSENCE

The SPEAKER. And Representative BOYLE has requested to be placed on leave of absence. Without objection, that will be granted.

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

HB 1500, PN 2343

By Rep. PETRI

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in land banks, further providing for legislative findings and purpose, for powers and for disposition of property.

URBAN AFFAIRS.

HB 1501, PN 2949 (Amended)

By Rep. PETRI

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.

URBAN AFFAIRS.

HB 1788, PN 2734

By Rep. PETRI

An Act amending the act of December 21, 1998 (P.L.1307, No.174), known as the Community and Economic Improvement Act, providing for special financing assessments.

URBAN AFFAIRS.

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 1296, PN 2553

By Rep. REED

An Act amending the act of July 25, 1973 (P.L.217, No.53), entitled "An act authorizing cities of the first class and second class to invest all funds received and deposited with the city treasurer in certain commercial paper under certain terms and conditions," amending the title of the act; and providing for investment of public corporation or authority funds.

RULES.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 735 By Representatives GINGRICH, THOMAS, COHEN, GREINER, D. COSTA, JAMES, DEAN, ROTHMAN, ENGLISH, BAKER, MURT, WARD, KILLION, CORBIN, HARHART, BOBACK, STURLA, SCHLOSSBERG, PICKETT, PAYNE, READSHAW, DONATUCCI, KOTIK, MILNE, FARRY, CUTLER, DAVIS, MARSICO, V. BROWN and GERGELY

A Resolution directing the Joint State Government Commission to conduct a study on the Protection from Abuse Act and publish a report of its findings, including any recommended legislative and policy changes.

Referred to Committee on JUDICIARY, March 15, 2016.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1827 By Representatives TAYLOR, SAYLOR, ROZZI, KOTIK, KILLION, STAATS, JAMES, PASHINSKI, SANTORA, W. KELLER, READSHAW, CORBIN, KINSEY, MILLARD, YOUNGBLOOD, HARHART, O'BRIEN, WATSON, WARD, THOMAS, SCHWEYER, DIGIROLAMO, GROVE, COHEN, ROSS, D. COSTA, SCHLOSSBERG, MOUL, BULLOCK, EVANS, ROEBUCK, BRADFORD, DEAN and DRISCOLL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for Drug and Alcohol Recovery High School Pilot Program.

Referred to Committee on EDUCATION, March 15, 2016.

No. 1871 By Representatives TAYLOR, W. KELLER, WHITE, THOMAS, O'BRIEN, DRISCOLL, BOYLE, NEILSON, GODSHALL, COHEN, YOUNGBLOOD, DeLISSIO and ROSS

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

Referred to Committee on FINANCE, March 15, 2016.

No. 1896 By Representatives MULLERY, FABRIZIO, READSHAW, PASHINSKI, JAMES, DIAMOND, COHEN, GODSHALL, METCALFE, BLOOM, MURT, GIBBONS, GABLER and MOUL

An Act amending Titles 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in enforcement, further providing for interference with lawful fishing and boating prohibited; in preliminary provisions, further providing for definitions; and, in hunting and furtaking, further providing for interference with lawful taking of wildlife or other activities permitted by this title prohibited.

Referred to Committee on GAME AND FISHERIES, March 15, 2016.

No. 1897 By Representatives M. K. KELLER, TAYLOR, BARRAR, BOBACK, CONKLIN, CORBIN, D. COSTA, SCHLEGEL CULVER, FEE, GABLER, GIBBONS, GILLEN, GROVE, A. HARRIS, PHILLIPS-HILL, JOZWIAK, LAWRENCE, MARSICO, MILNE, SANTORA, THOMAS, WARNER and ZIMMERMAN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in fees, further providing for information concerning drivers and vehicles.

Referred to Committee on TRANSPORTATION, March 15, 2016.

No. 1898 By Representatives DELOZIER, BLOOM, IRVIN and WATSON

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for reapportionment of Federal and Commonwealth legislative representation.

Referred to Committee on STATE GOVERNMENT, March 15, 2016.

No. 1899 By Representatives PHILLIPS-HILL, GROVE, KLUNK, WARD, JAMES, IRVIN, PICKETT, ORTITAY, WATSON, WARNER and ZIMMERMAN

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 providing for Student-Centered Assessment Pilot Program.

Referred to Committee on EDUCATION, March 15, 2016.

No. 1901 By Representatives SAYLOR, TRUITT, DUNBAR, KAUFFMAN, ZIMMERMAN, GROVE, GILLEN, KIRKLAND, MURT, CUTLER, KNOWLES, BARRAR and TOOHIL

An Act amending the act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act, further providing for grants and reimbursements authorized.

Referred to Committee on LOCAL GOVERNMENT, March 15, 2016.

No. 1902 By Representatives M. K. KELLER, BAKER, BENNINGHOFF, BURNS, CALTAGIRONE, COHEN, D. COSTA, COX, DIGIROLAMO, DUSH, ELLIS, HAHN, HARHART, HICKERNELL, IRVIN, JAMES, KNOWLES, LONGIETTI, MARKOSEK, MARSICO, MILLARD, MURT, NEILSON, O'NEILL, PAYNE, PICKETT, READSHAW, ROTHMAN, SACCONI, SAINATO, SONNEY, THOMAS, TOEPEL, VEREB, WARD, WHEELAND, WHITE, GOODMAN and A. HARRIS

An Act designating a bridge on that portion of State Route 74 over the Sherman's Creek, Spring Township, Perry County, as the PFC William Oscar Stambaugh Memorial Bridge.

Referred to Committee on TRANSPORTATION, March 15, 2016.

No. 2030 By Representatives SANTARSIERO, DEAN, O'BRIEN, McNEILL, COHEN, VITALI, BRIGGS and NEILSON

An Act amending the act of July 9, 2008 (P.L.935, No.70), known as the Pennsylvania Climate Change Act, further providing for climate change action plan.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 15, 2016.

SUPPLEMENTAL CALENDAR A

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1296, PN 2553**, entitled:

An Act amending the act of July 25, 1973 (P.L.217, No.53), entitled "An act authorizing cities of the first class and second class to invest all funds received and deposited with the city treasurer in certain commercial paper under certain terms and conditions," amending the title of the act; and providing for investment of public corporation or authority funds.

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

The SPEAKER. Moved by the gentlelady, Ms. Harper, 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.

The following roll call was recorded:

YEAS—187

Acosta	Farina	Krueger	Ravenstahl
Adolph	Farry	Lawrence	Readshaw
Baker	Fee	Lewis	Reed
Barbin	Flynn	Longietti	Reese
Barrar	Frankel	Mackenzie	Regan
Benninghoff	Freeman	Maher	Roae
Bizzarro	Gabler	Mahoney	Roebuck
Bloom	Gainey	Major	Ross
Boback	Galloway	Maloney	Rothman
Bradford	Gergely	Markosek	Rozzi
Briggs	Gibbons	Marshall	Saccone
Brown, R.	Gillespie	Marsico	Sainato
Brown, V.	Gingrich	Masser	Samuelson
Bullock	Godshall	Matzie	Sankey
Burns	Goodman	McCarter	Santarsiero
Caltagirone	Greiner	McClinton	Santora
Carroll	Grove	McGinnis	Saylor
Causar	Hahn	McNeill	Schemel
Cohen	Hanna	Mentzer	Schlossberg
Conklin	Harhai	Metzgar	Schreiber
Corbin	Harhart	Miccarelli	Schweyer
Costa, D.	Harkins	Millard	Simmons
Costa, P.	Harper	Miller, B.	Sims
Cox	Harris, A.	Miller, D.	Snyder
Culver	Harris, J.	Milne	Sonney
Cutler	Heffley	Moul	Staats
Daley, M.	Helm	Mullery	Stephens
Davis	Hennessey	Murt	Tallman
Dawkins	Hickernell	Mustio	Taylor
Day	Hill	Neilson	Thomas
Dean	Irvin	Nesbit	Tobash
Deasy	James	Neuman	Toepel
DeLissio	Jozwiak	O'Brien	Toohil
Delozier	Kampf	O'Neill	Topper
DeLuca	Kauffman	Oberlander	Truitt
Dermody	Kavulich	Ortitay	Vitali
Diamond	Keller, F.	Parker, D.	Ward
Donatucci	Keller, M.K.	Pashinski	Warner
Driscoll	Keller, W.	Payne	Wentling
Dunbar	Killion	Petrarca	Wheatley
Dush	Kim	Petri	Wheeland
Ellis	Kinsey	Pickett	White
Emrick	Kirkland	Pyle	Youngblood
English	Klunk	Quigley	Zimmerman
Evankovich	Knowles	Quinn	
Evans	Kortz	Rader	Turzai,
Everett	Kotik	Rapp	Speaker
Fabrizio			

NAYS—3

Gillen Kaufer Metcalfe

NOT VOTING—0

EXCUSED—10

Boyle Daley, P. Peifer Vereb
Christiana Davidson Sturla Watson
Cruz DiGirolamo

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

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 1296, PN 2553

An Act amending the act of July 25, 1973 (P.L.217, No.53), entitled "An act authorizing cities of the first class and second class to invest all funds received and deposited with the city treasurer in certain commercial paper under certain terms and conditions," amending the title of the act; and providing for investment of public corporation or authority funds.

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

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1103, PN 1419**, entitled:

An Act amending the act of October 4, 1978 (P.L.864, No.167), known as the Storm Water Management Act, further providing for definitions and for effect of watershed storm water plans.

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

Mr. **ZIMMERMAN** offered the following amendment No. **A06105**:

Amend Bill, page 2, lines 17 through 22, by striking out all of said lines and inserting

(c) Exemption.—The following apply:

(1) A high tunnel with a permeable floor shall be exempt from the provisions of this act if the health and property of adjacent landowners is protected from possible injury resulting from unmanaged changes in storm water runoff quantity, velocity and direction from the construction or operation of high tunnels.

(2) A municipality that has adopted or enacted, pursuant to a watershed storm water plan, a local ordinance or regulation under this section that regulates high tunnels before the effective date of this subsection shall amend the ordinance or regulation in order to comply with this subsection. High tunnels shall comply with all other applicable Federal, State and local laws and regulations.

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

AMENDMENT WITHDRAWN

The SPEAKER. Representative Zimmerman has indicated the amendment is withdrawn. That amendment is withdrawn.

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 914, PN 2859**, entitled:

An Act amending the act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act, further providing for permits.

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 1605, PN 2320**, entitled:

An Act establishing the Heritage Area Program to identify, protect, enhance and promote the historic, recreational, natural, cultural and scenic resources of this Commonwealth and to stimulate community revitalization and economic development through regional heritage conservation, recreation, tourism and partnerships; and repealing provisions in The Fiscal Code relating to heritage areas.

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

Mr. **SCHWEYER** offered the following amendment No. **A03577**:

Amend Bill, page 3, line 4, by striking out all of said line and inserting

"Heritage area." Any of the following:

(1) A Commonwealth-designated region, managed

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

(2) An area where a Works Progress Administration project has been created.

Amend Bill, page 3, by inserting between lines 12 and 13

"Works Progress Administration project." A project created in this Commonwealth by the Works Progress Administration established by Executive Order 7034 of May 6, 1935, under the authority of the Emergency Relief Appropriation Act of 1935 (49 Stat. 115).

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

AMENDMENT WITHDRAWN

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

Mr. SCHWEYER. Thank you, Mr. Speaker.

I just was informed by the department that there would be an issue from a funding standpoint on this amendment. So I am going to withdraw the amendment and look for another opportunity to address this issue at another point. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

The amendment has been withdrawn.

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

* * *

The House proceeded to second consideration of **SB 3, PN 889**, entitled:

An Act providing for the medical use of cannabis in the Commonwealth of Pennsylvania.

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

The SPEAKER. We are going to resume second consideration on SB 3.

There are still many amendments to be addressed.

As I said, Representative Jerry Knowles has withdrawn all of his amendments to SB 3. So they are withdrawn.

Members, we have two motions to reconsider that were filed by Representative Mary Jo Daley and Representative Joe Petrarca. One is to Representative Evankovich's amendment, A6110, to SB 3, and one is to Representative Baker's amendment, A6054.

AMENDMENT A06054 RECONSIDERED

The SPEAKER. At this time we will call up the motion to reconsider the Baker amendment, 6054, again, that was filed by Representative Mary Jo Daley and Representative Petrarca.

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. Also, Representative Mike Vereb is back on the floor and should be placed on the master roll.

RECONSIDERATION MOTION CONTINUED

The SPEAKER. Representative Petrarca, on the motion to reconsider.

Mr. PETRARCA. Thank you, Mr. Speaker.

I would ask all members to vote in support of the motion for reconsideration. This amendment is a very important piece of

legislation. This amendment is outside of what the bipartisan task force agreed to. I think it is confusing, and I believe that it is covered by current law.

I urge a "yes" vote on the motion for reconsideration. Thank you.

The SPEAKER. Representative Baker, on the motion to reconsider.

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

I rise to oppose the motion for reconsideration. This amendment passed. It is an amendment very important to the Pennsylvania Chamber of Business and Industry and our business community, and I would ask that we defeat this motion for reconsideration. Thank you, Mr. Speaker.

The SPEAKER. Representative Reed, on the motion to reconsider, sir.

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

I would ask the members to support the motion for reconsideration of this amendment. Thank you.

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

The following roll call was recorded:

YEAS—99

Acosta	Driscoll	Kirkland	Petrarca
Bizzarro	Ellis	Kortz	Pyle
Bradford	Evankovich	Kotik	Quigley
Briggs	Evans	Krueger	Ravenstahl
Brown, V.	Fabrizio	Longietti	Readshaw
Bullock	Farina	Mahoney	Reed
Burns	Flynn	Markosek	Regan
Caltagirone	Frankel	Marshall	Roebuck
Carroll	Freeman	Marsico	Ross
Cohen	Gainey	Matzie	Rozzi
Conklin	Galloway	McCarter	Sainato
Costa, D.	Gergely	McClinton	Samuelson
Costa, P.	Gibbons	McNeill	Santarsiero
Cox	Goodman	Miccarelli	Santora
Daley, M.	Hahn	Millard	Schlossberg
Davis	Hanna	Miller, D.	Schreiber
Dawkins	Harhai	Mullery	Schweyer
Day	Harkins	Murt	Sims
Dean	Harris, A.	Neilson	Snyder
Deasy	Harris, J.	Nesbit	Thomas
DeLissio	Kavulich	Neuman	Vereb
DeLuca	Keller, W.	O'Brien	Vitali
Dermody	Killion	O'Neill	Wheatley
Diamond	Kim	Parker, D.	Youngblood
Donatucci	Kinsey	Pashinski	

NAYS—91

Adolph	Godshall	Major	Sankey
Baker	Greiner	Maloney	Saylor
Barbin	Grove	Masser	Schemel
Barrar	Harhart	McGinnis	Simmons
Benninghoff	Harper	Mentzer	Sonney
Bloom	Heffley	Metcalfe	Staats
Boback	Helm	Metzgar	Stephens
Brown, R.	Hickernell	Miller, B.	Tallman
Causar	Hill	Milne	Taylor
Corbin	Irvin	Moul	Tobash
Culver	James	Mustio	Toepel
Cutler	Jozwiak	Oberlander	Toohil
Delozier	Kampf	Ortitay	Topper
Dunbar	Kaufer	Payne	Truitt
Dush	Kauffman	Petri	Ward
Emrick	Keller, F.	Pickett	Warner
English	Keller, M.K.	Quinn	Wentling

Everett	Klunk	Rader	Wheeland
Farry	Knowles	Rapp	White
Fee	Lawrence	Reese	Zimmerman
Gabler	Lewis	Roae	
Gillen	Mackenzie	Rothman	Turzai,
Gillespie	Maher	Saccone	Speaker
Gingrich			

NOT VOTING—1

Hennessey

EXCUSED—9

Boyle	Daley, P.	DiGirolamo	Sturla
Christiana	Davidson	Peifer	Watson
Cruz			

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

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

The clerk read the following amendment No. **A06054**:

Amend Bill, page 11, by inserting between lines 48 and 49 (A05835)

(12) An individual may not claim intoxication due to medical marijuana as a defense in an impairment of contracts cause of action.

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

The SPEAKER. Representative Baker, on amendment 6054.
Mr. BAKER. Thank you very much, Mr. Speaker.

This is the amendment that was approved yesterday that dealt with the impairment of contracts, very important to the Pennsylvania Chamber of Business and Industry regarding an access card is not a defense to a contract's claim. If an individual enters into a contract while intoxicated on medical marijuana, they cannot cancel the contract.

There are necessary protections which should be in place in order to protect those who have a business interest in the contract from not questioning the level of marijuana intoxication by the other party to the contract. So for instance, if you are buying a car, you cannot come back 6 months later and claim you were intoxicated on marijuana so the contract is null and void. It will allow businesses to be secure in the contracts that they enter into.

It is a very important amendment, and I ask for an affirmative vote on behalf of the Pennsylvania Chamber of Business and Industry.

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

Representative Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

I rise in opposition to this amendment. As I stated earlier, this was not part of the bipartisan task force agreement. And the gentleman is talking about impairment of contracts, or he mentioned impairment of contracts. I think what he is talking about is breach of contract, and this amendment does not deal with that.

And again, I think this amendment is unnecessary, and I ask for a negative vote. Thank you.

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

The following roll call was recorded:

YEAS—97

Baker	Greiner	Maloney	Saccone
Barbin	Grove	Masser	Sankey
Barrar	Hahn	McGinnis	Saylor
Bloom	Harhart	Mentzer	Schemel
Boback	Harris, A.	Metcalfe	Simmons
Brown, R.	Heffley	Metzgar	Sonney
Causar	Helm	Millard	Staats
Corbin	Hennessey	Miller, B.	Stephens
Culver	Hickernell	Milne	Tallman
Cutler	Hill	Moul	Tobash
Day	Irvin	Mustio	Toepel
Delozier	James	Nesbit	Toohil
Dunbar	Jozwiak	Oberlander	Topper
Dush	Kampf	Ortitay	Truitt
Ellis	Kaufner	Parker, D.	Verbe
Emrick	Kauffman	Petri	Ward
English	Keller, F.	Pickett	Warner
Evankovich	Keller, M.K.	Pyle	Wentling
Farry	Klunk	Quigley	Wheeland
Fee	Knowles	Quinn	White
Gabler	Lawrence	Rapp	Zimmerman
Gillen	Lewis	Reese	
Gillespie	Mackenzie	Roe	Turzai,
Gingrich	Maher	Ross	Speaker
Godshall	Major	Rothman	

NAYS—94

Acosta	Diamond	Kinsey	Payne
Adolph	Donatucci	Kirkland	Petrarca
Benninghoff	Driscoll	Kortz	Rader
Bizzarro	Evans	Kotik	Ravenstahl
Bradford	Everett	Krueger	Readshaw
Briggs	Fabrizio	Longiotti	Reed
Brown, V.	Farina	Mahoney	Regan
Bullock	Flynn	Markosek	Roebuck
Burns	Frankel	Marshall	Rozzi
Caltagirone	Freeman	Marsico	Sainato
Carroll	Gainey	Matzie	Samuelson
Cohen	Galloway	McCarter	Santarsiero
Conklin	Gergely	McClinton	Santora
Costa, D.	Gibbons	McNeill	Schlossberg
Costa, P.	Goodman	Miccarelli	Schreiber
Cox	Hanna	Miller, D.	Schweyer
Daley, M.	Harhai	Mullery	Sims
Davis	Harkins	Murt	Snyder
Dawkins	Harper	Neilson	Taylor
Dean	Harris, J.	Neuman	Thomas
Deasy	Kavulich	O'Brien	Vitali
DeLissio	Keller, W.	O'Neill	Wheatley
DeLuca	Killion	Pashinski	Youngblood
Dermody	Kim		

NOT VOTING—0

EXCUSED—9

Boyle	Daley, P.	DiGirolamo	Sturla
Christiana	Davidson	Peifer	Watson
Cruz			

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

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

MOTION TO RECONSIDER AMENDMENT A06110

The SPEAKER. There is a motion to reconsider, signed by Representative Mary Jo Daley and Representative Joseph Petrarca, on amendment 6110, amendment 6110.

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

The SPEAKER. Does anybody wish to speak on that motion?

Representative Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

I ask that the members vote in support of the motion to reconsider. Again, another piece of the legislation, another amendment that was not part of the task force agreement, and I ask for an affirmative vote. Thank you.

The SPEAKER. Representative Miccarelli, please proceed.

Mr. MICCARELLI. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of reconsideration of this amendment. As this amendment is drafted, it says that anyone with 10 nanograms per milliliter of THC (tetrahydrocannabinol) in their system could be subject to not being able to perform certain duties on their job.

The reason I rise in support of reconsideration is I was informed last night by a gentleman that used to be our unit drug counselor for the National Guard, he informed me that the United States military, the DOD (Department of Defense), does not consider anything above 50 milligrams to be a trace amount. So essentially, you can do military duty if you have 49 nanograms per milliliter or below, 49, but this amendment says if you have 10, then you cannot do certain jobs in Pennsylvania.

So with that, Mr. Speaker, I support reconsideration. Thank you.

The SPEAKER. Representative Evankovich.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, to be clear, this amendment was not part of the medical marijuana task force, and, Mr. Speaker, thankfully, we do not legislate based on task force work; we legislate based on the votes that are taken in this chamber. And, Mr. Speaker, last night a majority of the colleagues in this chamber voted to protect all workers in Pennsylvania from somebody who is under the influence.

Mr. Speaker, people who are under the influence of medical marijuana are not a protected class. They put other people at risk if they are performing duties that put themselves in life-threatening danger. Mr. Speaker, imagine, just imagine if we were standing here today saying that an alcoholic wanted to be able to come to work with a .09, that .08 was not good enough, they wanted to come to work and have impunity to do their job with a .09.

Mr. Speaker, the prior speaker mentioned what one of the military constraints was. Mr. Speaker, there is a difference between the presence of THC nanograms per milliliter and the presence of active THC nanograms per milliliter. My amendment clearly states active THC, not just the presence of THC.

Our chamber made the right decision last night, and we should stick with it. I encourage the members to vote "no."

The SPEAKER. Representative Mike Vereb.

Mr. VEREB. Mr. Speaker, may I interrogate the maker of the amendment briefly, please?

The SPEAKER. Sir, this is just a motion to reconsider. It is not on the amendment itself.

Mr. VEREB. I will get him on the amendment. I am sorry, Mr. Speaker.

The SPEAKER. Okay; I apologize.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—92

Acosta	Donatucci	Kim	Payne
Bizzarro	Driscoll	Kinsey	Petrarca
Bradford	Ellis	Kirkland	Pyle
Briggs	Evans	Kortz	Rader
Brown, V.	Fabrizio	Kotik	Ravenstahl
Bullock	Farina	Krueger	Readshaw
Burns	Flynn	Longietti	Regan
Caltagirone	Frankel	Mahoney	Roebuck
Carroll	Freeman	Markosek	Ross
Cohen	Gainey	Marshall	Rozzi
Conklin	Galloway	Marsico	Sainato
Costa, D.	Gergely	Matzie	Samuelson
Costa, P.	Gibbons	McCarter	Santarsiero
Cox	Goodman	McClinton	Schlossberg
Daley, M.	Hanna	McNeill	Schreiber
Davis	Harhai	Miccarelli	Schweyler
Dawkins	Harkins	Miller, D.	Sims
Dean	Harris, J.	Mullery	Snyder
Deasy	Helm	Murt	Thomas
DeLissio	Kampf	Neilson	Vereb
DeLuca	Kavulich	Neuman	Vitali
Dermody	Keller, W.	O'Brien	Wheatley
Diamond	Killion	Pashinski	Youngblood

NAYS—99

Adolph	Godshall	Maloney	Saccone
Baker	Greiner	Masser	Sankey
Barbin	Grove	McGinnis	Santora
Barrar	Hahn	Mentzer	Saylor
Benninghoff	Harhart	Metcalfe	Schemel
Bloom	Harper	Metzgar	Simmons
Boback	Harris, A.	Millard	Sonney
Brown, R.	Heffley	Miller, B.	Staats
Causar	Hennessey	Milne	Stephens
Corbin	Hickernell	Moul	Tallman
Culver	Hill	Mustio	Taylor
Cutler	Irvin	Nesbit	Tobash
Day	James	O'Neill	Toepel
Delozier	Jozwiak	Oberlander	Toohil
Dunbar	Kaufer	Ortitay	Topper
Dush	Kauffman	Parker, D.	Truitt
Emrick	Keller, F.	Petri	Ward
English	Keller, M.K.	Pickett	Warner
Evanovich	Klunk	Quigley	Wentling

Everett	Knowles	Quinn	Wheeland
Farry	Lawrence	Rapp	White
Fee	Lewis	Reed	Zimmerman
Gabler	Mackenzie	Reese	
Gillen	Maher	Roae	Turzai,
Gillespie	Major	Rothman	Speaker
Gingrich			

NOT VOTING—0

EXCUSED—9

Boyle	Daley, P.	DiGirolamo	Sturla
Christiana	Davidson	Peifer	Watson
Cruz			

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

On the question recurring,

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

Mr. BAKER offered the following amendment No. **A06047**:

Amend Bill, page 5, by striking out lines 44 and 45 (A05835) and inserting

(2) (Reserved).

On the question,

Will the House agree to the amendment?

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

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

This amendment deletes the use of marijuana to treat AIDS (acquired immunodeficiency syndrome) and HIV (human immunodeficiency virus), and the reason for this, Mr. Speaker, comes from a recent study from Harvard Medical School that shows that marijuana use in any form opens the door for Kaposi sarcoma. This is a serious, life-threatening cancer for people with HIV infection. An unintended consequence of using marijuana oil is that it may harm people with HIV/AIDS, and this is clearly documented in a Harvard Medical School report. Until we know more, we should not approve marijuana cannabis as a medicine for this condition for HIV/AIDS. We do not want to trigger Kaposi sarcoma, however well-intentioned, and this comes from some of the best minds in the country, from Harvard Medical School.

Thank you very much, Mr. Speaker.

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

Representative Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

I ask that the members oppose this amendment. I think what the gentleman is doing amendment by amendment is trying to pick apart this legislation and, again, hurt the ability of doctors to treat patients who most need this therapy and this medication.

I ask the members to vote against this amendment. Thank you, Mr. Speaker.

The SPEAKER. Representative Marsico, on the amendment.

Mr. MARSICO. Thank you, Mr. Speaker.

I also oppose this amendment. As mentioned earlier by Chairman Petrarca, this amendment was not part of the bipartisan working group's amendment. The working group, as you know, developed an agreed-to approach to medical marijuana over many months. Now, this policy is carefully crafted and balanced, and this amendment would disrupt that balance.

So with that, this amendment and probably other amendments after this amendment we will be opposing, and I ask for a "no" vote on this amendment. Thank you.

The SPEAKER. Representative Baker, for the second time on the amendment.

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

Mr. Speaker, this is not about some task force. It is not about some agreement that was made internally by very few people, quite frankly. This is about protecting the lives of people that are struggling with HIV and AIDS. Their immune system is extremely vulnerable, and we do not want to trigger Kaposi sarcoma. This comes from the best medical school in the country, Harvard. We should not be doing any harm, and this has the potential, clearly documented in many pieces of literature, to put people potentially at harm.

I ask for an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. Representative McCarter.

Mr. McCARTER. Thank you, Mr. Speaker.

You know, we are at a point right now in terms of this particular bill where we need to find some sense, because the reality is we can all find studies that take place from Harvard, from Yale, from any other location that are going to point out the fact that some drug, in this case the medical marijuana that we are talking about, may have a negative impact, but the reality is every drug that is marketed in this country – and you see the ads on television all the time – has in fact some negative impact. In fact, out of the 30 seconds, often it is 20 seconds going through all the potential problems that the drug may cause.

We are here to try to help people alleviate pain in children and people suffering from cancer and all the other areas that we have enunciated, and I think it is time we face the reality that we move forward on this bill and get this done. Thank you, Mr. Speaker.

The SPEAKER. Representative Petrarca, for the second time.

Mr. PETRARCA. Thank you, Mr. Speaker.

I would like to point out that the maker of the amendment, the study that he referenced, was a study of recreational drug use, not medical marijuana, and studies that did deal with HIV, six studies that say that medical marijuana increases food intake, stabilizes mood, significantly reduces neuropathic pain, and may lessen the burden of HIV-infected cells.

So again, Mr. Speaker, the American Academy of HIV Medicine supports the use of medical marijuana to treat AIDS/HIV patients.

Again, I would ask that you vote to not support the amendment. Thank you.

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

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—40

Baker	Greiner	Maloney	Saccone
Bloom	Grove	Masser	Saylor
Corbin	Harper	McGinnis	Schemel
Cutler	Heffley	Mentzer	Simmons
Day	Hickernell	Metcalfe	Staats
Dush	Kauffman	Metzgar	Topper
Emrick	Knowles	Miller, B.	Truitt
Fee	Lewis	Pickett	Ward
Gillespie	Mackenzie	Rapp	Wentling
Godshall	Major	Ross	Zimmerman

NAYS—151

Acosta	Everett	Klunk	Rader
Adolph	Fabrizio	Kortz	Ravenstahl
Barbin	Farina	Kotik	Readshaw
Barrar	Farry	Krueger	Reed
Benninghoff	Flynn	Lawrence	Reese
Bizzarro	Frankel	Longietti	Regan
Boback	Freeman	Maher	Roae
Bradford	Gabler	Mahoney	Roebuck
Briggs	Gainey	Markosek	Rothman
Brown, R.	Galloway	Marshall	Rozzi
Brown, V.	Gergely	Marsico	Sainato
Bullock	Gibbons	Matzie	Samuelson
Burns	Gillen	McCarter	Sankey
Caltagirone	Gingrich	McClinton	Santarsiero
Carroll	Goodman	McNeill	Santora
Causser	Hahn	Miccarelli	Schlossberg
Cohen	Hanna	Millard	Schreiber
Conklin	Harhai	Miller, D.	Schweyer
Costa, D.	Harhart	Milne	Sims
Costa, P.	Harkins	Moul	Snyder
Cox	Harris, A.	Mullery	Sonney
Culver	Harris, J.	Murt	Stephens
Daley, M.	Helm	Mustio	Tallman
Davis	Hennessey	Neilson	Taylor
Dawkins	Hill	Nesbit	Thomas
Dean	Irvin	Neuman	Tobash
Deasy	James	O'Brien	Toepel
DeLissio	Jozwiak	O'Neill	Toohil
DeLozier	Kampf	Oberlander	Vereb
DeLuca	Kaufer	Ortitay	Vitali
Dermody	Kavulich	Parker, D.	Warner
Diamond	Keller, F.	Pashinski	Wheatley
Donatucci	Keller, M.K.	Payne	Wheeland
Driscoll	Keller, W.	Petrarca	White
Dunbar	Killion	Petri	Youngblood
Ellis	Kim	Pyle	
English	Kinsey	Quigley	Turzai,
Evankovich	Kirkland	Quinn	Speaker
Evans			

NOT VOTING—0

EXCUSED—9

Boyle	Daley, P.	DiGirolamo	Sturla
Christiana	Davidson	Peifer	Watson
Cruz			

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

On the question recurring,

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

LEAVES OF ABSENCE

The SPEAKER. Representative ROSS has requested to be placed on leave for the remainder of the afternoon. Without objection, that will be granted. Representative HENNESSEY has requested to be placed on leave for the remainder of the afternoon. Without objection, that will be granted.

CONSIDERATION OF SB 3 CONTINUED

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

Mr. **BAKER** offered the following amendment No. **A06050**:

Amend Bill, page 20, line 25 (A05835), by striking out "50" and inserting

five

Amend Bill, page 20, lines 25 through 26 (A05835), by striking out "Each dispensary my provide medical" in line 25 and all of line 26

Amend Bill, page 20, lines 27 and 28 (A05835), by striking out "The department may not permit a single person to" in line 27 and all of line 28 and inserting

(Reserved).

Amend Bill, page 20, lines 31 through 35 (A05835), by striking out "No more than five grower/processors may be" in line 31 and all of lines 32 through 35 and inserting

(Reserved).

Amend Bill, page 34, lines 3 and 4 (A05835), by striking out "Whether to change, add or reduce the number of" in line 3 and all of line 4 and inserting

(Reserved).

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

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

Mr. **BAKER**. Thank you, Mr. Speaker.

This amendment limits the dispensers to 5 instead of 130 and mirrors the Florida statute as they have a substantially similar population to Pennsylvania. This is a measured approach which can be controlled versus 130 locations. It is a massive organization contemplated by both the underlying bill and the Marsico amendment, and we need to reduce the number of these dispensaries, these pot shops. Thanks very much, Mr. Speaker.

The SPEAKER. Representative Petrarca.

Mr. **PETRARCA**. Thank you, Mr. Speaker.

I ask for a negative vote on this amendment.

By eliminating or lowering the dispensaries to five, we will in fact kill the program in Pennsylvania. Other States have had limited programs like this. There has been no access for patients and they have programs that certainly are not successful and do not work, do not work for patients.

Also, the idea of tying the hands, of not allowing the board to make recommendations would certainly tie the hands of those we want to run this program. The board, as set out in the Marsico amendment, will be made up of primarily medical professionals in Pennsylvania, and it does not make sense to tie their hands as we move forward.

I appreciate a negative vote. Thank you.

The SPEAKER. Representative Regan and then Representative Marsico.

Mr. **REGAN**. Thank you, Mr. Speaker.

Mr. Speaker, I think it is an interesting dichotomy that we fight tooth and nail to make the consumption of alcohol in Pennsylvania more convenient so you have more people who have ready access to a drug that we know kills you, but here we are trying to provide the residents of Pennsylvania who are sick with epilepsy or cancer or PTSD (post-traumatic stress disorder) or Crohn's disease or whatever the ailment is with a more convenient way to obtain a drug that is going to make them better and yet we have an amendment which tries to make it more difficult for them to receive it.

The SPEAKER. Representative Marsico.

Mr. **MARSICO**. Thank you, Mr. Speaker.

This amendment will actually limit patient access. The working group did look at this, having fewer dispensaries, and we know that after careful examination, that this will actually end up costing more for Pennsylvania. So I ask for a negative vote.

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

The following roll call was recorded:

YEAS—41

Baker	Godshall	Maloney	Simmons
Barbin	Greiner	McGinnis	Staats
Bloom	Grove	Mentzer	Topper
Corbin	Harhart	Metcalfe	Truitt
Cutler	Heffley	Metzgar	Ward
Day	Hickernell	Miller, B.	Wentling
Dush	Knowles	Parker, D.	Zimmerman
Emrick	Lawrence	Pickett	
Fee	Lewis	Rapp	Turzai,
Gillespie	Mackenzie	Saccone	Speaker
Gingrich	Major	Saylor	

NAYS—148

Acosta	Evans	Kirkland	Quinn
Adolph	Everett	Klunk	Rader
Barrar	Fabrizio	Kortz	Ravenstahl
Benninghoff	Farina	Kotik	Readshaw
Bizzarro	Farry	Krueger	Reed
Boback	Flynn	Longietti	Reese
Bradford	Frankel	Maher	Regan
Briggs	Freeman	Mahoney	Roae
Brown, R.	Gabler	Markosek	Roebuck
Brown, V.	Gainey	Marshall	Rothman
Bullock	Galloway	Marsico	Rozzi
Burns	Gergely	Masser	Sainato
Caltagirone	Gibbons	Matzie	Samuelson
Carroll	Gillen	McCarter	Sankey
Causser	Goodman	McClinton	Santarsiero
Cohen	Hahn	McNeill	Santora
Conklin	Hanna	Miccarelli	Schemel
Costa, D.	Harhai	Millard	Schlossberg
Costa, P.	Harkins	Miller, D.	Schreiber
Cox	Harper	Milne	Schweyer
Culver	Harris, A.	Moul	Sims
Daley, M.	Harris, J.	Mullery	Snyder
Davis	Helm	Murt	Sonney
Dawkins	Hill	Mustio	Stephens
Dean	Irvin	Neilson	Tallman
Deasy	James	Nesbit	Taylor
DeLissio	Jozwiak	Neuman	Thomas
Delozier	Kampf	O'Brien	Tobash

DeLuca	Kaufer	O'Neill	Toepel
Dermody	Kauffman	Oberlander	Toohil
Diamond	Kavulich	Ortitay	Vereb
Donatucci	Keller, F.	Pashinski	Vitali
Driscoll	Keller, M.K.	Payne	Warner
Dunbar	Keller, W.	Petrarca	Wheatley
Ellis	Killion	Petri	Wheeland
English	Kim	Pyle	White
Evankovich	Kinsey	Quigley	Youngblood

NOT VOTING—0

EXCUSED—11

Boyle	Daley, P.	Hennessey	Sturla
Christiana	Davidson	Peifer	Watson
Cruz	DiGirolamo	Ross	

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

On the question recurring,

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

Mr. **BAKER** offered the following amendment No. **A06036**:

Amend Bill, page 11, by striking out lines 13 through 16 (A05835), and inserting

(iv) tincture; or

(v) liquid.

Amend Bill, page 31, by striking out lines 33 through 36 (A05835), and inserting

(vi) Whether to permit an individual dose of

Amend Bill, page 34, by striking out lines 5 through 7 (A05835), and inserting

(5) Whether to permit an individual dose of medical

On the question,

Will the House agree to the amendment?

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

Mr. **BAKER**. Thank you, Mr. Speaker.

This forbids vaporization or use in food, edibles, and the discriminate nature of consuming cannabis that resulted in horrifying tragedies in other States. They have been well reported. Poison centers have reported exponential cases of poisoning, and hospital emergency rooms and hospital admissions have clearly documented this. There are more hospitalizations as a result of marijuana intoxication due to eating marijuana than anything else. Food or edible form should be removed from all references.

I would appreciate an affirmative vote. Thank you, Mr. Speaker.

The **SPEAKER**. Representative Petrarca.

Mr. **PETRARCA**. Thank you, Mr. Speaker.

I ask for a "no" vote on this amendment.

Again, I think this amendment wants to remove vaporization and nebulization as forms to administer this medication. Contrary to the previous speaker, in study after study and in numerous other States, this form of drug delivery has been very successful and it in fact, I believe, is the most successful.

I would ask for a negative vote on the amendment. Thank you.

The **SPEAKER**. Representative Marsico.

Mr. **MARSICO**. Thank you, Mr. Speaker.

I agree with the previous speaker. This is a proven method in other States and it has been effective, and I ask for a negative vote on this amendment.

The **SPEAKER**. Representative Mentzer.

Mr. **MENTZER**. Mr. Speaker, let me try this again today.

Very few of us, if any, in this chamber are medical professionals, pharmacists, medical researchers, or chemists. I know I am not. So we now have to depend on our logic and common sense on these issues.

Vaporization and nebulization are simply to introduce marijuana into the human body through the respiratory system. I am familiar with a nebulizer from my work in medical clinics in Honduras. There we treated asthma patients, children and adults.

Now, a nebulizer is a device that you put on the counter, there is a tube going out to a mask, and you inhale from a nebulizer. A vaporizer, on the other hand, can be the same as an e-cigarette. I do not believe the use of vaping or e-marijuana cigarettes should be allowed in the administration of medical cannabis. E-cigarettes are easy to conceal. You can pull them right out of your pocket, they are easy to conceal, and may make it easier for illegal use than even the direct smoking of cannabis. Unlike smoking marijuana with vapor or vaping, the odor can be masked. You can be standing beside someone and not know what they are smoking. I believe this could increase illegal use, particularly first-time teenage users of marijuana. Now, marijuana that you might buy on the street would have a content of THC somewhere between 4 or 5 percent, and a previous amendment lifted the amount of the contents in the marijuana from 10 percent to an unlimited amount. So this could do some serious harm to teenagers who are first-time users.

A nebulizer is a much larger piece of equipment that would be very difficult to conceal or use and transport. Nebulization is already authorized in this bill. I can think of no reason to authorize the use of medical cannabis through vaping. Until a medical professional, and I repeat, until a medical professional can explain to me why we need vaping, I would encourage you to vote for this amendment. Thank you, Mr. Speaker.

The **SPEAKER**. Representative Marty Flynn.

Mr. **FLYNN**. Thank you, Mr. Speaker.

I rise in opposition to this amendment.

Now we are talking statistics about this demon weed, marijuana. I want to state that there are about 40,000 deaths a year, overdose deaths, from aspirin in the United States of America. We are looking at about 100,000 a year from alcohol; we are looking at about 48,000, give or take a few, in prescription drug overdose deaths, but when it comes to marijuana, Mr. Speaker, we have zero overdose deaths a year, not 5, not 100, not 1,000; zero overdose deaths from marijuana.

Vote "no."

The **SPEAKER**. Representative Mike Regan.

Mr. **REGAN**. Mr. Speaker, dealing directly with the vaporizing issue, we have been advised by medical professionals that many of the ailments which we have included in this bill, many of those patients have weakened livers or damaged livers, and when you vaporize, you bypass the liver.

That is the value of this. This is a medical issue. When you inhale through the vaporizer, it bypasses your liver, which does not tax your liver any further, and that is very helpful to some people who are very sick. So this is an issue, and I would say, please oppose this amendment.

The SPEAKER. Representative Matt Baker, for the second time.

Mr. BAKER. Mr. Speaker, the previous speaker had made the pronouncement that nobody has ever died of marijuana. That is just patently false. My goodness, in Philadelphia – there is a report right here in my hand – a Philadelphia building collapsed and a gentleman died and he was diagnosed with marijuana.

We have kids, we have kids over in Colorado that have clearly documented death, death because of edibles. They have died. That is clearly documented, and according to the Rocky Mountain—

The SPEAKER. Sir, please suspend.

Would all members please take their seats. All members, please take your seats. Any conversations, I would greatly appreciate if we could just take to the anterooms. Members, everybody will have an opportunity to speak on any of the amendments. Please, let us, if we can, show respect and courtesy to each other. Thank you very much.

Representative Baker, you may proceed.

Mr. BAKER. Thank you very much.

My final comment, Mr. Speaker, is that the Rocky Mountain High-Intensity Drug Trafficking unit has clearly documented many, many traffic deaths due to drug driving as a result of marijuana. Thank you very much, Mr. Speaker.

The SPEAKER. Representative Kathy Rapp.

Ms. RAPP. Thank you, Mr. Speaker.

I would just like to remind the colleagues here that several months ago we passed legislation unanimously in this House prohibiting the sale of vapor products, the e-cigarettes, for the use of tobacco products to minors.

You know, regardless of what you think of the whole marijuana debate, these devices are proving to be unsafe. Some of these pens have exploded right while people are using these devices. There is formaldehyde that is used in these vapor products, the device itself. I would just caution you, since we did pass that bill unanimously, and, you know, the whole debate I thought originally was to relieve the pain and suffering of children who were experiencing debilitating diseases, but now I am hearing this just grow and grow, and now we are going to allow vapor pens and all these other products. And I have a big concern when we pass this bill unanimously regarding the vapor pens themselves that we are going to allow our minors to be inhaling marijuana or medical marijuana through these devices when we see more and more that these devices are not safe and there is documented incidents where the devices themselves have exploded, caught on fire while people are using them. That is certainly not my idea of trying to relieve the pain and suffering of children who are suffering from seizures.

So I support this amendment. I think it is a good amendment. Thank you, Mr. Speaker.

The SPEAKER. Representative Petrarca, for the second time.

Mr. PETRARCA. Thank you, Mr. Speaker.

Medical marijuana does not cause buildings to fall on people, and medical professionals have said time and time again that

vaporization and nebulization are very effective ways to deliver this medication. Let us let medical research drive this issue.

Please vote against this amendment. Thank you.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Hennessey is back on the floor and should be placed on the master roll.

CONSIDERATION OF SB 3 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—62

Baker	Godshall	Mackenzie	Roae
Barbin	Greiner	Major	Saccone
Bloom	Grove	Maloney	Saylor
Corbin	Harhart	Masser	Schemel
Cutler	Harper	McGinnis	Simmons
Day	Heffley	Mentzer	Staats
Delozier	Hennessey	Metcalfe	Stephens
Dunbar	Hickernell	Metzgar	Toohil
Dush	Hill	Miller, B.	Topper
Emrick	James	Milne	Truitt
English	Keller, F.	Mustio	Ward
Evankovich	Keller, M.K.	Parker, D.	Wentling
Everett	Klunk	Pickett	Zimmerman
Fee	Knowles	Quigley	
Gabler	Lawrence	Rapp	Turzai,
Gillespie	Lewis	Reese	Speaker

NAYS—127

Acosta	Ellis	Kirkland	Rader
Adolph	Evans	Kortz	Ravenstahl
Barrar	Fabrizio	Kotik	Readshaw
Benninghoff	Farina	Krueger	Reed
Bizzarro	Farry	Longietti	Regan
Boback	Flynn	Maher	Roebuck
Bradford	Frankel	Mahoney	Rothman
Briggs	Freeman	Markosek	Rozzi
Brown, R.	Gainey	Marshall	Sainato
Brown, V.	Galloway	Marsico	Samuelson
Bullock	Gergely	Matzie	Sankey
Burns	Gibbons	McCarter	Santarsiero
Caltagirone	Gillen	McClinton	Santora
Carroll	Gingrich	McNeill	Schlossberg
Causar	Goodman	Miccarelli	Schreiber
Cohen	Hahn	Millard	Schweyer
Conklin	Hanna	Miller, D.	Sims
Costa, D.	Harhai	Moul	Snyder
Costa, P.	Harkins	Mullery	Sonney
Cox	Harris, A.	Murt	Tallman
Culver	Harris, J.	Neilson	Taylor
Daley, M.	Helm	Neuman	Thomas
Davis	Irvin	O'Brien	Tobash
Dawkins	Jozwiak	O'Neill	Toepel
Dean	Kampf	Oberlander	Vereb
Deasy	Kaufner	Ortitay	Vitali
DeLissio	Kauffman	Pashinski	Warner
DeLuca	Kavulich	Payne	Wheatley

Dermody	Keller, W.	Petrarca	Wheeland
Diamond	Killion	Petri	White
Donatucci	Kim	Pyle	Youngblood
Driscoll	Kinsey	Quinn	

NOT VOTING—1

Nesbit

EXCUSED—10

Boyle	Daley, P.	Peifer	Sturla
Christiana	Davidson	Ross	Watson
Cruz	DiGirolamo		

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

On the question recurring,

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

LEAVE OF ABSENCE

The SPEAKER. Representative REED has requested to be placed on leave of absence. Without objection, that will be granted.

CONSIDERATION OF SB 3 CONTINUED

On the question recurring,

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

Mr. **BAKER** offered the following amendment No. **A06039**:

Amend Bill, page 2, line 24 (A05835), by striking out all of said line

Amend Bill, page 34, lines 13 through 35 (A05835), by striking out all of said lines

Amend Bill, page 44, line 43 (A05835), by striking out "Section 1109." and inserting

(Reserved).

Amend Bill, page 45, lines 3 through 6 (A05835), by striking out "upon the" in line 3 and all of lines 4 through 6 and inserting in 18 months.

On the question,

Will the House agree to the amendment?

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

Mr. **BAKER**. Thank you very much, Mr. Speaker.

This amendment removes the language that says "temporary regulations" provisions. These regulations should be subject to the same scrutiny that all other regulations are subject to. These should not be raced to fruition simply because there is a drive to get marijuana into people's hands, especially in light of the availability of investigational cannabis products, which are known to be safe and effective and do not need these types of regulations.

So I ask for the members' kind support of this amendment.

Thank you, Mr. Speaker.

The SPEAKER. Representative Petrarca.

Mr. **PETRARCA**. Thank you, Mr. Speaker.

I rise in opposition to this amendment.

To do away with the temporary regulations is simply a stall tactic. Many programs in Pennsylvania when they are started go through the regulatory process with temporary regulations. To delay this obviously hurts those who need it most.

And again, if we are trying to allow and deliver this medication to our most vulnerable residents in Pennsylvania, vote against this amendment. Thank you.

The SPEAKER. Representative Marsico.

Mr. **MARSICO**. Mr. Speaker, I ask for opposition to this amendment as well. This will delay medicine to the patients. So I ask for a negative vote.

The SPEAKER. Representative Baker, for the second time.

Mr. **BAKER**. Thank you very much, Mr. Speaker.

Just because you call something medicine does not make it so. Under law, this is not medicine. Under law, it is illegal. I just want to make that point. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—45

Baker	Godshall	Mackenzie	Saylor
Bloom	Greiner	Major	Simmons
Corbin	Grove	Maloney	Staats
Cutler	Harhart	McGinnis	Topper
Day	Heffley	Mentzer	Truitt
Dush	Hickernell	Metcalfe	Ward
Emrick	Hill	Metzgar	Wentling
English	James	Miller, B.	Zimmerman
Evankovich	Jozwiak	Mustio	
Fee	Knowles	Pickett	Turzai,
Gillespie	Lawrence	Rapp	Speaker
Gingrich	Lewis	Saccone	

NAYS—144

Acosta	Evans	Clunk	Quinn
Adolph	Everett	Kortz	Rader
Barbin	Fabrizio	Kotik	Ravenstahl
Barrar	Farina	Krueger	Readshaw
Benninghoff	Farry	Longietti	Reese
Bizzarro	Flynn	Maher	Regan
Boback	Frankel	Mahoney	Roae
Bradford	Freeman	Markosek	Roebuck
Briggs	Gabler	Marshall	Rothman
Brown, R.	Gainey	Marsico	Rozzi
Brown, V.	Galloway	Masser	Sainato
Bullock	Gergely	Matzie	Samuelson
Burns	Gibbons	McCarter	Sankey
Caltagirone	Gillen	McClinton	Santarsiero
Carroll	Goodman	McNeill	Santora
Causer	Hahn	Miccarelli	Schemel
Cohen	Hanna	Millard	Schlossberg
Conklin	Harhai	Miller, D.	Schreiber
Costa, D.	Harkins	Milne	Schweyer
Costa, P.	Harper	Moul	Sims
Cox	Harris, A.	Mullery	Snyder
Culver	Harris, J.	Murt	Sonney
Daley, M.	Helm	Neilson	Stephens
Davis	Hennessey	Nesbit	Tallman

Dawkins	Irvin	Neuman	Taylor
Dean	Kampf	O'Brien	Thomas
Deasy	Kauffer	O'Neill	Tobash
DeLissio	Kauffman	Oberlander	Toepel
Delozier	Kavulich	Ortitay	Toohil
DeLuca	Keller, F.	Parker, D.	Vereb
Dermody	Keller, M.K.	Pashinski	Vitali
Diamond	Keller, W.	Payne	Warner
Donatucci	Killion	Petrarca	Wheatley
Driscoll	Kim	Petri	Wheeland
Dunbar	Kinsey	Pyle	White
Ellis	Kirkland	Quigley	Youngblood

NOT VOTING—0

EXCUSED—11

Boyle	Daley, P.	Peifer	Sturla
Christiana	Davidson	Reed	Watson
Cruz	DiGirolamo	Ross	

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

On the question recurring,

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

Mr. **BAKER** offered the following amendment No. **A06058**:

Amend Bill, page 11, lines 13 and 14 (A05835), by striking out "a form medically appropriate for administration" in line 13 and all of line 14 and inserting

(Reserved);

Amend Bill, page 31, lines 33 through 35 (A05835), by striking out "Whether to permit medical marijuana to be" in line 33 and all of lines 34 through 35 and inserting

(Reserved).

Amend Bill, page 34, lines 5 and 6 (A05835), by striking out "Whether to permit medical marijuana to be dispensed" in line 5 and all of line 6 and inserting

(Reserved).

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. On that amendment, Representative Baker is recognized. Please proceed.

Mr. **BAKER**. Thank you very much, Mr. Speaker.

Since this is a very similar amendment that we already previously voted, I will be withdrawing this amendment.

The SPEAKER. Amendment 6058 is withdrawn.

On the question recurring,

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

Mr. **BAKER** offered the following amendment No. **A06055**:

Amend Bill, page 5, line 42 (A05835), by striking out "Any of the following:" and inserting

Any of the following medical conditions that have been diagnosed by both the practitioner who has issued the certification for

the patient and has been concurred by one other licensed physician by acknowledgment in writing that, based on his or her separate personal medical examination of the patient and in his or her medical judgment, the patient has the medical condition:

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Representative Baker.

Mr. **BAKER**. Thank you very much, Mr. Speaker.

This requires a second opinion prior to getting an access card. This will keep patients from being preyed on by doctors who only seek to profit on medical marijuana, and there have been some reported cases regarding this across the country. It is not uncommon to require a second opinion for a procedure that is experimental or potentially highly dangerous.

I ask for an affirmative vote. Thank you, Mr. Speaker.

**THE SPEAKER PRO TEMPORE
(JOHN D. PAYNE) PRESIDING**

The SPEAKER pro tempore. Thank you.

Representative Petrarca.

Mr. **PETRARCA**. Thank you, Mr. Speaker.

I rise in opposition to this amendment. I do not believe that you should need two doctors to make the same diagnosis. Again, it will take more time, potentially be more expensive for patients. Again, I think this is an unnecessary amendment. I ask for a negative vote.

The SPEAKER pro tempore. Thank you.

Chairman Marsico.

Mr. **MARSICO**. Thank you, Mr. Speaker.

I also rise in opposition to this amendment.

You know, Mr. Speaker, we do not have that, with what Representative Baker wants to do, with any other medicine to ask for two doctors to sign off. So I ask for a negative vote.

The SPEAKER pro tempore. Chairman Baker, for the second time.

Mr. **BAKER**. Thank you, Mr. Speaker.

We do not do that for any other medicine because it is legal under law. You can get a prescription or script from a doctor. You can go to a pharmacist and get the medication. We are dealing with something that we are calling medicine and it is an artisanal drug; it is a Schedule I illicit drug, and it only makes sense to have safety protocols in place, and I ask for an affirmative vote on this amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—60

Baker	Greiner	Maloney	Saylor
Barbin	Grove	McGinnis	Simmons
Bloom	Harhart	Mentzer	Staats
Corbin	Heffley	Metcalfe	Stephens
Cutler	Hennessey	Metzgar	Toepel
Day	Hickernell	Millard	Toohil
Delozier	Hill	Miller, B.	Topper
Dunbar	James	Milne	Truitt
Dush	Jozwiak	Nesbit	Ward
Emrick	Keller, F.	Pickett	Wentling

Evankevich	Keller, M.K.	Quigley	Wheeland
Fee	Klunk	Quinn	Zimmerman
Gillen	Knowles	Rapp	
Gillespie	Lewis	Rothman	Turzai,
Gingrich	Mackenzie	Saccone	Speaker
Godshall	Major		

NAYS—129

Acosta	English	Kirkland	Petri
Adolph	Evans	Kortz	Pyle
Barrar	Everett	Kotik	Rader
Benninghoff	Fabrizio	Krueger	Ravenstahl
Bizzarro	Farina	Lawrence	Readshaw
Boback	Farry	Longiotti	Reese
Bradford	Flynn	Maher	Regan
Briggs	Frankel	Mahoney	Roae
Brown, R.	Freeman	Markosek	Roebuck
Brown, V.	Gabler	Marshall	Rozzi
Bullock	Gainey	Marsico	Sainato
Burns	Galloway	Masser	Samuelson
Caltagirone	Gergely	Matzie	Sankey
Carroll	Gibbons	McCarter	Santarsiero
Causer	Goodman	McClinton	Santora
Cohen	Hahn	McNeill	Schemel
Conklin	Hanna	Miccarelli	Schlossberg
Costa, D.	Harhai	Miller, D.	Schreiber
Costa, P.	Harkins	Moul	Schweyer
Cox	Harper	Mullery	Sims
Culver	Harris, A.	Murt	Snyder
Daley, M.	Harris, J.	Mustio	Sonney
Davis	Helm	Neilson	Tallman
Dawkins	Irvin	Neuman	Taylor
Dean	Kampf	O'Brien	Thomas
Deasy	Kaufner	O'Neill	Tobash
DeLissio	Kauffman	Oberlander	Vereb
DeLuca	Kavulich	Ortitay	Vitali
Dermody	Keller, W.	Parker, D.	Warner
Diamond	Killion	Pashinski	Wheatley
Donatucci	Kim	Payne	White
Driscoll	Kinsey	Petrarca	Youngblood
Ellis			

NOT VOTING—0

EXCUSED—11

Boyle	Daley, P.	Peifer	Sturla
Christiana	Davidson	Reed	Watson
Cruz	DiGirolamo	Ross	

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

On the question recurring,

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

Mr. **BAKER** offered the following amendment No. **A06048**:

Amend Bill, page 9, by inserting between lines 23 and 24 (A05835)

(4) Complete an assessment or provide follow-up care through electronic means, including, but not limited to, the telephone or the Internet if the practitioner is going to certify the patient. A practitioner who provides such care shall be deemed to have violated professional standards and shall be subject to penalty by the appropriate licensing board of the Commonwealth.

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

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Baker.

Mr. **BAKER**. Thank you, Mr. Speaker.

There are some components in this amendment that were incorporated into the Marsico amendment, and so I will be withdrawing this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

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

Mr. **BAKER** offered the following amendment No. **A06030**:

Amend Bill, page 3, by inserting between lines 7 and 8 (A05835) Section 2109.1. Expiration.

Amend Bill, page 44, line 4 (A05835), by striking out "This" and inserting

Notwithstanding section 2109.1, this

Amend Bill, page 44, by inserting between lines 26 and 27 (A05835)

Section 2109.1. Expiration.

Except as set forth in section 2106(b), this act shall expire four years from the effective date of this section.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Baker.

Mr. **BAKER**. Thank you very much, Mr. Speaker.

This is a 4-year expiration unless reenacted. It allows for the expansion of the program if it is determined that the program is working. There is no public health or safety risk. Law enforcement is able to implement the laws as written and the appropriate regulations have been put into place. Sunset provisions for large legislative initiatives are extremely common and will force the legislature to review the same. I believe there are sunset provisions in other laws very similar and would ask for a favorable vote.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. Thank you.

The Chair recognizes Chairman Marsico.

Mr. **MARSICO**. Thank you, Mr. Speaker.

If changes are needed as this act— When it is adopted, if changes are needed, we will deal with that legislatively. So I am going to ask for a "no" vote.

The SPEAKER pro tempore. Thank you.

The Chair recognizes Representative Petrarca.

Mr. **PETRARCA**. Thank you, Mr. Speaker.

I ask for a negative vote on this amendment. The legislation does contain a sunset provision that will kick in 3 years after the Feds reschedule, if they reschedule marijuana.

Also, with this program, investors that will be coming into Pennsylvania to start grower/processors or dispensaries will be investing millions of dollars in our State, and to create a sunset

provision after 4 years, it would certainly cause a problem with that investment.

I ask for a negative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Dush.

Mr. DUSH. Thank you, Mr. Speaker.

I rise in support of this amendment. If we take a look at past pieces of legislation, Act 9 comes to mind. There is a law of unintended consequences and something on the order of this magnitude that if the things that have been projected as possibilities of happening, if that stuff actually does happen, having the sunset provision there and allowing us to reauthorize it or just let it expire I think does a great service for the Commonwealth, and I think it is an excellent amendment. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—57

Baker	Grove	Maloney	Saylor
Barbin	Harhart	Masser	Schemel
Bloom	Harper	McGinnis	Simmons
Corbin	Heffley	Mentzer	Staats
Cutler	Hennessey	Metcalfe	Stephens
Day	Hickernell	Metzgar	Topper
Dush	James	Miller, B.	Truitt
Emrick	Jozwiak	Milne	Ward
Evankovich	Kauffman	Moul	Wentling
Fee	Klunk	Nesbit	Wheeland
Gillen	Knowles	Pickett	Zimmerman
Gillespie	Lawrence	Quinn	
Gingrich	Lewis	Rapp	Turzai,
Godshall	Mackenzie	Roae	Speaker
Greiner	Major	Saccone	

NAYS—132

Acosta	Dunbar	Kim	Pyle
Adolph	Ellis	Kinsey	Quigley
Barrar	English	Kirkland	Rader
Benninghoff	Evans	Kortz	Ravenstahl
Bizzarro	Everett	Kotik	Readshaw
Boback	Fabrizio	Krueger	Reese
Bradford	Farina	Longiotti	Regan
Briggs	Farry	Maher	Roebuck
Brown, R.	Flynn	Mahoney	Rothman
Brown, V.	Frankel	Markosek	Rozzi
Bullock	Freeman	Marshall	Sainato
Burns	Gabler	Marsico	Samuelson
Caltagirone	Gainey	Matzie	Sankey
Carroll	Galloway	McCarter	Santarsiero
Causser	Gergely	McClinton	Santora
Cohen	Gibbons	McNeill	Schlossberg
Conklin	Goodman	Miccarelli	Schreiber
Costa, D.	Hahn	Millard	Schweyer
Costa, P.	Hanna	Miller, D.	Sims
Cox	Harhai	Mullery	Snyder
Culver	Harkins	Murt	Sonney
Daley, M.	Harris, A.	Mustio	Tallman
Davis	Harris, J.	Neilson	Taylor
Dawkins	Helm	Neuman	Thomas
Dean	Hill	O'Brien	Tobash
Deasy	Irvin	O'Neill	Toepel
DeLissio	Kampf	Oberlander	Toohil
Delozier	Kaufer	Ortitay	Vereb

DeLuca	Kavulich	Parker, D.	Vitali
Dermody	Keller, F.	Pashinski	Warner
Diamond	Keller, M.K.	Payne	Wheatley
Donatucci	Keller, W.	Petrarca	White
Driscoll	Killion	Petri	Youngblood

NOT VOTING—0

EXCUSED—11

Boyle	Daley, P.	Peifer	Sturla
Christiana	Davidson	Reed	Watson
Cruz	DiGirolamo	Ross	

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

On the question recurring,

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

Mr. BAKER offered the following amendment No. A06059:

Amend Bill, page 44, by inserting between lines 26 and 27 (A05835)

Section 2109.1. Expiration.

This act shall expire July 1, 2018.

Amend Bill, page 45, by inserting between lines 2 and 3 (A05835)

(xxiv) Section 2109.1.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

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

Mr. BAKER. I will withdraw this amendment too, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Any others you want to withdraw while you are at it?

On the question recurring,

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

Mr. PETRI offered the following amendment No. A06108:

Amend Bill, page 44, lines 30 through 51; page 45, lines 1 through 6 (A05835); by striking out all of said lines on said pages and inserting

30 days after the United States Food and Drug Administration removes the Schedule I classification of cannabis or marijuana.

On the question,

Will the House agree to the amendment?

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

Mr. PETRI. Mr. Speaker, yesterday I brought up the point that this legislation does not fix a problem that exists for those

that would be forced to comply with the act. So I am going to give the members an example. Imagine you are a school nurse and a student comes in with a validly issued prescription for medical marijuana. That school nurse would be required, I believe, both ethically and legally, to fill the prescription. However, his or her medical malpractice insurance would not cover them in the event of an error in the prescription, because no matter what we do in this chamber, until the FDA (Food and Drug Administration) acts, it is still considered an illegal act and there is no insurance in any policy anywhere for someone who engages in an illegal activity. Now, that certainly causes a problem for, in my hypothetical, the school nurse, but it also causes a problem for the patient because the patient now has no recourse in the event that the provider of services made an error.

Let us extend it to a business. Can you imagine a business where you are going to be asked to take out a – to fund a substantial bond and you are going to have no coverage for the activity? In this bill, a grower is required to be indoors. If there is a calamity, an issue, that occurs in the building, there is no insurance coverage for that event because the policy has a provision that says there is no coverage for illegal activity.

So while we can continue to dance in this chamber and other States have done so, we have to recognize that until the FDA gets off their duff and does the right thing for patients, both the patient and the businessperson who wants to enter into these ventures to try to help patients is left without proper legal recourse. My amendment fixes that by saying simply that this bill becomes effective as soon as the FDA reclassifies this particular schedule of drugs.

Thank you. I ask the members to support the amendment.

The SPEAKER pro tempore. Thank you.

The Chair recognizes Chairman Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

Mr. Speaker, this amendment makes the bill actually ineffective. It stymies the bill. So I ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Representative Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

I, too, rise in opposition to this amendment. As Chairman Marsico said, this amendment could put the Pennsylvania medical marijuana act in limbo for a number of years. We have people, we have families, we have children who need this medical marijuana therapy treatment now. I ask you to oppose the amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the gentleman's amendment. I referenced this previously in conversations with members, and he has hit upon one of the biggest issues with the bill as currently written. If you will recall in the description of the bill, they went to great lengths to say that the interstate transport of marijuana has severe limitations on it. The gentleman from Jefferson County alluded to that earlier yesterday, and the reason is because the DEA (Drug Enforcement Administration) continues to enforce the interstate commerce of drugs and any laws related to them. There are a whole host of examples where this has become an issue, and anytime that something comes into interstate commerce, it becomes an issue of the supremacy clause, and the supremacy clause is quite clear in this case that it continues to be a Schedule I substance.

I agree that we should take a good hard look at medical marijuana. I believe that it can be effective for some patients, but I also believe that the current process, it needs to be reclassified. It needs to be changed to a Schedule II so that it will open up these kinds of studies for the patients. And when you get down into the legal weeds in terms of what will happen, the gentleman is absolutely correct in that insurance policies will assert that they do not cover illegal activity, and because of that, you are asking not only the physicians, in terms of their prescriptive authority, but also in terms of liability, their liability coverage will potentially not cover it. In addition to that, it is the same reason that it is outside the pharmaceutical scope of practice for pharmacists to dispense it, which is why we created dispensaries under this proposed act, and the list of potential issues goes on and on all because the Federal government and the FDA will not act.

Now, some in this chamber will argue that we should take action ourselves, and I understand and appreciate and respect that opinion. However, when you look at that from a factual approach, peel the onion back and get through all the layers of complication of what we are creating, the fact remains that there continues to be consistent problems with the supremacy of Federal law, whether it is in insurance, whether it is in the scope of practice, or any variety of other issues. Banking laws, we alluded to that earlier. I know the gentleman from Philadelphia has an amendment that would deal with that. And it all comes back to the fact that all the activity has to take place within the confines of the State.

I am sympathetic to those members who are supportive of this issue. I am sympathetic to the families who want access. I know that you are all very familiar with my own family history with Lou Gehrig's disease, one of the diseases that is listed on this list, but nonetheless, I have serious concerns not just for the patients but their families. I have concerns for the professionals who want to engage in this practice and are currently limited by the Federal government. It is time that they act.

Mr. Speaker, I understand and respect that we can be on different sides of how to best solve this issue, and I am sure that this debate will go on and many would argue that the debate should have already happened, but that does not change the legal issues that the good gentleman from Bucks County raises.

I would offer that this amendment should be adopted, and I do support it. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Regan.

Mr. REGAN. Mr. Speaker, I would remind the members that we, I believe, will be the 26th State to adopt medical marijuana laws. And during our task force meetings this summer, we looked very closely at the problems that were occurring in other States, and this was not one of them. This was not an issue. I think this amendment looks at a problem that is not in existence. It is not purported to be a problem that we are going to have to address down the road, but I think what it does is it is an amendment that will deprive very sick people of their medicine.

So I would ask the members to please vote "no" on this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—57

Baker	Godshall	Mackenzie	Schemel
Barbin	Greiner	Major	Simmons
Bloom	Grove	Maloney	Staats
Corbin	Harhart	McGinnis	Tobash
Cutler	Heffley	Mentzer	Toohil
Day	Hennessey	Metcalfe	Topper
Dunbar	Hickernell	Metzgar	Truitt
Dush	James	Miller, B.	Ward
Emrick	Jozwiak	Petri	Wentling
English	Kauffman	Pickett	Wheeland
Evankovich	Keller, F.	Quinn	Zimmerman
Farry	Keller, M.K.	Rapp	
Fee	Knowles	Reese	Turzai,
Gillespie	Lawrence	Saccone	Speaker
Gingrich	Lewis	Saylor	

NAYS—132

Acosta	Ellis	Klunk	Petrarca
Adolph	Evans	Kortz	Pyle
Barrar	Everett	Kotik	Quigley
Benninghoff	Fabrizio	Krueger	Rader
Bizzarro	Farina	Longietti	Ravenstahl
Boback	Flynn	Maher	Readshaw
Bradford	Frankel	Mahoney	Regan
Briggs	Freeman	Markosek	Roe
Brown, R.	Gabler	Marshall	Roebuck
Brown, V.	Gainey	Marsico	Rothman
Bullock	Galloway	Masser	Rozzi
Burns	Gergely	Matzie	Sainato
Caltagirone	Gibbons	McCarter	Samuelson
Carroll	Gillen	McClinton	Sankey
Causar	Goodman	McNeill	Santarsiero
Cohen	Hahn	Miccarelli	Santora
Conklin	Hanna	Millard	Schlossberg
Costa, D.	Harhai	Miller, D.	Schreiber
Costa, P.	Harkins	Milne	Schweyer
Cox	Harper	Moul	Sims
Culver	Harris, A.	Mullery	Snyder
Daley, M.	Harris, J.	Murt	Sonney
Davis	Helm	Mustio	Stephens
Dawkins	Hill	Neilson	Tallman
Dean	Irvin	Nesbit	Taylor
Deasy	Kampf	Neuman	Thomas
DeLissio	Kaufner	O'Brien	Toepel
Delozier	Kavulich	O'Neill	Vereb
DeLuca	Keller, W.	Oberlander	Vitali
Dermody	Killion	Ortitay	Warner
Diamond	Kim	Parker, D.	Wheatley
Donatucci	Kinsey	Pashinski	White
Driscoll	Kirkland	Payne	Youngblood

NOT VOTING—0

EXCUSED—11

Boyle	Daley, P.	Peifer	Sturla
Christiana	Davidson	Reed	Watson
Cruz	DiGirolamo	Ross	

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

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

The SPEAKER pro tempore. The Chair recognizes Representative Petri for amendment 6109. It is identical to 6108. Are you going to withdraw that one? The Chair thanks the gentleman.

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

Mr. PETRI offered the following amendment No. **A06087**:

Amend Bill, page 1, by inserting between lines 22 and 23 (A05835)

Section 304. Publication.

Amend Bill, page 9, by inserting between lines 36 and 37 (A05835)

Section 304. Publication.

When the department has established the computerized registry required under this chapter, within 30 days, the department shall transmit notice of the establishment to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

Amend Bill, page 44, lines 34 through 51; page 45, lines 1 through 3 (A05835), by striking out all of lines 1 and 2 and "(2)" on line 3 and inserting

(2) The following provisions shall take effect upon publication of the notice under section 304:

- (i) Section 704.
- (ii) Section 711.
- (iii) Chapter 9.
- (iv) Section 1101.
- (v) Section 1104.
- (vi) Section 1105.
- (vii) Section 1106.
- (viii) Section 1107.
- (ix) Section 1108.
- (x) Section 1109.
- (xi) Section 1309.
- (xii) Chapter 19.
- (xiii) Section 2101.
- (xiv) Section 2102.
- (xv) Section 2103.
- (xvi) Section 2104.
- (xvii) Section 2105.
- (xviii) Section 2106.
- (xix) Section 2108.
- (xx) Section 2109.

(3)

Amend Bill, page 45, lines 5 and 6 (A05835), by striking out "or 18 months from the effective date of this" in line 5 and all of line 6

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

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Petri.

Mr. PETRI. Thank you, Mr. Speaker.

This amendment requires that the medical database that was set up under previous legislation and is supposed to be established within the next 18 months, according to a recent

Appropriations hearing, that this law would not become effective until that medical prescription drug database is up and running. The reason for this is simple and logical. While this particular legislation that we are considering has a database, there is nothing – or without the prescription drug database, a physician would not be able to know for certain what other medications the patient is on, and therefore, there could be a dangerous impact.

So I would urge the members to consider that at least until the Commonwealth has completed and implemented the prescription drug monitoring program, which is very important, that this legislation would not be effective. If the Department of Health completes their database timely, there should be no delay in the implementation of this law.

I would ask the members to support this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes that Representative Reed be added back to the roll.

CONSIDERATION OF SB 3 CONTINUED

The SPEAKER pro tempore. The Chair recognizes Chairman Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

I totally agree, the prescription database should be up and running, although with this amendment that would delay medicine to our patients. So I ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

I rise in opposition to this amendment. The legislation as amended, SB 3, has a better tracking system or will have a better tracking system in place than what the gentleman is talking about in his amendment. It will be a 24/7 system tracking from seed to sale, including law enforcement. Again, a much better tracking system.

I ask for a negative vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded?

YEAS—58

Baker	Fee	Mackenzie	Rapp
Barbin	Gillespie	Major	Saccone
Barrar	Gingrich	Maloney	Santora
Bloom	Godshall	McGinnis	Saylor
Brown, R.	Greiner	Mentzer	Simmons
Corbin	Grove	Metcalfe	Staats
Culver	Harhart	Metzgar	Topper
Cutler	Heffley	Millard	Truitt
Day	Hickernell	Miller, B.	Ward

Dunbar	Jozwiak	Milne	Wentling
Dush	Keller, F.	Moul	Wheeland
Emrick	Keller, M.K.	Parker, D.	Zimmerman
English	Knowles	Petri	
Evankovich	Lawrence	Pickett	Turzai,
Fary	Lewis	Quinn	Speaker

NAYS—132

Acosta	Fabrizio	Clunk	Ravenstahl
Adolph	Farina	Kortz	Readshaw
Benninghoff	Flynn	Kotik	Reed
Bizzarro	Frankel	Krueger	Reese
Boback	Freeman	Longietti	Regan
Bradford	Gabler	Maher	Roae
Briggs	Gainey	Mahoney	Roebuck
Brown, V.	Galloway	Markosek	Rothman
Bullock	Gergely	Marshall	Rozzi
Burns	Gibbons	Marsico	Sainato
Caltagirone	Gillen	Masser	Samuelson
Carroll	Goodman	Matzie	Sankey
Causser	Hahn	McCarter	Santarsiero
Cohen	Hanna	McClinton	Schemel
Conklin	Harhai	McNeill	Schlossberg
Costa, D.	Harkins	Miccarelli	Schreiber
Costa, P.	Harper	Miller, D.	Schweyer
Cox	Harris, A.	Mullery	Sims
Daley, M.	Harris, J.	Murt	Snyder
Davis	Helm	Mustio	Sonney
Dawkins	Hennessey	Neilson	Stephens
Dean	Hill	Nesbit	Tallman
Deasy	Irvin	Neuman	Taylor
DeLissio	James	O'Brien	Thomas
Delozier	Kampf	O'Neill	Tobash
DeLuca	Kaufner	Oberlander	Toepel
Dermody	Kauffman	Ortitay	Toohil
Diamond	Kavulich	Pashinski	Vereb
Donatucci	Keller, W.	Payne	Vitali
Driscoll	Killion	Petrarca	Warner
Ellis	Kim	Pyle	Wheatley
Evans	Kinsey	Quigley	White
Everett	Kirkland	Rader	Youngblood

NOT VOTING—0

EXCUSED—10

Boyle	Daley, P.	Peifer	Sturla
Christiana	Davidson	Ross	Watson
Cruz	DiGirolamo		

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

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

Mr. **BAKER** offered the following amendment No. **A06051**:

Amend Bill, page 11, by inserting between lines 48 and 49 (A05835)

(12) A patient who is party to a self-regulatory organization, including, but not limited to, the National Collegiate Athletic Association (NCAA), the National Football League (NFL), the National Hockey League (NHL), Major League Baseball (MLB), the National Basketball Association (NBA), the Women's National Basketball Association (WNBA), the Professional Golfers' Association

(PGA), the United States Soccer Federation (USSF), the Ladies Professional Golf Association (LPGA) and the United States Tennis Association (USTA) and is subject to random drug testing for which marijuana is prohibited is not permitted to use his or her status as a patient as a defense to any judicial or disciplinary actions instituted by the self-regulatory organization.

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

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

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

And with the indulgence of the members, I have appreciated their respect and time. I have a series of amendments I am going to run and then I am going to withdraw the majority of the rest of them, but I will have a few more.

This amendment establishes no defense to use if party is a member of a self-regulatory organization. For instance, we saw in Oregon in the NCAA (National Collegiate Athletic Association) Championship game self-regulatory organizations should have the ability to control their participants. Additionally, if an individual signs an agreement code of conduct with the self-regulatory organizations, they are not mandatory and the participant can leave the organization at any time.

So what I am getting to here is many collegiate sports teams in Pennsylvania as well as the NFL (National Football League), Major League Baseball, so on, they have a no, a zero tolerance for drugs and they know that going in. They sign a contract, so on and so forth. So this just reaffirms that they can do that and there is no confusion. There is no difficulty with this regard, because as you know, the professional teams as well as the collegiate teams do not want drugs in the system, illegal drugs, Schedule I drugs, in the system of their ballplayers and other organizations.

So I think it is a reasonable amendment. It clears up and cleans up a lot of concerns going forward, and I ask for your favorable support.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

I rise to oppose this amendment. Many of the professional organizations, they all have contracts and we will just let them deal with their policy and their contracts and we should not interfere with that. So I ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

I agree with Chairman Marsico, there is nothing in this legislation that would prohibit these organizations from implementing their own policies, and I do not think it is something that we should be legislating at this time. I ask for a negative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—53

Baker	Greiner	Maloney	Saylor
Barbin	Grove	McGinnis	Simmons
Bloom	Harhart	Mentzer	Staats
Boback	Heffley	Metcalfe	Toohil
Brown, R.	Hennessey	Metzgar	Topper
Cutler	Hickernell	Millard	Truitt
Day	Hill	Miller, B.	Ward
Dunbar	Jozwiak	Milne	Wentling
Dush	Klunk	Parker, D.	Wheeland
Emrick	Knowles	Pickett	Zimmerman
Fee	Lawrence	Rapp	
Gillespie	Lewis	Roae	Turzai,
Gingrich	Mackenzie	Rothman	Speaker
Godshall	Major	Saccone	

NAYS—137

Acosta	Evans	Kinsey	Quigley
Adolph	Everett	Kirkland	Quinn
Barrar	Fabrizio	Kortz	Rader
Benninghoff	Farina	Kotik	Ravenstahl
Bizzarro	Farry	Krueger	Readshaw
Bradford	Flynn	Longietti	Reed
Briggs	Frankel	Maher	Reese
Brown, V.	Freeman	Mahoney	Regan
Bullock	Gabler	Markosek	Roebuck
Burns	Gainey	Marshall	Rozzi
Caltagirone	Galloway	Marsico	Sainato
Carroll	Gergely	Masser	Samuelson
Causar	Gibbons	Matzie	Sankey
Cohen	Gillen	McCarter	Santarsiero
Conklin	Goodman	McClinton	Santora
Corbin	Hahn	McNeill	Schemel
Costa, D.	Hanna	Miccarelli	Schlossberg
Costa, P.	Harhai	Miller, D.	Schreiber
Cox	Harkins	Moul	Schweyer
Culver	Harper	Mullery	Sims
Daley, M.	Harris, A.	Murt	Snyder
Davis	Harris, J.	Mustio	Sonney
Dawkins	Helm	Neilson	Stephens
Dean	Irvin	Nesbit	Tallman
Deasy	James	Neuman	Taylor
DeLissio	Kampf	O'Brien	Thomas
DeLozier	Kaufner	O'Neill	Tobash
DeLuca	Kauffman	Oberlander	Toepel
Dermody	Kavulich	Ortitay	Vereb
Diamond	Keller, F.	Pashinski	Vitali
Donatucci	Keller, M.K.	Payne	Warner
Driscoll	Keller, W.	Petrarca	Wheatley
Ellis	Killion	Petri	White
English	Kim	Pyle	Youngblood
Evankovich			

NOT VOTING—0

EXCUSED—10

Boyle	Daley, P.	Peifer	Sturla
Christiana	Davidson	Ross	Watson
Cruz	DiGirolamo		

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

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

Mr. **BAKER** offered the following amendment No. **A06052**:

Amend Bill, page 11, by inserting between lines 48 and 49 (A05835)

(12) An employer of any of the following may prohibit the use of medical marijuana by its employees at all times, even if the employee has received a medical access card:

(i) an individual who operates a vehicle of mass transportation, including a bus or plane;

(ii) an individual who operates a vehicle of public transportation;

(iii) an individual who works with minors in his or her ordinary course of business; or

(iv) an individual who works for a public utility company, including a nuclear power plant.

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

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

Mr. **BAKER**. Thank you very much, Mr. Speaker.

This is another ask by the Pennsylvania Chamber of Business and Industry. It is very important to our business community. It allows for limitations by employers when the patient works in a profession where an altered disposition could result in a risk to public health and safety. This amendment was requested by the chamber as it is limited to those situations, like the providers of public transportation or someone working in a nuclear power plant where mass casualties are likely if an individual is intoxicated. This simply means an employee can be removed from working in these dangerous situations if they are intoxicated regardless of whether the intoxication was the result of medical marijuana or illegal marijuana.

I ask for your favorable support on behalf of our business community. Thank you, Mr. Speaker.

The **SPEAKER** pro tempore. The Chair thanks the gentleman and recognizes Representative Marsico.

Mr. **MARSICO**. Mr. Speaker, this amendment has already been covered with the Evankovich amendment. We are dealing with employee protections. So I ask for a "no" vote.

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

Representative Petrarca.

Mr. **PETRARCA**. Thank you, Mr. Speaker.

I rise in opposition to this amendment and agree with Chairman Marsico that this has already been covered, and I think it certainly gives employers too much discretion in terms of how they treat employees in these situations. I ask for a negative vote. Thank you.

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

LEAVE OF ABSENCE CANCELED

The **SPEAKER** pro tempore. The Chair recognizes that Representative Ross has returned. He will be added to the master roll call.

CONSIDERATION OF SB 3 CONTINUED

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

The following roll call was recorded:

YEAS—75

Baker	Godshall	Maloney	Roae
Barbin	Greiner	Marshall	Ross
Bloom	Grove	Masser	Rothman
Boback	Harper	McGinnis	Saccone
Brown, R.	Heffley	Mentzer	Saylor
Corbin	Hennessey	Metcalfe	Simmons
Culver	Hickernell	Metzgar	Staats
Cutler	Hill	Millard	Stephens
Day	Jozwiak	Miller, B.	Tobash
DeLozier	Kampf	Milne	Topper
Dush	Keller, F.	Moul	Truitt
Emrick	Keller, M.K.	Mustio	Ward
English	Klunk	Parker, D.	Warner
Evankovich	Knowles	Petri	Wentling
Farry	Lawrence	Pickett	Wheeland
Fee	Lewis	Quigley	Zimmerman
Gabler	Mackenzie	Quinn	
Gillen	Maher	Rapp	Turzai,
Gillespie	Major	Regan	Speaker
Gingrich			

NAYS—116

Acosta	Dunbar	Kim	Rader
Adolph	Ellis	Kinsey	Ravenstahl
Barrar	Evans	Kirkland	Readshaw
Benninghoff	Everett	Kortz	Reed
Bizzarro	Fabrizio	Kotik	Reese
Bradford	Farina	Krueger	Roebuck
Briggs	Flynn	Longietti	Rozzi
Brown, V.	Frankel	Mahoney	Sainato
Bullock	Freeman	Markosek	Samuels
Burns	Gainey	Marsico	Sankey
Caltagirone	Galloway	Matzie	Santarsiero
Carroll	Gergely	McCarter	Santora
Causer	Gibbons	McClinton	Schemel
Cohen	Goodman	McNeill	Schlossberg
Conklin	Hahn	Miccarelli	Schreiber
Costa, D.	Hanna	Miller, D.	Schweyer
Costa, P.	Harhai	Mullery	Sims
Cox	Harhart	Murt	Snyder
Daley, M.	Harkins	Neilson	Sonney
Davis	Harris, A.	Nesbit	Tallman
Dawkins	Harris, J.	Neuman	Taylor
Dean	Helm	O'Brien	Thomas
Deasy	Irvin	O'Neill	Toepel
DeLissio	James	Oberlander	Toohil
DeLuca	Kaufert	Ortitay	Vereb
Dermody	Kauffman	Pashinski	Vitali
Diamond	Kavulich	Payne	Wheatley
Donatucci	Keller, W.	Petrarca	White
Driscoll	Killion	Pyle	Youngblood

NOT VOTING—0

EXCUSED—9

Boyle	Daley, P.	DiGirolamo	Sturla
Christiana	Davidson	Peifer	Watson
Cruz			

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

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

Mr. **BAKER** offered the following amendment No. **A06041**:

Amend Bill, page 42, by inserting between lines 25 and 26 (A05835)

(a) No required coverage.—

Amend Bill, page 42, by inserting between lines 28 and 29 (A05835)

(b) Definition.—As used in this section, the term "insurer" includes all of the following:

- (1) A workers' compensation payer or insurer.
- (2) A self-insured workers' compensation employer.
- (3) The State Workers Insurance Fund.
- (4) The Uninsured Employers Guaranty Fund.
- (5) A private liability insurer or self insurer of any type, including a motor vehicle, property or general liability carrier.

Amend Bill, page 43, lines 2 through 7 (A05835), by striking out "an employer's ability to discipline an" in line 2; all of lines 3 through 6 and "(3) in line 7 and inserting

the ability of an employer to do any of the following if the employer has reason to believe that being under the influence of medical marijuana could cause an employee's conduct to fall below the standard of care normally accepted for the employee's position:

- (i) Prohibit an employee from being under the influence of medical marijuana in the workplace.
- (ii) Prohibit an employee from working while under the influence of medical marijuana.
- (iii) Require employees or job applicants to disclose a prescription for or use of medical marijuana.

(3) This act shall in no way limit an employer's ability to discipline an employee for violating a workplace policy under paragraph (2).

(4) This act shall in no way limit an employer's ability to drug test employees or job applicants.

(5) Nothing in this act shall require an employer to commit any act that would put the employer or any person acting on an employer's behalf at risk of losing a Federal contract or Federal funding.

(6) No workers' compensation benefits shall be paid for an accident or injury caused by or contributed to by medical marijuana use in violation of the prescribed dosage, treatment regimen or workplace policy under paragraph (2)(i).

(7) The following shall apply to unemployment compensation:

- (i) An employer shall be granted relief from charges if a former employee is granted unemployment compensation benefits because the employer could not accommodate the employee's lawful use of medical marijuana.
- (ii) An employee whose separation from employment was caused by any of the following shall be deemed to have committed willful misconduct and, therefore, to be ineligible for unemployment compensation benefits:

(A) Medical marijuana use which violates the prescribed dosage, treatment regimen or workplace policy under paragraph (2)(i).

(B) Refusal to submit to a test requested by an employer to determine whether the

employee is under the influence of marijuana and, therefore, in violation of paragraph (2)(i).

(8)

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

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

Mr. **BAKER**. Thank you very much, Mr. Speaker.

This one there is no confusion. This amendment was literally sent to us recently by the Pennsylvania Chamber of Business and Industry, and they are requesting favorable approval of this amendment. It improves employer protections for their employees who utilize marijuana. The amendment strictly forbids the following: employer from being under the influence at work, requires disclosure, allows for employers to still drug test, Federal protections, and limits use of workers' compensation for accidents caused by marijuana intoxication. Very, very important to our business community. It is an absolute must for them, and they would appreciate your honorable support for this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Representative Marsico.

Mr. **MARSICO**. Mr. Speaker, this amendment is actually already covered in the Marsico amendment, which would be consistent with employment law. So I ask for a negative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Petrarca.

Mr. **PETRARCA**. Thank you, Mr. Speaker.

I, too, rise in opposition to this amendment. Again, it gives employers absolute total discretion in these situations. This is covered by current law and certainly covered by SB 3 as amended with the Marsico omnibus amendment. I ask for a negative vote. Thank you.

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

Mr. **BAKER**. Thank you very much, Mr. Speaker.

With all due respect, the chamber does not believe this was incorporated within the Marsico amendment and they are most vehement about asking for support for passage of this amendment. Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—81

Baker	Greiner	Maloney	Saccone
Barbin	Grove	Masser	Sankey
Bloom	Harhart	McGinnis	Santora
Boback	Harris, A.	Mentzer	Saylor
Causser	Heffley	Metcalfe	Simmons
Corbin	Hennessey	Metzgar	Sonney
Culver	Hickernell	Miller, B.	Staats
Cutler	Hill	Milne	Stephens
Day	Irvin	Moul	Tallman
Delozier	James	Mustio	Tobash

Dunbar	Jozwiak	Parker, D.	Topper
Dush	Keller, F.	Petri	Truitt
Emrick	Keller, M.K.	Pickett	Ward
English	Killion	Quigley	Warner
Evankovich	Klunk	Quinn	Wentling
Fee	Knowles	Rader	Wheeland
Gabler	Lawrence	Rapp	Zimmerman
Gillen	Lewis	Reese	
Gillespie	Mackenzie	Regan	Turzai,
Gingrich	Maher	Roae	Speaker
Godshall	Major	Rothman	

NAYS—110

Acosta	Driscoll	Kinsey	Payne
Adolph	Ellis	Kirkland	Petrarca
Barrar	Evans	Kortz	Pyle
Benninghoff	Everett	Kotik	Ravenstahl
Bizzarro	Fabrizio	Krueger	Readshaw
Bradford	Farina	Longiotti	Reed
Briggs	Farry	Mahoney	Roebuck
Brown, R.	Flynn	Markosek	Ross
Brown, V.	Frankel	Marshall	Rozzi
Bullock	Freeman	Marsico	Sainato
Burns	Gainey	Matzie	Samuelson
Caltagirone	Galloway	McCarter	Santarsiero
Carroll	Gergely	McClinton	Schemel
Cohen	Gibbons	McNeill	Schlossberg
Conklin	Goodman	Miccarelli	Schreiber
Costa, D.	Hahn	Millard	Schweyer
Costa, P.	Hanna	Miller, D.	Sims
Cox	Harhai	Mullery	Snyder
Daley, M.	Harkins	Murt	Taylor
Davis	Harper	Neilson	Thomas
Dawkins	Harris, J.	Nesbit	Toepel
Dean	Helm	Neuman	Toohil
Deasy	Kampf	O'Brien	Vereb
DeLissio	Kaufer	O'Neill	Vitali
DeLuca	Kaufman	Oberlander	Wheatley
Dermody	Kavulich	Ortitay	White
Diamond	Keller, W.	Pashinski	Youngblood
Donatucci	Kim		

NOT VOTING—0

EXCUSED—9

Boyle	Daley, P.	DiGirolamo	Sturla
Christiana	Davidson	Peifer	Watson
Cruz			

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

On the question recurring,

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

Mr. **BAKER** offered the following amendment No. **A06049**:

Amend Bill, page 16, line 43 (A05835), by inserting after "processing,"

The testing shall include, but not be limited to, the presence of:

- (1) pesticides;
- (2) mold;
- (3) mildew;
- (4) e-coli;
- (5) salmonella; and
- (6) any other foreign substance that is not naturally found in marijuana.

On the question,

Will the House agree to the amendment?

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

Mr. **BAKER**. Thank you very much, Mr. Speaker.

This actual amendment came out of the testimony from many people during the joint Judiciary-Health Committee hearings, and it requires testing of marijuana products to protect against pesticides, mold, mildew, E. coli, etc. These clearly have been documented in other States as problems. These are serious problems found and need to be addressed. These molds and mildews invade the product, even if it is not vaporized or smoked and create substantial health risks and complications, risks and complications for those that are already medically fragile. Even pro-marijuana blogs, Web sites, magazines, etc., discuss the problems that marijuana growers have with gray mold, pesticides, insects, bacteria, and viruses. The Amsterdam Marijuana Seed Bank has warnings on its Web site that state "Handling or smoking any marijuana that has been infected by mildew, mold or fungi can harm your health!"

Mr. Speaker, I ask for support of this amendment.

The **SPEAKER** pro tempore. The Chair thanks the gentleman and recognizes Representative Marsico.

Mr. **MARSICO**. Thank you, Mr. Speaker.

I rise to oppose this amendment. Actually, the Marsico amendment does address a procedure for reporting results of lab testing of medical marijuana and the procedure for approving laboratories that seek to test medical marijuana. I believe that this amendment would be overkill, and I ask for a negative vote.

The **SPEAKER** pro tempore. The Chair thanks the gentleman and recognizes Representative Petrarca.

Mr. **PETRARCA**. Thank you, Mr. Speaker.

I ask for a negative vote on this amendment. This is a decision that I think should best be left with the board. The board will require testing. We will require testing at harvest. We will require testing at the other end of the process at the dispensing point. I think, again, this is something that should best be left to the board. I think this amendment is unnecessary and ask for a negative vote.

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

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—68

Baker	Grove	McGinnis	Sankey
Barbin	Hanna	Mentzer	Santora
Bloom	Heffley	Metcalfe	Saylor
Boback	Hennessey	Metzgar	Simmons
Brown, R.	Hickernell	Millard	Staats
Culver	Hill	Miller, B.	Stevens
Cutler	Irvin	Milne	Topper
Day	James	Parker, D.	Truitt
Dush	Jozwiak	Petri	Ward
Emrick	Keller, M.K.	Pickett	Warner
Evankovich	Klunk	Quigley	Wentling
Fee	Knowles	Quinn	Wheeland
Gabler	Lawrence	Rapp	White
Gillen	Lewis	Regan	Zimmerman
Gillespie	Mackenzie	Roae	

Gingrich	Major	Rothman	Turzai,
Godshall	Maloney	Saccone	Speaker
Greiner	Masser		

NAYS—123

Acosta	Dunbar	Kim	Petrarca
Adolph	Ellis	Kinsey	Pyle
Barrar	English	Kirkland	Rader
Benninghoff	Evans	Kortz	Ravenstahl
Bizzarro	Everett	Kotik	Readshaw
Bradford	Fabrizio	Krueger	Reed
Briggs	Farina	Longietti	Reese
Brown, V.	Farry	Maher	Roebuck
Bullock	Flynn	Mahoney	Ross
Burns	Frankel	Markosek	Rozzi
Caltagirone	Freeman	Marshall	Sainato
Carroll	Gainey	Marsico	Samuelson
Causar	Galloway	Matzie	Santarsiero
Cohen	Gergely	McCarter	Schemel
Conklin	Gibbons	McClinton	Schlossberg
Corbin	Goodman	McNeill	Schreiber
Costa, D.	Hahn	Miccarelli	Schweyer
Costa, P.	Harhai	Miller, D.	Sims
Cox	Harhart	Moul	Snyder
Daley, M.	Harkins	Mullery	Sonney
Davis	Harper	Murt	Tallman
Dawkins	Harris, A.	Mustio	Taylor
Dean	Harris, J.	Neilson	Thomas
Deasy	Helm	Nesbit	Tobash
DeLissio	Kampf	Neuman	Toepel
Delozier	Kaufer	O'Brien	Toohil
DeLuca	Kauffman	O'Neill	Vereb
Dermody	Kavulich	Oberlander	Vitali
Diamond	Keller, F.	Ortitay	Wheatley
Donatucci	Keller, W.	Pashinski	Youngblood
Driscoll	Killion	Payne	

NOT VOTING—0

EXCUSED—9

Boyle	Daley, P.	DiGirolamo	Sturla
Christiana	Davidson	Peifer	Watson
Cruz			

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

On the question recurring,

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

Mr. **BAKER** offered the following amendment No. **A06056**:

Amend Bill, page 31, by inserting between lines 42 and 43 (A05835)

Section 1106.1. Qualifications and restrictions of the board.

(a) Qualification and restrictions.—The qualifications and restrictions of each professional and public member of the board shall be as follows:

(1) Each member at the time of appointment shall be at least 25 years of age and shall have been a resident of this Commonwealth for a period of at least one year immediately preceding appointment. Each member shall continue to remain a resident of this Commonwealth during the term of membership on the board.

(2) Except for ex officio members, no person shall be appointed a member of the board or be employed by or be an

independent contractor of the board if that person is a public official or party officer as defined 4 Pa.C.S. § 1512 (relating to financial and employment interests) in this Commonwealth or any of its political subdivisions.

(3) Each member, employee and independent contractor of the board shall sign an agreement not to disclose confidential information.

(4) No member, employee or independent contractor of the board or other agency having regulatory authority over the board shall be employed, hold any office or position or be engaged in any activity which is incompatible with the position, employment or contract.

(5) No member shall be paid or receive any fee or other compensation for any activity related to the duties or authority of the board other than salary and expenses provided by law.

(6) No member, employee or independent contractor of the board shall participate in a hearing, proceeding or other matter in which the member, employee or independent contractor, or the immediate family of the member, employee or independent contractor, has a financial interest in the subject matter of the hearing or proceeding or other interest that could be substantially affected by the outcome of the hearing or proceeding without first fully disclosing the nature of the interest to the board and other persons participating in the hearing or proceeding. The board shall determine if the interest is a disqualifying interest that requires the disqualification or nonparticipation of an employee or independent contractor. For purposes of this paragraph, the term "immediate family" shall mean spouse, parent, brother, sister or child.

(7) At the time of appointment and annually thereafter, each member shall disclose the existence of any financial interest in any marijuana grower/processor or dispensary and in an affiliate, intermediary, subsidiary or holding company thereof held by the member or known to be held by the member's immediate family. The disclosure statement shall be filed with the chairperson of the board and the Governor and shall be open to inspection by the public at the office of the board during the normal business hours of the board for the duration of the member's term and for two years after the member leaves office. For purposes of this paragraph, the term "immediate family" shall mean spouse, parent, brother, sister or child.

(8) Prior to being sworn as a member, an appointee and the appointee's immediate family shall divest any financial interest in any marijuana grower/processor or dispensary and in an affiliate, intermediary, subsidiary or holding company thereof owned or held by the appointee or known to be held by the appointee's immediate family. For the duration of the member's term and for two years thereafter, the member and the member's immediate family may not acquire a financial interest in any marijuana grower/processor or dispensary or in an affiliate, intermediary, subsidiary or holding company of any marijuana grower/processor or dispensary. For purposes of this paragraph, the term "immediate family" shall mean spouse and any minor or unemancipated child.

(9) Prior to entering into employment or a contract with the board and annually thereafter, an employee or independent contractor shall disclose the existence of any financial interest in any marijuana grower/processor or dispensary and in an affiliate, intermediary, subsidiary or holding company thereof owned or held by the employee or independent contractor or known to be held by the immediate family of the employee or independent contractor. The disclosure statement shall be filed with the board and shall be open to inspection by the public at the office of the board during the normal business hours of the board and for two years after termination of employment or a contract with the board. For purposes of this paragraph, the term "immediate family" shall mean spouse, parent, brother, sister or child.

(10) Prior to entering into employment or contracting

with the board, an employee or independent contractor and the employee's or independent contractor's immediate family shall divest any financial interest in any marijuana grower/processor or dispensary, and in an affiliate, intermediary, subsidiary or holding company thereof, owned or held by the employee or independent contractor or known to be held by the immediate family of the employee or independent contractor. For the duration of the employee's employment with the board or the independent contractor's contract with the board and for two years thereafter, the employee or independent contractor and the immediate family thereof shall not acquire, by purchase, gift, exchange or otherwise, any financial interest in any marijuana grower/processor or dispensary and in any affiliate, intermediary, subsidiary or holding company thereof. For purposes of this paragraph, the term "immediate family" shall mean spouse, parent, brother, sister or child.

(11) No member, employee or independent contractor of the board may directly or indirectly solicit, request, suggest or recommend to any marijuana grower/processor or dispensary, or an affiliate, intermediary, subsidiary or holding company thereof or to any principal, employee, independent contractor or agent thereof, the appointment or employment of any person in any capacity by the marijuana grower/processor or dispensary, or an affiliate, intermediary, subsidiary or holding company thereof for a period of two years from the termination of term of office, employment or contract with the board.

(12) No member may accept employment with any marijuana grower/processor or dispensary, or an affiliate, intermediary, subsidiary or holding company thereof, for a period of two years from the termination of term of office.

(13) No former member may appear before the board in any hearing or proceeding or participate in any other activity on behalf of any marijuana grower/processor or dispensary, or an affiliate, intermediary, subsidiary or holding company of a marijuana grower/processor or dispensary for a period of two years from the termination of term of office.

(14) A member who has been convicted during his term in any domestic or foreign jurisdiction of a felony, infamous crime or controlled substances offense shall, upon conviction, be automatically removed from the board and shall be ineligible to become a member in the future. If an ex officio member is convicted during his term in any domestic or foreign jurisdiction of a felony, infamous crime or controlled substances offense, the ex officio member shall, upon conviction, be automatically removed from the board and a member shall be designated pursuant to subsection (e) to serve the remainder of the ex officio member's term.

(15) The following shall apply to an employee of the board whose duties substantially involve licensing, enforcement, development of law, promulgation of regulations or development of policy, relating to medical marijuana under this chapter or who has other discretionary authority which may affect or influence the outcome of an action, proceeding or decision under this act, including the executive director, bureau directors and attorneys:

(i) The individual may not, for a period of two years following termination of employment, accept employment with or be retained by a marijuana grower/processor or dispensary or by any affiliate, intermediary, subsidiary or holding company of an applicant, medical cannabis grower, processor or dispenser.

(ii) The individual may not, for a period of two years following termination of employment, appear before the board in a hearing or proceeding or participate in activity on behalf of a marijuana grower/processor or

dispensary or on behalf of any affiliate, intermediary, subsidiary or holding company of a marijuana grower/processor or dispensary.

(iii) A marijuana grower/processor or dispensary or affiliate, intermediary, subsidiary or holding company of a marijuana grower/processor or dispensary may not, until the expiration of two years following termination of employment, employ or retain the individual. Violation of this subparagraph shall result in termination of the individual's employment and subject the violator to Chapter 13.

(iv) A prospective employee who, upon employment, would be subject to this paragraph must, as a condition of employment, sign an affidavit that the prospective employee will not violate subparagraph (i) or (ii). If the prospective employee fails to sign the affidavit, the board shall rescind any offer of employment and shall not employ the individual.

(16) The following shall apply to an entity involved in consultation relating to licensing, enforcement, development of law, promulgation of regulations or development of policy, relating to medical cannabis under this chapter:

(i) The person may not, for a period of two years following termination of the contract with the board, be retained by a marijuana grower/processor or dispensary or any affiliate, intermediary, subsidiary or holding company of a marijuana grower/processor or dispensary.

(ii) The person may not, for a period of two years following termination of the contract with the board, appear before the board in a hearing or proceeding or participate in activity on behalf of a marijuana grower/processor or dispensary on behalf of an affiliate, intermediary, subsidiary or holding company of a marijuana grower/processor or dispensary.

(iii) A marijuana grower/processor or dispensary or an affiliate, intermediary, subsidiary or holding company of a marijuana grower/processor or dispensary may not, until the expiration of two years following termination of the contract with the board, employ or retain the person. A knowing violation of this subparagraph shall result in termination of the person's employment and subject the violator to Chapter 13.

(iv) Each contract between the board and an independent contractor which involves the duties set forth in this paragraph shall contain a provision requiring the independent contractor to sign an affidavit that the independent contractor will not violate subparagraph (i) or (ii). If the independent contractor fails to sign the affidavit, the board shall not enter into the contract.

(v) An independent contractor shall require a prospective employee whose employment would involve the duties set forth in this paragraph to sign an affidavit that the prospective employee will not violate subparagraph (i) or (ii). If the prospective employee fails to sign the affidavit, the independent contractor shall rescind any offer of employment and shall not employ the individual.

(17) If a member of the board violates any provision of this section, the Governor may remove the person from the board. A member removed under this paragraph shall, for a period of five years following removal, be prohibited from future appointment to the board and shall be prohibited from applying for a license, permit or other authorization under this chapter.

(b) Definitions.—As used in this section, the term "financial interest" shall mean the ownership, property, leasehold or other beneficial interest in an entity.
Section 1106.2. Liability.

Members shall not be personally liable for any of the following:
 (1) Obligations of the board.
 (2) Actions which were within the scope of their office and made in good faith.

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

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

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

This speaks to the limitation to board members. This amendment actually reflects the gaming board law that we have in Pennsylvania. It reflects many of the limitations placed on the Gaming Control Board. It limits financial interest on those who will craft the regulations. This will require the board to be truly independent and not subject to influence from the marijuana lobby.

I ask for your favorable support, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Marsico.

Mr. MARSICO. Mr. Speaker, I ask for a "no" vote. This is unnecessary to require this of the advisory board. They have nothing to do with licensing, registration for the growers/processors and dispensaries. So I ask for a negative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

I, too, ask for a negative vote. The bipartisan task force spent a lot of time on the makeup of the board, and in this legislation it sets out the makeup from law enforcement, from the medical community. I ask for a "no" vote on this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—64

Baker	Greiner	Major	Saylor
Barbin	Grove	Maloney	Simmons
Barrar	Harhart	McGinnis	Sonney
Bloom	Harper	Mentzer	Staats
Corbin	Heffley	Metcalfe	Stephens
Cutler	Hennessey	Metzgar	Tallman
Day	Hickernell	Miller, B.	Tobash
Delozier	Hill	Milne	Topper
Dush	James	Nesbit	Truitt
Emrick	Jozwiak	Parker, D.	Ward
Evankovich	Keller, F.	Pickett	Wentling
Fee	Keller, M.K.	Quinn	Wheeland
Gabler	Klunk	Rapp	Zimmerman
Gillen	Knowles	Roae	
Gillespie	Lawrence	Rothman	Turzai,
Gingrich	Lewis	Saccone	Speaker
Godshall	Mackenzie		

NAYS—127

Acosta	Ellis	Kortz	Quigley
Adolph	English	Kotik	Rader
Benninghoff	Evans	Krueger	Ravenstahl
Bizzarro	Everett	Longietti	Readshaw
Boback	Fabrizio	Maher	Reed
Bradford	Farina	Mahoney	Reese
Briggs	Farry	Markosek	Regan
Brown, R.	Flynn	Marshall	Roebuck
Brown, V.	Frankel	Marsico	Ross
Bullock	Freeman	Masser	Rozzi
Burns	Gainey	Matzie	Sainato
Caltagirone	Galloway	McCarter	Samuelson
Carroll	Gergely	McClinton	Sankey
Causer	Gibbons	McNeill	Santarsiero
Cohen	Goodman	Miccarelli	Santora
Conklin	Hahn	Millard	Schemel
Costa, D.	Hanna	Miller, D.	Schlossberg
Costa, P.	Harhai	Moul	Schreiber
Cox	Harkins	Mullery	Schweyer
Culver	Harris, A.	Murt	Sims
Daley, M.	Harris, J.	Mustio	Snyder
Davis	Helm	Neilson	Taylor
Dawkins	Irvin	Neuman	Thomas
Dean	Kampf	O'Brien	Toepel
Deasy	Kaufer	O'Neill	Toohil
DeLissio	Kauffman	Oberlander	Vereb
DeLuca	Kavulich	Ortitay	Vitali
Dermody	Keller, W.	Pashinski	Warner
Diamond	Killion	Payne	Wheatley
Donatucci	Kim	Petrarca	White
Driscoll	Kinsey	Petri	Youngblood
Dunbar	Kirkland	Pyle	

NOT VOTING—0

EXCUSED—9

Boyle	Daley, P.	DiGirolamo	Sturla
Christiana	Davidson	Peifer	Watson
Cruz			

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

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

VOTE CORRECTION

Mr. HANNA. Mr. Speaker? Mr. Speaker?
 The SPEAKER pro tempore. Yes.
 Mr. HANNA. To correct the record.
 The SPEAKER pro tempore. Yes, sir. Representative Hanna.
 Mr. HANNA. To correct the record.

THE SPEAKER (MIKE TURZAI)
 PRESIDING

The SPEAKER. You may proceed, sir.
 Mr. HANNA. Thank you, Mr. Speaker.
 Mr. Speaker, on amendment A6049 to SB 3, I was recorded in the affirmative. I wish to be recorded in the negative. Thank you, Mr. Speaker.
 The SPEAKER. Yes; the record will so reflect.

CONSIDERATION OF SB 3 CONTINUED

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

Mr. **BAKER** offered the following amendment No. **A06031**:

Amend Bill, page 12, line 19 (A05835), by striking out "Upon" and inserting

Except as set fourth in subsection (a.1), upon

Amend Bill, page 12, by inserting between lines 28 and 29 (A05835)

(a.1) Prohibitions.—The department shall not issue an identification card to a patient who:

(1) is prohibited from contact with an illegal or intoxicating substance as a condition of probation or parole; or

(2) is prohibited from using an illegal or intoxicating substance as a condition of bail.

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

The **SPEAKER**. On that question, the Chair recognizes Representative Baker on amendment 6031.

Mr. **BAKER**. Thank you very much, Mr. Speaker.

I think I only have one or two more, and then I am going to withdraw all the rest.

This amendment deals with the Department of Health, that they may not issue a card for someone who, the individual cannot be on probation or parole, if avoiding intoxicating substances is a condition of their probation or parole. The individual cannot receive a card if they are forbidden from contact with an intoxicating substance as a condition of his or her bail.

Mr. Speaker, these are court agreements. These are issues that are dealt with with the probation and parole department and are subject to agreements with bail, and we do not want any confusion here that we are actually authorizing these cards or that the Department of Health should authorize these cards to these individuals that are prohibited from taking illicit substances.

So I would ask that the members kindly support this amendment. Thank you, Mr. Speaker.

The **SPEAKER**. Representative Marsico, on the amendment.

Mr. **MARSICO**. Mr. Speaker, this is an issue that ought to be dealt with by the courts, by our judges in a case by case, a specific case by case. So I ask for a "no" vote.

The **SPEAKER**. Representative Petrarca.

Mr. **PETRARCA**. Thank you, Mr. Speaker.

I also ask for a negative vote. People in this situation can be people that are self-medicating, can also be people that are trying to get away or away from their addictions, and it just does not make sense to limit them or prohibit them from medical marijuana. If the courts wanted that to— If the courts so choose to do this, they can certainly put it in an order.

I ask for a negative vote. Thank you.

The **SPEAKER**. Representative Dom Costa.

Mr. **D. COSTA**. Thank you, Mr. Speaker.

Today the courts already tell people that they cannot drink. Alcohol is legal. If the courts say you cannot do it, they know they are in violation of their probation or parole if they do

something. So it is no different than banning somebody from alcohol.

I stand with my colleagues on this. Thank you.

LEAVE OF ABSENCE

The **SPEAKER**. Representative Mike REESE has indicated he would like to be placed on leave of absence for the remainder of the day. Without objection, that will be granted.

CONSIDERATION OF SB 3 CONTINUED

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

The following roll call was recorded:

YEAS—76

Baker	Gillespie	Mackenzie	Rothman
Barbin	Gingrich	Major	Saccone
Barrar	Godshall	Maloney	Sankey
Bloom	Greiner	McGinnis	Saylor
Boback	Grove	Mentzer	Simmons
Brown, R.	Harhart	Metcalfe	Sonney
Causar	Heffley	Metzgar	Staats
Corbin	Hennessey	Millard	Stephens
Culver	Hickernell	Miller, B.	Toepel
Cutler	Hill	Milne	Topper
Day	Irvin	Nesbit	Truitt
Delozier	James	Parker, D.	Ward
Dunbar	Jozwiak	Petri	Warner
Dush	Kampf	Pickett	Wentling
Emrick	Kauffman	Quigley	Wheeland
English	Keller, M.K.	Quinn	Zimmerman
Evankovich	Klunk	Rapp	
Farry	Knowles	Roae	Turzai,
Fee	Lawrence	Ross	Speaker
Gabler	Lewis		

NAYS—114

Acosta	Everett	Kotik	Pyle
Adolph	Fabrizio	Krueger	Rader
Benninghoff	Farina	Longietti	Ravenstahl
Bizzarro	Flynn	Maher	Readshaw
Bradford	Frankel	Mahoney	Reed
Briggs	Freeman	Markosek	Regan
Brown, V.	Gainey	Marshall	Roebuck
Bullock	Galloway	Marsico	Rozzi
Burns	Gergely	Masser	Sainato
Caltagirone	Gibbons	Matzie	Samuelson
Carroll	Gillen	McCarter	Santarsiero
Cohen	Goodman	McClinton	Santora
Conklin	Hahn	McNeill	Schemel
Costa, D.	Hanna	Miccarelli	Schlossberg
Costa, P.	Harhai	Miller, D.	Schreiber
Cox	Harkins	Moul	Schweyer
Daley, M.	Harper	Mullery	Sims
Davis	Harris, A.	Murt	Snyder
Dawkins	Harris, J.	Mustio	Tallman
Dean	Helm	Neilson	Taylor
Deasy	Kaufner	Neuman	Thomas
DeLissio	Kavulich	O'Brien	Tobash
DeLuca	Keller, F.	O'Neill	Toohil
Dermody	Keller, W.	Oberlander	Vereb
Diamond	Killion	Ortitay	Vitali
Donatucci	Kim	Pashinski	Wheatley
Driscoll	Kinsey	Payne	White
Ellis	Kirkland	Petrarca	Youngblood
Evans	Kortz		

NOT VOTING—0

EXCUSED—10

Boyle	Daley, P.	Peifer	Sturla
Christiana	Davidson	Reese	Watson
Cruz	DiGirolamo		

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

On the question recurring,

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

Mr. **BAKER** offered the following amendment No. **A04391**:

Amend Bill, page 1, lines 1 through 16; pages 2 and 3, lines 1 through 30; page 4, line 1; by striking out all of said lines on said pages and inserting

Providing for the use of investigational drugs, biological products and devices by terminally ill patients.

Amend Bill, page 4, lines 4 through 30; pages 5 through 68, lines 1 through 30; page 69, lines 1 through 27; by striking out all of said lines on said pages and inserting

Section 1. Short title.

This act shall be known and may be cited as the Right-to-Try Act.

Section 2. Definitions.

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

"Eligible patient." As follows:

(1) A person who has:

(i) a terminal illness, attested to by the patient's treating physician;

(ii) carefully considered all other treatment options approved by the United States Food and Drug Administration;

(iii) been unable to participate in a clinical trial for the terminal illness that is located within 100 miles of the patient's home address or has not been accepted to the clinical trial within one week of completion of the clinical trial application process;

(iv) received a recommendation from the patient's treating physician for an investigational drug, biological product or device;

(v) given written, informed consent for the use of the investigational drug, biological product or device or, if the patient is a minor or lacks the mental capacity to provide informed consent, a parent or legal guardian has given written, informed consent on the patient's behalf; and

(vi) documentation from the patient's treating physician that the patient meets the requirements of this paragraph.

(2) A person with a qualifying medical condition who seeks to use only an investigational cannabis product.

(3) The term does not include a person being treated as an inpatient in any hospital.

"Hospital." As defined in section 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

"Investigational cannabis product." A pharmaceutical product which has been approved for study by the United States Food and Drug Administration, but is not yet approved for general use by the United

States Food and Drug Administration, which contains a derivative of cannabis.

"Investigational drug, biological product or device." A drug, biological product or device that has successfully completed phase one of a clinical trial but has not yet been approved for general use by the United States Food and Drug Administration and remains under investigation in a clinical trial approved by the United States Food and Drug Administration.

"Physician." As defined in section 2 of the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985.

"Qualifying medical condition." As follows:

(1) Cancer.

(2) Epilepsy and seizures.

(3) Amyotrophic lateral sclerosis.

(4) Cachexia/wasting syndrome.

(5) Parkinson's disease.

(6) Traumatic brain injury and postconcussion syndrome.

(7) Multiple sclerosis.

(8) Spinocerebellar ataxia (SCA).

(9) HIV/AIDS.

(10) Glaucoma.

"Terminal illness." A disease or condition that, without life-sustaining procedures, will soon result in death or a state of permanent unconsciousness from which recovery is unlikely.

"Written, informed consent." A written document signed by the patient and attested to by the patient's treating physician and a witness that, at a minimum:

(1) Explains the currently approved products and treatments for the disease or condition from which the patient suffers.

(2) Attests to the fact that the patient concurs with the patient's treating physician in believing that all currently approved and conventionally recognized treatments are unlikely to prolong the patient's life.

(3) Clearly identifies the specific proposed investigational drug, biological product or device or investigational cannabis product that the patient is seeking to use.

(4) Describes the potentially best and worst outcomes of using the investigational drug, biological product or device or investigational cannabis product with a realistic description of the most likely outcome, including the possibility that new, unanticipated, different or worse symptoms might result, and that death could be hastened by the proposed treatment, based on the physician's knowledge of the proposed treatment in conjunction with an awareness of the patient's condition.

(5) Makes clear that the patient's health insurer and provider are not obligated to pay for any care or treatment consequent to the use of the investigational drug, biological product or device or investigational cannabis product.

(6) Makes clear that the patient's eligibility for hospice care may be withdrawn if the patient begins curative treatment and care may be reinstated if the curative treatment ends and the patient meets hospice eligibility requirements.

(7) Makes clear that in-home health care may be denied if treatment begins.

(8) States that the patient understands that the patient is liable for all expenses consequent to the use of the investigational drug, biological product or device or investigational cannabis product, and that this liability extends to the patient's estate, unless a contract between the patient and the manufacturer of the investigational drug, biological product or device or investigational cannabis product states otherwise.

Section 3. Access.

(a) General rule.—A manufacturer of an investigational drug, biological product or device or investigational cannabis product may make available the manufacturer's investigational drug, biological product or device or investigational cannabis product to eligible

patients in accordance with this act.

(b) Costs.—A manufacturer may:

(1) Provide an investigational drug, biological product or device or investigational cannabis product to an eligible patient without receiving compensation.

(2) Require an eligible patient to pay the costs of, or the costs associated with, the manufacture of the investigational drug, biological product or device or investigational cannabis product.

(c) Insurers.—A health insurer may:

(1) In its discretion, provide coverage for the cost of an investigational drug, biological product or device or investigational cannabis product.

(2) Except as set forth in subsection (d), deny coverage to an eligible patient from the time the eligible patient begins use of the investigational drug, biological product or device or investigational cannabis product through a period not to exceed six months from the time the investigational drug, biological product or device or investigational cannabis product is no longer used by the eligible patient.

(d) Limitation.—Coverage may not be denied for a preexisting condition or in cases where coverage commenced prior to the time the eligible patient begins use of the investigational drug, biological product or device or investigational cannabis product.

Section 4. Unprofessional conduct.

(a) Physician immunity.—No physician who in good faith recommends or participates in the use of an investigational drug, biological product or device or investigational cannabis product under this act shall be subject to criminal or civil liability, nor shall a physician be found to have committed an act of unprofessional conduct under the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, or the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985.

(b) Physician licensure not affected.—Notwithstanding any other law to the contrary, the State Board of Medicine and the State Board of Osteopathic Medicine may not revoke, suspend or otherwise take any action against an individual holding a license issued under the Osteopathic Medical Practice Act or the Medical Practice Act of 1985 based solely on the individual's recommendations to an eligible patient regarding access to or treatment with an investigational drug, biological product or device or investigational cannabis product as long as the recommendations are consistent with standards of care as set forth by the manufacturer. Any action against an individual or entity's Medicare certification based solely on recommendations that a patient have access to an investigational drug, biological product or device or investigational cannabis product is prohibited.

Section 5. Construction.

Nothing in this act shall be construed as creating a private cause of action against a manufacturer of an investigational drug, biological product or device or investigational cannabis product or against any other person or entity involved in the care of an eligible patient using an investigational drug, biological product or device or investigational cannabis product for any injury suffered by the eligible patient resulting from the investigational drug, biological product or device or investigational cannabis product as long as the manufacturer or other person or entity acted in accordance with this act, except when the injury results from a failure to exercise reasonable care.

Section 6. Protection from prosecution.

In the prosecution for the unlawful possession of marijuana under the laws of this Commonwealth, it is an affirmative and complete defense to the prosecution that the individual has a qualifying illness and is using or possessing marijuana at the recommendation of a physician to use cannabis or the individual is the parent of a minor child with a terminal illness and is in possession of marijuana for the benefit of the minor child who has a recommendation of a physician to use cannabis.

Section 7. Effective date.

This act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

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

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

Mr. Speaker, this will be my last amendment. I will be withdrawing all the rest.

Mr. Speaker, this is a very important amendment for the terminally ill. It is also a very important amendment to the physicians, to our medical community. This allows for the use of investigational cannabis products which have been FDA approved, and it is limited to many of the same serious medical conditions that were found in the underlying bill. This also provides immunity to the physician for making the recommendation to try these FDA-approved investigational drugs. This is something that is extremely necessary—

The SPEAKER. Representative, if you will just suspend for a moment, please. Just for a second.

Members, will you please take your seats. Members, please take your seats. I would ask that all conversations just please go to the anterooms.

Representative Baker, please proceed.

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

This is something that is extremely necessary and actually completely absent in the Marsico amendment. This also protects the manufacturer who is simply attempting to research the use of a pharmaceutical product. The liability is limited to the patient who believes these products will assist them in the treatment of their serious medical condition. It is a limited and well-thought-out approach which will help many patients, not just those looking to use marijuana as it extends to other investigational drugs and devices as well. It is a compassionate and effective application without creating a new bureaucracy and law enforcement nightmare, which is playing out in the other States which have attempted legalization.

It also protects the general public who are under the gross misconceptions that by legalizing marijuana and calling it a drug or medicine that they will be able to go to their doctor and get a prescription and have it filled in their local pharmacy, which they will not. The general public has very little idea that this legalization is based on guesswork with no double-blind studies, anecdotal evidence. Twelve other States actually have passed substantially similar legislation to help terminally ill patients get access to experimental drugs. I know this is very, very important to the gentleman from Montgomery, and I believe he has legislation, stand-alone legislation that deals with this as well.

Finally, I have always been supportive of the Epidiolex study, expanded access study, to get our epileptic children in a State-expanded access program, which has been taking place in the Commonwealth, and we are getting good news that this may actually be approved and on the market next year. This will just expand on those studies in a safe and controlled environment.

I ask for your kind support for this amendment. Thank you, Mr. Speaker.

The SPEAKER. Chairman Marsico.

Mr. MARSICO. Mr. Speaker, this is an important issue, but I think that it is a large and complicated issue that should be dealt with by a committee and gone through the committee process.

Also, what the maker is referring to as far as research, the Marsico amendment does have two research components and that were actually adopted, one amendment by Petri-Watson and also by Representative Cox. So those concerns are addressed, his concerns are addressed with those amendments and the Marsico amendment. So I ask for a "no" vote. Thank you.

The SPEAKER. Representative Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

I rise in opposition to this amendment. This amendment does gut this bill and would absolutely destroy the Pennsylvania program before it even gets off the ground. What this amendment does, it would expand access, it would only expand access to clinical trials, and that would leave practically everyone in Pennsylvania out in the cold.

I ask for a negative vote. Thank you.

The SPEAKER. Representative Baker, for the second time, sir.

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

I have heard over and over again that people want to get this available as expeditiously as possible. This is what this does. This would move the process exponentially to be able to get these investigational drugs to these patients in a much quicker time. The underlying bill is going to take at least 18 months before anything happens, 18 months. This we could do right away. And to be able to help these children and the terminally ill is something I think we should definitely consider.

I would ask for your kind support. Thank you very much, Mr. Speaker.

The SPEAKER. Representative Marsico, for the second time.

Mr. MARSICO. Mr. Speaker, just to be clear, this is a gut-and-replace amendment, a gut-and-replace amendment. So I ask for a "no" vote. Thank you.

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

The following roll call was recorded:

YEAS—47

Baker	Grove	Maloney	Simmons
Barbin	Harhart	McGinnis	Sonney
Bloom	Heffley	Mentzer	Staats
Cutler	Hickernell	Metcalf	Stephens
Day	James	Metzgar	Topper
Dunbar	Jozwiak	Miller, B.	Truitt
Dush	Keller, M.K.	Milne	Ward
Emrick	Knowles	Pickett	Wentling
Evankovich	Lawrence	Quinn	Zimmerman
Fee	Lewis	Rapp	
Gingrich	Mackenzie	Roae	Turzai,
Godshall	Major	Saccone	Speaker
Greiner			

NAYS—142

Acosta	Evans	Klunk	Quigley
Adolph	Everett	Kortz	Rader
Barrar	Fabrizio	Kotik	Ravenstahl
Benninghoff	Farina	Krueger	Readshaw
Bizzarro	Farry	Longietti	Reed
Boback	Flynn	Maher	Regan
Bradford	Frankel	Mahoney	Roebuck

Briggs	Freeman	Markosek	Ross
Brown, R.	Gabler	Marshall	Rothman
Brown, V.	Gainey	Marsico	Rozzi
Bullock	Galloway	Masser	Sainato
Burns	Gergely	Matzie	Samuelson
Caltagirone	Gibbons	McCarter	Sankey
Carroll	Gillen	McClinton	Santarsiero
Causser	Gillespie	McNeill	Santora
Cohen	Goodman	Miccarelli	Saylor
Conklin	Hahn	Millard	Schemel
Corbin	Hanna	Miller, D.	Schlossberg
Costa, D.	Harhai	Moul	Schreiber
Costa, P.	Harkins	Mullery	Schweyer
Cox	Harris, A.	Murt	Sims
Culver	Harris, J.	Mustio	Snyder
Daley, M.	Helm	Neilson	Tallman
Davis	Hennessey	Nesbit	Taylor
Dawkins	Hill	Neuman	Thomas
Dean	Irvin	O'Brien	Tobash
Deasy	Kampf	O'Neill	Toepel
DeLissio	Kaufner	Oberlander	Toohil
Delozier	Kauffman	Ortitay	Vereb
DeLuca	Kavulich	Parker, D.	Vitali
Dermody	Keller, F.	Pashinski	Warner
Diamond	Keller, W.	Payne	Wheatley
Donatucci	Killion	Petrarca	Wheeland
Driscoll	Kim	Petri	White
Ellis	Kinsey	Pyle	Youngblood
English	Kirkland		

NOT VOTING—0

EXCUSED—11

Boyle	Daley, P.	Harper	Sturla
Christiana	Davidson	Peifer	Watson
Cruz	DiGirolamo	Reese	

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

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

Mr. **B. MILLER** offered the following amendment
No. **A06077**:

Amend Bill, page 5, line 14 (A05835), by inserting after "act"
and which is approved for medical use by the Food and Drug
Administration in accordance with Federal law

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, Representative Brett Miller is recognized.

Mr. B. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, in light of the fact that Representative Petri's amendment 6108 is very similar to this amendment 6077, I will be withdrawing this amendment.

The SPEAKER. Yes, sir. Thank you.
That amendment is now withdrawn.

On the question recurring,

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

Mr. **HEFFLEY** offered the following amendment No. **A06080**:

Amend Bill, page 8, by inserting between lines 30 and 31 (A05835)

(4) Posts a bond with the department in the amount of \$10,000,000 to cover any potential liability arising from the physician's activities under this act.

Amend Bill, page 24, by inserting between lines 20 and 21 (A05835)

(g.1) Bond.—At the time of registration issuance, the board shall require the applicant to post a bond with the department in the amount of \$10,000,000 to cover any potential liability arising from the applicant's activities under this act.

On the question,

Will the House agree to the amendment?

The **SPEAKER**. On that question, Representative Heffley, you have the floor, sir.

Mr. **HEFFLEY**. Thank you, Mr. Speaker.

The **SPEAKER**. Yes, sir.

Mr. **HEFFLEY**. Mr. Speaker, I rise to ask my colleagues for an affirmative vote on amendment A06080. What this amendment will do is it will add a \$10 million bond requirement for all licensed entities such as growers, processors, dispensers, or any practitioner as a condition of making a medical cannabis recommendation. This amendment is designed to provide a level of protection to the injured parties in the event of negligence on behalf of any of these entities. Because this business is generally a cash business, this will ensure that those entities will have capital and be capitalized in order to pay out any claims.

In the past we have seen there have been several instances of medications and different drugs that were prescribed to alleviate different things of— One example is a birth control or a prescription drug that was given to women, started back in the late fifties, designed to help with morning sickness and then later on it was determined that that medication had caused a lot of birth defects, and without this kind of bonding requirement, these entities would have no capital to pay out claims – not to say that this is going to cause birth defects – but this could cause any kind of side effects, whether it be 10 years down the road it is determined that these types of medications could cause heart disease such as a lot of drugs have been linked to in the past, and this would just provide a layer of protection to those that would be injured and to those parties of those most vulnerable citizens who would be using these medications.

These are going to be for-profit entities which are going to be making large amounts of money, and I think that requiring them to have some kind of bond in or around \$10 million would be appropriate. Thank you, Mr. Speaker.

The **SPEAKER**. Thank you, sir.

Representative Petrarca, on the amendment, sir.

Mr. **PETRARCA**. Thank you, Mr. Speaker.

I rise in opposition, opposition to this amendment. I think a \$10 million bond will certainly create a roadblock in Pennsylvania. It will potentially price people out of investing in Pennsylvania. And I do not think, do not think that is necessary

in this legislation. We do not do this in other areas with other medication, other medications that are far more addictive and far more dangerous than medical marijuana.

I ask for a "no" vote. Thank you.

The **SPEAKER**. Representative Marsico, on the amendment, sir.

Mr. **MARSICO**. Mr. Speaker, I also ask for a "no" vote. Actually, there is a drafting error in this amendment which makes the amendment unworkable. It refers to the board, the advisory board has no regulatory authority, so that would make this amendment unworkable. I ask for a "no" vote.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

LEAVE OF ABSENCE

The **SPEAKER**. Representative MULLERY has requested to be placed on leave of absence. Without objection, that request will be granted.

CONSIDERATION OF SB 3 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—54

Baker	Greiner	Maloney	Saylor
Bloom	Grove	Masser	Simmons
Corbin	Harhart	McGinnis	Sonney
Cutler	Heffley	Mentzer	Staats
Day	Hickernell	Metcalfe	Stephens
Dush	James	Metzgar	Toepel
Emrick	Jozwiak	Miller, B.	Topper
English	Keller, M.K.	Milne	Truitt
Evankovich	Klunk	Ortitay	Ward
Fee	Knowles	Parker, D.	Wentling
Gabler	Lawrence	Pickett	Zimmerman
Gillespie	Lewis	Rapp	
Gingrich	Mackenzie	Roae	Turzai,
Godshall	Major	Saccone	Speaker

NAYS—134

Acosta	Dunbar	Kinsey	Quinn
Adolph	Ellis	Kirkland	Rader
Barbin	Evans	Kortz	Ravenstahl
Barrar	Everett	Kotik	Readshaw
Benninghoff	Fabrizio	Krueger	Reed
Bizzarro	Farina	Longietti	Regan
Boback	Farry	Maher	Roebuck
Bradford	Flynn	Mahoney	Ross
Briggs	Frankel	Markosek	Rothman
Brown, R.	Freeman	Marshall	Rozzi
Brown, V.	Gainey	Marsico	Sainato
Bullock	Galloway	Matzie	Samuelson
Burns	Gergely	McCarter	Sankey
Caltagirone	Gibbons	McClinton	Santarsiero
Carroll	Gillen	McNeill	Santora
Causer	Goodman	Miccarelli	Schemel
Cohen	Hahn	Millard	Schlossberg
Conklin	Hanna	Miller, D.	Schreiber
Costa, D.	Harhai	Moul	Schweyer

Costa, P.	Harkins	Murt	Sims
Cox	Harris, A.	Mustio	Snyder
Culver	Harris, J.	Neilson	Tallman
Daley, M.	Helm	Nesbit	Taylor
Davis	Hennessey	Neuman	Thomas
Dawkins	Hill	O'Brien	Tobash
Dean	Irvin	O'Neill	Toohil
Deasy	Kampf	Oberlander	Vereb
DeLissio	Kaufer	Pashinski	Vitali
Delozier	Kauffman	Payne	Warner
DeLuca	Kavulich	Petrarca	Wheatley
Dermody	Keller, F.	Petri	Wheeland
Diamond	Keller, W.	Pyle	White
Donatucci	Killion	Quigley	Youngblood
Driscoll	Kim		

NOT VOTING—0

EXCUSED—12

Boyle	Daley, P.	Harper	Reese
Christiana	Davidson	Mullery	Sturla
Cruz	DiGirolamo	Peifer	Watson

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

On the question recurring,

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

Mr. **MENTZER** offered the following amendment No. **A06076**:

Amend Bill, page 26, line 12 (A05835), by striking out "5%" and inserting
6%

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. On the amendment, the Chair recognizes Representative Mentzer.

Amendment 6076 has been withdrawn.

On the question recurring,

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

Mr. **B. MILLER** offered the following amendment No. **A06078**:

Amend Bill, page 3, line 6 (A05835), by inserting after "Notice" in Pennsylvania Bulletin

Amend Bill, page 44, by striking out lines 15 through 20 (A05835) and inserting
Section 2108. Notice in Pennsylvania Bulletin.

The Secretary of State shall publish notice in the Pennsylvania Bulletin if marihuana, within the meaning of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, becomes classified as a Schedule II controlled substance under the Controlled Substances Act (Public Law 91-513, 84 Stat. 1236).

Amend Bill, page 45, lines 1 through 6 (A05835), by striking out all of said lines and inserting

(xxii) Section 2109.

(2) Section 2108 shall take effect in 60 days.

(3) The remainder of this act shall take effect upon publication of the notice under section 2108 of this act.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, will the House agree to the amendment, the Chair calls on Representative Brett Miller. Thank you, sir.

Mr. B. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of amendment A06078.

Mr. Speaker, it was 15 months ago when nearly all of us in this room stood here and took an oath pledging to support, obey, and defend the Constitution of the United States and the Constitution of the Commonwealth of Pennsylvania. And now, 15 months later, we stand here still bound by that very oath that each of us has taken.

Mr. Speaker, Pennsylvania, being one of the 50 States in our Union, enjoys the same rights and privileges as well as the same responsibilities as every other State in our country. Each State has wide latitude and independence in determining laws that its people authorize. While enjoying this independence, each State simultaneously is bound by its commitment to the Federal government as set forth in the Federal laws that are passed, and as such, State laws are to be subordinate to Federal laws outlined in our federally binding statutes. One such area where State law is to be subordinate to Federal law is the Controlled Substances Act. Among other laws, this law in particular clearly governs laws in all 50 States and is the controlling and definitive statement on the topic that is before us today.

Mr. Speaker, this Federal law is clear and unambiguous. The Federal Controlled Substances Act clearly designates marijuana as a Schedule I drug. This designation determines how it is to be treated by each of the 50 States. This, of course, includes Pennsylvania. Any action that would treat marijuana in any way that is counter to the Federal classification as a Schedule I drug, such as is being contemplated here today, is in direct violation of Federal law.

Critics of this position would point to the Ogden Memo of 2009, which states that the Department of Justice is choosing not to enforce Federal law, deferring instead to enforcement provisions to the States. However, even these critics have to recognize that the Department of Justice has, as outlined in the Cole Memo of 2011, maintained its authority to challenge any legislation that a State may pass. How this may turn out for each of the States is yet to be seen.

Mr. Speaker, I would contend that in the discussion before us, the debate is not about denying or approving access to marijuana to anyone, nor is it about whether or not there is any medical efficacy to marijuana. What this debate is about is process. It is about the rule of law.

Mr. Speaker, if we are to enact such legislation as is before us today, there is a first step that should be taken, and that step is already clearly defined and should be followed. Let this body start where it should – that is, by looking at the Federal level. Since Federal law is controlling on this subject, the Federal law must first be changed according to the established methodology for changing such laws. Let it start at the Federal level and the

process of changing Pennsylvania's position on the medical marijuana can proceed accordingly.

If we, Mr. Speaker, choose to disregard Federal law in this matter and place Pennsylvania clearly in violation of Federal law, then what is to stop Pennsylvania from disregarding any number of Federal requirements? Why stop here? Why not cast aside any number of Federal laws in the name of expediency? Why not simply disregard any Federal process that is not to our liking? Such a path, Mr. Speaker, is unwarranted, unnecessary, and dangerous. I urge my colleagues not to go down this path on this bill that is before us today or, for that matter, any such bill that may come before us.

My argument here is not about whether marijuana is or is not medicine or whether or not it is not efficacious. Rather, my argument, again, is about process.

Mr. Speaker, all this amendment does is to require the Secretary of State to publish notice in the Pennsylvania Bulletin when marijuana is reclassified as a Schedule II drug under the Federal Controlled Substances Act. The provisions of the underlying bill will take effect upon publication of this notice.

There are many arguments as to why this bill should or should not be passed. People will present their respective heartrending stories to bolster their arguments, but what cannot be disputed is that if Pennsylvania takes this action and passes this bill without this amendment, Pennsylvania will be in direct violation of Federal law, subjecting Pennsylvania to potential Federal sanction and in the place of not honoring our rightful commitment to the Union. Again, let us not go down this path. I urge each of my colleagues to remember the oath that we took just 15 months ago to uphold the Constitution of the United States and the Constitution of Pennsylvania, and to maintain the rule of law, and to follow the established procedure to change the law. Voting in favor of this amendment will show that Pennsylvania honors its commitments and desires to maintain our rightful legal standing in regard to the rule of law generally and Federal law specifically. Lastly, voting in favor of this amendment will allow this law to go into effect legally.

Mr. Speaker, while each of us may wish for a more expeditious change to any number of laws, violating Federal law to do so is not the way to accomplish it, and I urge my colleagues to vote "yes" on amendment A06078. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Miller.

FILMING PERMISSION

The SPEAKER. At this time Louis Griffith of WHP-TV CBS 21 is invited onto the House floor to take a camera roll. So it is videotaping with audio.

So, members, I would invite you to please take your seats. I would invite you to please take your seats. I would ask you to take any conversations to the anterooms.

CONSIDERATION OF SB 3 CONTINUED

The SPEAKER. Representative Petrarca, the floor is yours.

Mr. PETRARCA. Thank you. Thank you, Mr. Speaker.

Twenty-three or 24 other States and the District of Columbia have medical marijuana programs, and I believe that the Federal government has provided guidance in respect to those programs.

So in Pennsylvania we also have provisions in this legislation to deal with – to deal with medical – to deal with marijuana if and when it is removed from a Schedule I drug and we also have sunset provisions in this legislation.

I therefore ask for a "no" vote. Thank you.

LEAVE OF ABSENCE

The SPEAKER. Representative Aaron KAUFER has requested to be placed on leave of absence for the remainder of the day. Without objection, that will be granted.

CONSIDERATION OF SB 3 CONTINUED

The SPEAKER. Representative Marsico.

Mr. MARSICO. Mr. Speaker, I rise to oppose this and agree, concur with Chairman Petrarca and his comments. This amendment actually is another way to gut— It is going to be a gut-and-replace amendment, and it kills the Marsico amendment. It would kill the other amendments that were approved by this body.

So I ask for a "no" vote.

The SPEAKER. Representative Mike Regan.

Mr. REGAN. Thank you, Mr. Speaker.

I rise in opposition to this amendment and would add just because the Federal government has turned their backs on the sick children in Pennsylvania, the terminally ill people in Pennsylvania, and our combat veterans does not mean we should. I would ask you to oppose this amendment. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—48

Baker	Greiner	McGinnis	Roae
Barbin	Grove	Mentzer	Saccone
Bloom	Harhart	Metcalfe	Simmons
Carroll	Heffley	Metzgar	Staats
Cutler	Hickernell	Miller, B.	Truitt
Day	James	Milne	Ward
Dush	Keller, M.K.	Parker, D.	Wentling
Emrick	Knowles	Petri	Wheeland
English	Lawrence	Pickett	Zimmerman
Evankovich	Lewis	Quinn	
Fee	Mackenzie	Rader	Turzai,
Gingrich	Major	Rapp	Speaker
Godshall	Maloney		

NAYS—139

Acosta	Evans	Kirkland	Readshaw
Adolph	Everett	Klunk	Reed
Barrar	Fabrizio	Kortz	Regan
Benninghoff	Farina	Kotik	Roebuck
Bizzarro	Farry	Krueger	Ross
Boback	Flynn	Longietti	Rothman
Bradford	Frankel	Maher	Rozzi
Briggs	Freeman	Mahoney	Sainato
Brown, R.	Gabler	Markosek	Samuelson
Brown, V.	Gainey	Marshall	Sankey
Bullock	Galloway	Marsico	Santarsiero
Burns	Gergely	Masser	Santora
Caltagirone	Gibbons	Matzie	Saylor

Causer	Gillen	McCarter	Schemel
Cohen	Gillespie	McClinton	Schlossberg
Conklin	Goodman	McNeill	Schreiber
Corbin	Hahn	Miccarelli	Schweyer
Costa, D.	Hanna	Millard	Sims
Costa, P.	Harhai	Miller, D.	Snyder
Cox	Harkins	Moul	Sonney
Culver	Harris, A.	Murt	Stephens
Daley, M.	Harris, J.	Mustio	Tallman
Davis	Helm	Neilson	Taylor
Dawkins	Hennessey	Nesbit	Thomas
Dean	Hill	Neuman	Tobash
Deasy	Irvin	O'Brien	Toepel
DeLissio	Jozwiak	O'Neill	Toohil
Delozier	Kampf	Oberlander	Topper
DeLuca	Kauffman	Ortitay	Verb
Dermody	Kavulich	Pashynski	Vitali
Diamond	Keller, F.	Payne	Warner
Donatucci	Keller, W.	Petrarca	Wheatley
Driscoll	Killion	Pyle	White
Dunbar	Kim	Quigley	Youngblood
Ellis	Kinsey	Ravenstahl	

NOT VOTING—0

EXCUSED—13

Boyle	Davidson	Kaufer	Reese
Christiana	DiGirolamo	Mullery	Sturla
Cruz	Harper	Peifer	Watson
Daley, P.			

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

On the question recurring,

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

Mr. **DUSH** offered the following amendment No. **A06069**:

Amend Bill, page 37, by inserting between lines 26 and 27 (A05835)

(c.1) Additional board sanction.—

(1) In addition to any other penalty authorized by law, the board shall impose the following sanctions upon a medical marijuana grower, processor or dispensary that loses a total of more than one pound of medical marijuana in a five-year period:

(i) The license to operate shall be suspended for six months upon the first occurrence.

(ii) The license to operate shall be suspended for one year upon the second occurrence.

(iii) The license to operate shall be revoked upon a third occurrence.

(2) A medical marijuana grower, processor or dispensary or a person who is an owner, principal or employee of a medical marijuana grower, processor or dispensary whose license has been revoked under paragraph (1)(iii) may not be authorized to engage in any aspect of growing, processing, manufacturing or the distribution of medical marijuana for 10 years.

On the question,

Will the House agree to the amendment?

The **SPEAKER**. On that question, Representative Dush is recognized.

Mr. **DUSH**. Thank you, Mr. Speaker.

Amendment 6069 is a fairly straightforward amendment. Basically, it is a list of situations where licenses will be suspended on failure to act in good faith, and I would like the members to support it. Thank you.

The **SPEAKER**. Representative Petrarca.

Mr. **PETRARCA**. Thank you, Mr. Speaker.

I rise in opposition to this amendment. SB 3 as amended creates very serious penalties for loss, theft, and diversion of medical marijuana under our program. I think that this amendment is unnecessary, and I ask for a negative vote. Thank you.

The **SPEAKER**. Representative Marsico.

Mr. **MARSICO**. Mr. Speaker, I agree. I rise to oppose this. The Marsico amendment already has those significant provisions in the amendment. So I ask for a "no" vote.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

LEAVE OF ABSENCE

The **SPEAKER**. Representative CARROLL has requested to be placed on leave of absence for the remainder of the day. Without objection, that will be granted.

CONSIDERATION OF SB 3 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—45

Baker	Gingrich	Mackenzie	Saccone
Bloom	Godshall	Major	Simmons
Causer	Greiner	Maloney	Staats
Cutler	Grove	McGinnis	Stephens
Day	Harhart	Mentzer	Truitt
Dush	Heffley	Metcalfe	Ward
Emrick	Hennessey	Metzgar	Wentling
English	Hickernell	Miller, B.	Zimmerman
Evankovich	Jozwiak	Pickett	
Fee	Knowles	Rapp	Turzai,
Gabler	Lawrence	Roae	Speaker
Gillen	Lewis	Rothman	

NAYS—141

Acosta	Everett	Kotik	Rader
Adolph	Fabrizio	Krueger	Ravenstahl
Barbin	Farina	Longietti	Readshaw
Barrar	Farry	Maher	Reed
Benninghoff	Flynn	Mahoney	Regan
Bizzarro	Frankel	Markosek	Roebuck
Boback	Freeman	Marshall	Ross
Bradford	Gainey	Marsico	Rozzi
Briggs	Galloway	Masser	Sainato
Brown, R.	Gergely	Matzie	Samuelson
Brown, V.	Gibbons	McCarter	Sankey
Bullock	Gillespie	McClinton	Santarsiero
Burns	Goodman	McNeill	Santora

Caltagirone	Hahn	Miccarelli	Saylor
Cohen	Hanna	Millard	Schemel
Conklin	Harhai	Miller, D.	Schlossberg
Corbin	Harkins	Milne	Schreiber
Costa, D.	Harris, A.	Moul	Schweyer
Costa, P.	Harris, J.	Murt	Sims
Cox	Helm	Mustio	Snyder
Culver	Hill	Neilson	Sonney
Daley, M.	Irvin	Nesbit	Tallman
Davis	James	Neuman	Taylor
Dawkins	Kampf	O'Brien	Thomas
Dean	Kauffman	O'Neill	Tobash
Deasy	Kavulich	Oberlander	Toepel
DeLissio	Keller, F.	Ortitay	Toohil
Delozier	Keller, M.K.	Parker, D.	Topper
DeLuca	Keller, W.	Pashinski	Vereb
Dermody	Killion	Payne	Vitali
Diamond	Kim	Petrarca	Warner
Donatucci	Kinsey	Petri	Wheatley
Driscoll	Kirkland	Pyle	Wheeland
Dunbar	Klunk	Quigley	White
Ellis	Kortz	Quinn	Youngblood
Evans			

NOT VOTING—0

EXCUSED—14

Boyle	Daley, P.	Kaufers	Reese
Carroll	Davidson	Mullery	Sturla
Christiana	DiGirolamo	Peifer	Watson
Cruz	Harper		

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

On the question recurring,

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

Mr. **DUSH** offered the following amendment No. **A06070**:

Amend Bill, page 3, by inserting between lines 3 and 4 (A05835) Section 2105.1. Bond requirement.

Amend Bill, page 43, by inserting between lines 47 and 48 (A05835)

Section 2105.1. Bond requirement.

(a) Security required.—In addition to any other requirement, the following persons shall maintain a reserve account of \$2 million in cash or cash equivalent for claims relating to product liability, injury or loss or theft of medical marijuana:

- (1) Medical marijuana grower.
- (2) Medical marijuana processor.
- (3) Medical marijuana dispenser.
- (4) Health care practitioner who recommends the use of medical marijuana to a patient.

(5) A patient representative other than a parent or guardian of a registered patient.

(b) Penalty.—A person who fails to comply with subsection (a) shall have any license, permit or certificate to operate under this act suspended until such time as the person complies with subsection (a).

On the question,

Will the House agree to the amendment?

The **SPEAKER**. The Chair recognizes Representative Dush. Please proceed, sir.

Mr. **DUSH**. Thank you, Mr. Speaker.

There is a lot of talk about marijuana being a medicine, although it has not been described as that or classified as that yet. Whenever a doctor in Pennsylvania is in a position of prescribing medicine, he typically is required to have at least \$2 million in insurance. Usually it is about \$1.5 million in I think it is malpractice and another \$500,000 in general liability. There are no provisions in this Marsico amendment for this kind of coverage given the fact that the insurance companies cannot, under Federal law, provide insurance coverage to those doctors.

Now, if we had somebody prescribing any other kind of medicines, the ones that have been used to attack the opposition to this bill, and we did not have a requirement for insurance coverage for those practitioners, there would be a revolt in this House. We need to have the same kind of a requirement on the people who are recommending, as a medical professional, that someone take marijuana as what some of these people in here are calling medicine, even though it still has not been classified as that.

We would also require the pharmacies to have product liability. If they did not, we would be screaming in here, especially when children got hurt or somebody got hurt.

For this reason this amendment, 6070, requires that medical marijuana growers, producers, dispensers, and health-care practitioners who recommend the use of medical marijuana to a patient and a patient representative other than a parent or a guardian of a registered patient be required to have the \$2 million that we would require medical practitioners in the Commonwealth of Pennsylvania right now to have. And for that reason I believe this amendment must be added to this bill. I would ask for your support. Thank you.

LEAVES OF ABSENCE

The **SPEAKER**. Representative **BRADFORD** and Representative **TOOHIL** have both requested to be placed on leave of absence for the remainder of the day. Without objection, those requests will be granted.

CONSIDERATION OF SB 3 CONTINUED

The **SPEAKER**. Representative Marsico, on the amendment.

Mr. **MARSICO**. Mr. Speaker, I rise to oppose this amendment. This would actually kill the program. It would make it practically impossible to implement and make it, obviously, very expensive for doctors and businesses, and also would disallow caregivers from taking care of their loved ones because they would not be able to afford what the sponsor of the amendment is putting forth. So I ask for a "no" vote.

The **SPEAKER**. Representative Petrarca, on the amendment.

Mr. **PETRARCA**. Thank you, Mr. Speaker.

I rise in opposition to this amendment also. We are trying to create a program in Pennsylvania that is cost-effective, and we even have provisions in this legislation to help those in financial need. Under this amendment, Chairman Marsico is correct, I think we would be requiring caregivers to comply with the \$2 million bond requirements. I think that is unworkable, again creates a roadblock, and I ask for your negative vote. Thank you.

The SPEAKER. Representative Dush, for the second time on the amendment, sir.

Mr. DUSH. Thank you, Mr. Speaker.

It is very plain in this amendment that what the previous two speakers represented is not in fact reality. Section (5), "A patient representative other than a parent or guardian of a registered patient." When they say that the loved one of the individual that is responsible for the care of the individual would be required under my amendment to have that insurance, that is a falsehood. This amendment does not require it for that. It requires it for the professionals, so to speak, the "professionals," and I will put that in quotes.

Again, I would encourage— This is something that we would do for any, any business or medical practitioner in the Commonwealth under any other circumstance. Again, I ask for your support.

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. I apologize. Please strike the vote. Please strike the vote. I apologize.

Representative Dean, on the amendment.

Mrs. DEAN. Thank you, Mr. Speaker.

I rise in opposition to this amendment. I am kind of surprised at a time when we are discussing something that is to try to help families and their caregivers, a time of grave need, that we would try to put up such an obstacle of \$2 million cash or cash equivalent by a patient representative.

Let me give you an example. A very dear friend of mine died June 30 a year ago of stage 4 lung cancer. He suffered tremendous pain. He suffered very, very well. I am very proud of him and what he put up with. I was not his family member, but I was his patient representative. I was his next of kin for all purposes.

Frankly, I think it is offensive that somebody would suggest that I or somebody who is in that position would have to put up a \$2 million cash or cash equivalent. That is really, obviously, just to defeat this legislation and to defeat and stand in the way of getting families help.

I urge a "no" vote.

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

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Mike Carroll is on the House floor and should be placed on the master roll.

CONSIDERATION OF SB 3 CONTINUED

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

The following roll call was recorded:

YEAS—35

Baker	Heffley	Maloney	Sonney
Bloom	Hennessey	McGinnis	Staats
Corbin	Hickernell	Mentzer	Truitt
Cutler	James	Metcalfe	Ward
Day	Jozwiak	Metzgar	Wentling
Dush	Knowles	Miller, B.	Zimmerman
Emrick	Lawrence	Pickett	
Fee	Lewis	Rapp	Turzai,
Greiner	Major	Saccone	Speaker
Grove			

NAYS—150

Acosta	Everett	Kortz	Rader
Adolph	Fabrizio	Kotik	Ravenstahl
Barbin	Farina	Krueger	Readshaw
Barrar	Farry	Longietti	Reed
Benninghoff	Flynn	Mackenzie	Regan
Bizzarro	Frankel	Maher	Roae
Boback	Freeman	Mahoney	Roebuck
Briggs	Gabler	Markosek	Ross
Brown, R.	Gainey	Marshall	Rothman
Brown, V.	Galloway	Marsico	Rozzi
Bullock	Gergely	Masser	Sainato
Burns	Gibbons	Matzie	Samuelson
Caltagirone	Gillen	McCarter	Sankey
Carroll	Gillespie	McClinton	Santarsiero
Causar	Gingrich	McNeill	Santora
Cohen	Godshall	Miccarelli	Saylor
Conklin	Goodman	Millard	Schemel
Costa, D.	Hahn	Miller, D.	Schlossberg
Costa, P.	Hanna	Milne	Schreiber
Cox	Harhai	Moul	Schweyer
Culver	Harhart	Murt	Simmons
Daley, M.	Harkins	Mustio	Sims
Davis	Harris, A.	Neilson	Snyder
Dawkins	Harris, J.	Nesbit	Stephens
Dean	Helm	Neuman	Tallman
Deasy	Hill	O'Brien	Taylor
DeLissio	Irvin	O'Neill	Thomas
DeLozier	Kampf	Oberlander	Tobash
DeLuca	Kauffman	Ortitay	Toepel
Dermody	Kavulich	Parker, D.	Topper
Diamond	Keller, F.	Pashinski	Vereb
Donatucci	Keller, M.K.	Payne	Vitali
Driscoll	Keller, W.	Petrarca	Warner
Dunbar	Killion	Petri	Wheatley
Ellis	Kim	Pyle	Wheeland
English	Kinsey	Quigley	White
Evankovich	Kirkland	Quinn	Youngblood
Evans	Klunk		

NOT VOTING—0

EXCUSED—15

Boyle	Daley, P.	Kaufert	Sturla
Bradford	Davidson	Mullery	Toohil
Christiana	DiGirolamo	Peifer	Watson
Cruz	Harper	Reese	

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

On the question recurring,

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

The SPEAKER. Representative Dush, you had filed amendment 6071 and amendment 6074, both which deal with the abrogation of the regulations. We had previously voted on this issue under amendment 6039, which was defeated. You would not be able to call up amendment 6071 or 6074. We will, however, proceed to 6073, amendment 6073, and then you also have amendment 6075.

On the question recurring,

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

Mr. **DUSH** offered the following amendment No. **A06073**:

Amend Bill, page 2, by inserting between lines 24 and 25 (A05835)

Section 1110. Department of Health inspector.

Amend Bill, page 34, by inserting between lines 35 and 36 (A05835)

Section 1110. Department of Health inspector.

(a) Health inspector.—The department shall establish a program to train new employees, or retrain existing employees, in health and safety practices related to the processing and dispensing of medical marijuana.

(b) Onsite inspector.—A department employee who has been trained or retrained under subsection (a) shall be on the premises of a medical marijuana organization during all operating hours to ensure compliance with health and safety requirements under this act and issue weekly reports to the department.

(c) Reimbursement of expenses.—A medical marijuana organization shall enter into an agreement with the department to reimburse the department for the salary, benefits and any reasonable costs or expenses incurred for department employees under subsection (b).

On the question,

Will the House agree to the amendment?

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

Mr. **DUSH**. Thank you, Mr. Speaker.

Currently with our food products that are done here in the Commonwealth of Pennsylvania, the U.S. Department of Agriculture sends inspectors out to take a look at the meat processing, that sort of thing, and there are also inspectors that deal with registered pharmacies or pharmaceutical companies. What this amendment, amendment 6073, does is require health inspectors and it be done at the cost of the producers to be— There would be no cost to the Commonwealth to be there at the site ensuring that the product is the highest quality and prescription grade. The employee would be a member of the Department of Health and would be responsible and trained to do a proper inspection and would be on-site during the process.

I would ask members to support.

LEAVES OF ABSENCE CANCELED

The SPEAKER. Representative Harper is back on the House floor and should be placed on the master roll, and Representative Bradford is back on the floor and should be placed on the master roll.

CONSIDERATION OF SB 3 CONTINUED

The SPEAKER. Representative Marsico, on the amendment.

Mr. **MARSICO**. Mr. Speakers, first of all, this amendment would make it too expensive. And number two, there is already, in my amendment, in the Marsico amendment, robust controls to make these entities follow the law. So I ask for a negative vote.

The SPEAKER. Representative Petrarca.

Mr. **PETRARCA**. Thank you, Mr. Speaker.

This amendment will unnecessarily inflate the cost of operation of facilities in Pennsylvania. As Chairman Marsico said, under SB 3 as amended, we have in place third-party testing that will inspect every batch of medical marijuana at harvest and at final processing. Again, this amendment will unnecessarily increase the costs.

I ask for a negative vote. Thank you.

The SPEAKER. Representative Dush, for the second time.

Mr. **DUSH**. Again, Mr. Speaker, thank you.

This is not going to increase costs to the Commonwealth. However, the companies out— One member told me today he has already got somebody coming to him and asking him, how much do you think this is going to be? Well, it is going to be in the millions. Well, how many? We have got people lined up. It is not like they are not capable and that the money is not going to be there to support this. If they are going to be growing this stuff, we should be having the same kind of level of care taken with it as we do with the beef that is slaughtered and comes to our table.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—28

Baker	Harhart	Major	Pickett
Cutler	Heffley	Maloney	Rapp
Day	Hennessey	McGinnis	Saccone
Dush	Hickernell	Mentzer	Staats
Fee	Knowles	Metcalfe	Ward
Greiner	Lawrence	Metzgar	Wentling
Grove	Lewis	Miller, B.	Zimmerman

NAYS—159

Acosta	Evans	Klunk	Readshaw
Adolph	Everett	Kortz	Reed
Barbin	Fabrizio	Kotik	Regan
Barrar	Farina	Krueger	Roae
Benninghoff	Farry	Longietti	Roebuck
Bizzarro	Flynn	Mackenzie	Ross
Bloom	Frankel	Maher	Rothman
Boback	Freeman	Mahoney	Rozi

Bradford	Gabler	Markosek	Sainato
Briggs	Gainey	Marshall	Samuelson
Brown, R.	Galloway	Marsico	Sankey
Brown, V.	Gergely	Masser	Santarsiero
Bullock	Gibbons	Matzie	Santora
Burns	Gillen	McCarter	Saylor
Caltagirone	Gillespie	McClinton	Schemel
Carroll	Gingrich	McNeill	Schlossberg
Causar	Godshall	Miccarelli	Schreiber
Cohen	Goodman	Millard	Schweyer
Conklin	Hahn	Miller, D.	Simmons
Corbin	Hanna	Milne	Sims
Costa, D.	Harhai	Moul	Snyder
Costa, P.	Harkins	Murt	Sonney
Cox	Harper	Mustio	Stephens
Culver	Harris, A.	Neilson	Tallman
Daley, M.	Harris, J.	Nesbit	Taylor
Davis	Helm	Neuman	Thomas
Dawkins	Hill	O'Brien	Tobash
Dean	Irvin	O'Neill	Toepel
Deasy	James	Oberlander	Topper
DeLissio	Jozwiak	Ortitay	Truitt
Delozier	Kampf	Parker, D.	Vereb
DeLuca	Kauffman	Pashinski	Vitali
Dermody	Kavulich	Payne	Warner
Diamond	Keller, F.	Petrarca	Wheatley
Donatucci	Keller, M.K.	Petri	Wheeland
Driscoll	Keller, W.	Pyle	White
Dunbar	Killion	Quigley	Youngblood
Ellis	Kim	Quinn	
Emrick	Kinsey	Rader	Turzai,
English	Kirkland	Ravenstahl	Speaker
Evankovich			

NOT VOTING—0

EXCUSED—13

Boyle	Davidson	Mullery	Sturla
Christiana	DiGirolamo	Peifer	Toohil
Cruz	Kaufer	Reese	Watson
Daley, P.			

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

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

Mr. **DUSH** offered the following amendment No. **A06075**:

Amend Bill, page 36, line 8 (A05835), by striking out "In" and inserting

Except as provided in subsection (a.1), in

Amend Bill, page 36, by inserting between lines 22 and 23 (A05835)

(a.1) Reporting loss or theft.—In addition to any other penalty provided by law, the following shall apply:

(1) A practitioner, caregiver, patient or employer or principal of any medical marijuana organization who fails to report the loss or theft of medical marijuana within 24 hours of discovery of the loss or theft commits a misdemeanor of the first degree.

(2) A person who is an owner, operator or employee of an independent laboratory and fails to report the loss or theft of medical marijuana within 24 hours of discovery of the loss or theft commits a misdemeanor of the first degree.

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

AMENDMENT WITHDRAWN

The SPEAKER. Representative Dush, you are recognized on the amendment, sir.

Mr. DUSH. Mr. Speaker, I am going to withdraw the remaining amendments.

The SPEAKER. Okay. So amendment 6075 has been withdrawn.

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

The SPEAKER. Members, please take your seats. Please take your seats. Please take any conversations to the anterooms. We do not have many amendments left.

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

Mrs. **CORBIN** offered the following amendment No. **A06019**:

Amend Bill, page 1, lines 1 through 37 (A05835); page 2, lines 1 through 6 (A05835), by striking out all of said lines and inserting

Amend Bill, page 1, lines 1 and 2, by striking out all of said lines and inserting

Providing for Statewide expanded access clinical trials for cannabidiol for certain pediatric patients; and requiring certain physicians to provide annual reports.

Amend Bill, page 1, lines 4 through 16; pages 2 and 3, lines 1 through 30; page 4, line 1; by striking out all of said lines on said pages and inserting

Section 1. Scope.

Section 2. Legislative findings and intent.

Section 3. Definitions.

Section 4. Expanded access clinical trials.

Section 5. Requirements for cannabidiol.

Section 6. Duty to provide annual report.

Section 7. Construction.

Section 8. Effective date.

Amend Bill, page 4, lines 4 through 30; pages 5 through 68, lines 1 through 30; page 69, lines 1 through 27; by striking out all of said lines on said pages and inserting

Section 1. Scope.

This chapter relates to therapeutic cannabidiol research.

Section 2. Legislative findings and intent.

The General Assembly finds and declares that:

(1) Pennsylvania's citizens with severe or life-threatening diseases or conditions may not be able to access critical medications that are still in clinical trials.

(2) The Food and Drug Administration (FDA) has established Expanded Access Programs to allow limited, supervised access to such medications.

(3) While certain of its unique chemicals called cannabinoids may become approved medicines, this does not make marijuana itself a medicine.

(4) Marijuana contains at least 85 cannabinoids, including cannabidiol (CBD), that can be extracted from marijuana and purified, or synthesized in a laboratory, and tested in animals in preclinical research to ensure that they are safe to

administer to humans in clinical trials.

(5) The FDA has approved several expanded access investigational new drug (IND) applications that enable investigators to:

(i) Administer a purified CBD to children with refractory epilepsy who do not respond to standard medications.

(ii) Gather evidence with respect to dosage, formulation and mode of administration for advanced clinical trials.

(6) The Dravet Syndrome Foundation, the Epilepsy Foundation and the American Epilepsy Society support this type of research.

(7) The intent of this act is to increase the number of expanded access IND applications at academic medical centers in this Commonwealth so as to provide and to further test purified or synthesized CBD in children with rare forms of epilepsy.

(8) If further testing shows CBD is effective, and the FDA approves it, physicians will be able to prescribe CBD to all children in the nation who suffer from intractable epilepsy.

Section 3. Definitions.

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

"Academic medical center." A hospital that operates a medical residency program for physicians and conducts research that involves human subjects.

"Approved source." A provider which produces cannabidiol that:

(1) Has been manufactured and tested in a facility approved or certified by the Food and Drug Administration or similar national regulatory agency in the United States or another country.

(2) Has been tested in animals to demonstrate preliminary effectiveness and to ensure that it is safe to administer to humans.

"Cannabidiol." A finished preparation containing, of its total cannabinoid content, at least 98% cannabidiol and no more than .30% tetrahydrocannabinol that has been extracted from marijuana or synthesized in a laboratory.

"Investigator." An individual who actually conducts a clinical investigation and under whose immediate direction a drug is administered or dispensed to a subject.

"Pediatric patients with severe forms of epilepsy." Children who are younger than 21 years of age, suffer from refractory epilepsy and do not respond to standard medications.

"Physician." A person licensed to practice medicine in this Commonwealth.

"Sponsor." A person, including an individual or pharmaceutical company, governmental agency, academic institution, private organization or other organization, who takes responsibility for and initiates a clinical investigation.

"Sponsor-investigator." An individual who both initiates and conducts an investigation and under whose immediate direction an investigational drug is administered or dispensed.

Section 4. Expanded access clinical trials.

(a) Authorization.—A Statewide investigational new drug application may be established in this Commonwealth, if submitted by a sponsor or sponsor-investigator and approved by the Food and Drug Administration, to conduct expanded access clinical trials using cannabidiol on pediatric patients with severe forms of epilepsy.

(b) Physicians as sponsor-investigators or investigators.—A physician who is a board-certified neurologist practicing in an academic medical center in this Commonwealth and treating pediatric patients with severe forms of epilepsy shall serve as the sponsor-investigator or investigator for the clinical trials.

(c) Subinvestigators.—A physician, acting as a sponsor-investigator or investigator, may include subinvestigators who are board-certified neurologists who practice in an academic medical

center in this Commonwealth and treat pediatric patients with severe forms of epilepsy.

(d) Compliance with rules and regulations.—The sponsor, sponsor-investigator or investigator, and all subinvestigators, shall adhere to the rules and regulations established by the relevant institutional review board for each participating academic medical center and by the Food and Drug Administration, Drug Enforcement Administration, National Institute on Drug Abuse, Department of Health and the State Board of Pharmacy, where applicable.

Section 5. Requirements for cannabidiol.

(a) General rule.—Expanded access clinical trials conducted pursuant to a Statewide investigational new drug application established pursuant to this act shall only utilize cannabidiol that is:

(1) From an approved source.

(2) Authorized by the Food and Drug Administration to be used for treatment of a condition specified in an investigational new drug application.

(b) Source of cannabidiol.—The sponsor, sponsor-investigator or investigator and any subinvestigator may receive cannabidiol directly from an approved source or authorized distributor for an approved source for use in the expanded access clinical trials.

(c) Oversight and enforcement.—The ordering, receipt, handling, storage and dispensing of cannabidiol pursuant to this act shall be subject to oversight and enforcement by the State Board of Pharmacy.

Section 6. Duty to provide annual report.

The sponsor or sponsor-investigator in the Statewide investigational new drug application established pursuant to this act shall annually provide a report on the results of the expanded access clinical trials to the chairpersons of the Committee on Public Health and Welfare of the Senate and Committee on Health of the House of Representatives. The report shall redact the names of patients and may redact the names of physicians, if desired. The information in the report may be derived from reports required by and submitted to the Food and Drug Administration, if appropriate.

Section 7. Construction.

Nothing in this act shall be construed to authorize the cultivating or processing of marijuana, cannabis or hemp by any individual or entity in this Commonwealth for any purpose.

Section 8. Effective date.

This act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. Representative Corbin is recognized on the amendment.

Mrs. CORBIN. Thank you, Mr. Speaker.

I apologize for being distracted, but I am withdrawing amendment No. 6019.

The SPEAKER. Thank you, Representative Corbin.

That amendment has been withdrawn.

On the question recurring,

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

Mrs. CORBIN offered the following amendment No. A06020:

Amend Bill, page 41, lines 18 through 22 (A05835), by striking out all of said lines and inserting

(6) Provide all patients or caregivers with the safety insert, prepared by the department, which includes:

(i) Potential dangers.

- (ii) Recognition and correction of problematic dosage.
- (iii) Indications and usage, dosage and administration.
- (iv) Dosage forms and strengths.
- (v) Contraindications.
- (vi) Warnings and precautions.
- (vii) Adverse reactions.
- (viii) Drug interactions.
- (ix) Use in specific populations.
- (x) Drug abuse and dependence.
- (xi) Overdosage.
- (xii) Description.
- (xiii) Clinical pharmacology.
- (xiv) Nonclinical toxicology.
- (xv) Clinical studies.
- (xvi) References.
- (xvii) How supplied.
- (xviii) Storage and handling.
- (xix) Patient counseling information.
- (xx) Any other information required by the department or which the department deems relevant for patient safety.

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

The SPEAKER. Representative Corbin is recognized on that amendment.

Mrs. CORBIN. Thank you, Mr. Speaker.

I ask for support of amendment 6020. This will add language stating that a health-care medical marijuana organization that dispenses medical marijuana shall simply provide all patients and caregivers with a safety insert stating dosage form, strength, contraindications, drug interactions, other safety information, and any potential dangers that may exist to the person who is taking the drug. Thank you.

The SPEAKER. Representative Petrarca, on the amendment.

Mr. PETRARCA. Thank you, Mr. Speaker.

I rise in opposition to this amendment. In SB 3 as amended, there is a requirement that the Department of Health develop packaging requirements and information necessary to be included with the packaging. The legislation also creates a 24-hour hotline that can be accessed for questions about medical marijuana. I feel that this amendment is unnecessary, and I ask for a negative vote. Thank you.

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

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. I do note the presence of Representative Davidson on the House floor, and she should be placed back on the master roll.

CONSIDERATION OF SB 3 CONTINUED

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

The following roll call was recorded:

YEAS—77

Baker	Godshall	Maher	Saccone
Bloom	Greiner	Major	Saylor
Boback	Grove	Maloney	Schemel
Brown, R.	Harhart	Masser	Simmons
Causser	Harper	McGinnis	Sonney
Corbin	Heffley	Mentzer	Staats
Culver	Helm	Metcalfe	Stephens
Cutler	Hennessey	Metzgar	Tallman
Day	Hickernell	Millard	Tobash
Delozier	Hill	Miller, B.	Toepel
Dunbar	James	Milne	Topper
Dush	Kampf	Mustio	Truitt
Emrick	Kauffman	Nesbit	Ward
English	Keller, F.	Parker, D.	Wentling
Evankovich	Keller, M.K.	Petri	Wheeland
Farry	Klunk	Pickett	Zimmerman
Fee	Knowles	Quinn	
Gabler	Lawrence	Rapp	Turzai, Speaker
Gillespie	Lewis	Ross	
Gingrich	Mackenzie	Rothman	

NAYS—111

Acosta	Donatucci	Kinsey	Quigley
Adolph	Driscoll	Kirkland	Rader
Barbin	Ellis	Kortz	Ravenstahl
Barrar	Evans	Kotik	Readshaw
Benninghoff	Everett	Krueger	Reed
Bizzarro	Fabrizio	Longietti	Regan
Bradford	Farina	Mahoney	Roae
Briggs	Flynn	Markosek	Roebuck
Brown, V.	Frankel	Marshall	Rozzi
Bullock	Freeman	Marsico	Sainato
Burns	Gainey	Matzie	Samuelson
Caltagirone	Galloway	McCarter	Sankey
Carroll	Gergely	McClinton	Santarsiero
Cohen	Gibbons	McNeill	Santora
Conklin	Gillen	Miccarelli	Schlossberg
Costa, D.	Goodman	Miller, D.	Schreiber
Costa, P.	Hahn	Moul	Schweyer
Cox	Hanna	Murt	Sims
Daley, M.	Harhai	Neilson	Snyder
Davidson	Harkins	Neuman	Taylor
Davis	Harris, A.	O'Brien	Thomas
Dawkins	Harris, J.	O'Neill	Vereb
Dean	Irvin	Oberlander	Vitali
Deasy	Jozwiak	Ortitay	Warner
DeLissio	Kavulich	Pashinski	Wheatley
DeLuca	Keller, W.	Payne	White
Dermody	Killion	Petrarca	Youngblood
Diamond	Kim	Pyle	

NOT VOTING—0

EXCUSED—12

Boyle	Daley, P.	Mullery	Sturla
Christiana	DiGirolamo	Peifer	Toohil
Cruz	Kaufner	Reese	Watson

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

On the question recurring,

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

Mr. **LAWRENCE** offered the following amendment No. **A06063**:

Amend Bill, page 2, by inserting between lines 50 and 51 (A05835)

Section 2101.1. Financial and employment interests.

Amend Bill, page 42, by inserting between lines 24 and 25 (A05835)

Section 2101.1. Financial and employment interests.

(a) Financial interests.—Except as may be provided for the judiciary by rule or order of the Pennsylvania Supreme Court, an executive-level public employee, public official or party officer, or an immediate family member thereof, shall not intentionally or knowingly hold a financial interest in a medical marijuana organization or in a holding company, affiliate, intermediary or subsidiary thereof, while the individual is an executive-level public employee, public official or party officer and for one year following termination of the individual's status as an executive-level public employee, public official or party officer.

(b) Employment.—Except as may be provided by rule or order of the Pennsylvania Supreme Court, no executive-level public employee, public official or party officer, or an immediate family member thereof, shall be employed by a medical marijuana organization or by any holding company, affiliate, intermediary or subsidiary thereof, while the individual is an executive-level public employee, public official or party officer and for one year following termination of the individual's status as an executive-level public employee, public official or party officer.

(c) Grading.—An individual who violates this section commits a misdemeanor and shall, upon conviction, be sentenced to pay a fine of not more than \$1,000 or to imprisonment for not more than one year, or both.

(d) State Ethics Commission.—The State Ethics Commission shall do all of the following:

(1) Issue a written determination of whether a person is subject to subsections (a) or (b) upon the written request of the person or any other person that may have liability for an action taken with respect to such person. A person that relies in good faith on a determination made under this paragraph shall not be subject to any penalty for an action taken, provided that all material facts set forth in the request for the determination are correct.

(2) Publish a list of all State, county, municipal and other government positions that meet the definitions of "public official" as defined under subsection (b) or "executive-level public employee." The Office of Administration shall assist the State Ethics Commission in the development of the list, which shall be published by the State Ethics Commission in the Pennsylvania Bulletin biennially and posted by the board on the board's Internet website. Upon request, each public official shall have a duty to provide the State Ethics Commission with adequate information to accurately develop and maintain the list. The State Ethics Commission may impose a civil penalty under 65 Pa.C.S. § 1109(f) (relating to penalties) upon any individual, including any public official or executive-level public employee, who fails to cooperate with the State Ethics Commission under this subsection. A person that relies in good faith on the list published by the State Ethics Commission shall not be subject to any penalty for a violation of this section.

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

"Financial interest." As defined in 4 Pa.C.S. § 1512(b) (relating to financial and employment interests).

"Immediate family." As defined in 4 Pa.C.S. § 1512(b).

"Party officer." As defined in 4 Pa.C.S. § 1512(b).

"Public official." The term shall include the following:

(1) The Governor, Lieutenant Governor, a member of the Governor's cabinet, Treasurer, Auditor General and Attorney General of the Commonwealth.

(2) A member of the Senate or House of Representatives of the Commonwealth.

(3) An individual elected or appointed to any office of a county or municipality that directly receives a distribution of revenue under this part.

(4) An individual elected or appointed to a department, agency, board, commission, authority or other governmental body not included in paragraph (1), (2) or (3) that directly receives a distribution of revenue under this part.

(5) An individual elected or appointed to a department, agency, board, commission, authority, county, municipality or other governmental body not included in paragraph (1), (2) or (3) with discretionary power which may influence or affect the outcome of an action or decision and who is involved in the development of regulation or policy relating to a licensed entity or who is involved in other matters under this part.

The term does not include a member of a school board or an individual who held an uncompensated office with a governmental body prior to January 1, 2017, and who no longer holds the office as of January 1, 2017. The term includes a member of an advisory board or commission.

On the question,

Will the House agree to the amendment?

The **SPEAKER**. Representative Lawrence is recognized on that question.

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

I appreciate the opportunity to offer this amendment. Mr. Speaker, this amendment prohibits elected officials, including members of the House and the Senate, from holding a financial interest in a medical marijuana organization. This mirrors language that already exists in the Gaming Act, and it puts a bright line between elected officials and medical marijuana operations. This is a good-government bill, and I would encourage an affirmative vote.

The **SPEAKER**. Representative Petrarca.

Mr. **PETRARCA**. Thank you, Mr. Speaker.

I rise in opposition to this amendment. It was not discussed, was not agreed upon in our bipartisan task force meetings, and I ask for a negative vote. Thank you.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

LEAVE OF ABSENCE

The **SPEAKER**. Representative GINGRICH has requested to be placed on leave. Without objection, that will be granted.

CONSIDERATION OF SB 3 CONTINUED

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

The following roll call was recorded:

YEAS—93

Baker	Harhart	Metcalfe	Samuelson
Barbin	Harper	Metzgar	Sankey
Bloom	Heffley	Millard	Saylor
Boback	Hennessey	Miller, B.	Schemel
Brown, R.	Hickernell	Milne	Simmons
Causser	Hill	Moul	Sonney
Corbin	Irvin	Murt	Staats
Culver	James	Nesbit	Stephens
Cutler	Kampf	Neuman	Tallman
Day	Kauffman	O'Neill	Taylor
Delozier	Keller, F.	Ortitay	Tobash
Dunbar	Keller, M.K.	Parker, D.	Toepel
Dush	Klunk	Petri	Topper
Emrick	Knowles	Pickett	Truitt
English	Kortz	Quigley	Ward
Evankovich	Lawrence	Quinn	Warner
Fee	Lewis	Rader	Wentling
Gabler	Mackenzie	Rapp	Wheeland
Gillen	Maher	Regan	White
Gillespie	Major	Roae	Zimmerman
Godshall	Maloney	Ross	
Greiner	Masser	Rothman	Turzai,
Grove	McGinnis	Rozzi	Speaker
Hahn	Mentzer	Saccone	

NAYS—94

Acosta	DeLuca	Helm	O'Brien
Adolph	Dermody	Jozwiak	Oberlander
Barrar	Diamond	Kavulich	Pashinski
Benninghoff	Donatucci	Keller, W.	Payne
Bizzarro	Driscoll	Killion	Petrarca
Bradford	Ellis	Kim	Pyle
Briggs	Evans	Kinsey	Ravenstahl
Brown, V.	Everett	Kirkland	Readshaw
Bullock	Fabrizio	Kotik	Reed
Burns	Farina	Krueger	Roebuck
Caltagirone	Farry	Longietti	Sainato
Carroll	Flynn	Mahoney	Santarsiero
Cohen	Frankel	Markosek	Santora
Conklin	Freeman	Marshall	Schlossberg
Costa, D.	Gainey	Marsico	Schreiber
Costa, P.	Galloway	Matzie	Schweyer
Cox	Gergely	McCarter	Sims
Daley, M.	Gibbons	McClinton	Snyder
Davidson	Goodman	McNeill	Thomas
Davis	Hanna	Miccarelli	Vereb
Dawkins	Harhai	Miller, D.	Vitali
Dean	Harkins	Mustio	Wheatley
Deasy	Harris, A.	Neilson	Youngblood
DeLissio	Harris, J.		

NOT VOTING—0

EXCUSED—13

Boyle	DiGirolamo	Mullery	Sturla
Christiana	Gingrich	Peifer	Toohil
Cruz	Kaufner	Reese	Watson
Daley, P.			

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

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

Mr. **LAWRENCE** offered the following amendment No. **A06066**:

Amend Bill, page 13, by inserting between lines 18 and 19 (A05835)

(g) Notice.—The department shall, upon issuance of an identification card to a patient or caregiver 15 years of age or older, include a written notification with the following language:

IMPORTANT NOTICE ABOUT MEDICAL MARIJUANA AND OPERATING A MOTOR VEHICLE

Before starting a medical marijuana regimen, talk to your doctor or health care practitioner about how medical marijuana may impact your ability to safely operate a motor vehicle. Under Pennsylvania law, even a small amount of marijuana in your blood could result in conviction for DUI (Driving Under the Influence), also called Impaired Driving or Drugged Driving. Conviction for DUI can result in serious penalties, including fines, jail and losing your driver's license for a period of time. If you have any questions about how the DUI law could potentially impact you, contact your attorney for legal advice.

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

The **SPEAKER**. On the question, the Chair recognizes Representative Lawrence on amendment A06066. Representative Lawrence is recognized.

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

Mr. Speaker, the amendment that I am offering, amendment 6066, has to do with a difficult subject, has to do with driving under the influence. I am sure that many of my colleagues here in the House have conversations with constituents just as I do. I frequently get calls from folks who have fallen into the situation where they find themselves with one or maybe even multiple DUIs, and they call my office and say, "What can you do to help me out of this situation?" And the answer is, "There is nothing I can do to help you out of this situation, generally." When you are caught, DUI, it is a major impact on your life.

Chapter 38 of the Vehicle Code clearly says that any amount of a Schedule I controlled substance, any amount of a Schedule I controlled substance, if that is found in your blood, you will be considered – that is considered driving under the influence.

And I might add that being DUI for a controlled substance, under section (c) of the Vehicle Code, an individual who violates section 3802(d) shall be sentenced as follows for a first offense: undergo imprisonment of not less than 72 hours, pay a fine of not less than \$1,000, and so on and so forth.

So if you are pulled over while operating a motor vehicle and there is any amount of a Schedule I drug in your system, you will at a minimum go to jail for 72 hours under the Vehicle Code of the existing law.

Now, I would like to bring also to the members' attention that in section 3810, it specifically states that authorized use is not a defense. The law says the fact that a person charged with

violating this chapter is or has been legally entitled to use alcohol or controlled substances is not a defense to a charge of violating this chapter. That is the existing law as it relates to DUI.

The amendment that I am proposing here is very simple. It is just a simple paragraph, and it says that the department upon issuing an identification card to a patient or caregiver when they are obtaining a card for medical marijuana will include in with the card a notification that says that before starting a medical marijuana regimen, talk to your doctor or health-care practitioner about how medical marijuana may impact your ability to safely operate a motor vehicle.

Under Pennsylvania law, even a small amount of marijuana in your blood could result in conviction for DUI. Conviction for DUI can result in serious penalties, including fines and jail time. So regardless of whether you are in favor of medical marijuana, opposed to it, or somewhere in between, the fact of the matter is that the law stands – and perhaps we should change the law; that is a debate for another day – but as the law stands now, somebody who is pulled over and has even a trace of marijuana in their system, until the Federal government changes it out of a Schedule I drug, if they do, that is what the law prescribes. And certainly we would want to make sure that people are well aware of that. That is why I am offering this amendment, Mr. Speaker.

I encourage an affirmative vote.

The SPEAKER. Representative Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

I appreciate what the gentleman is attempting to do. However, I believe these cards are designed, that they are going to be used to provide medical information, and we are not talking about putting on these cards information about any other prescription painkillers that are much more addictive, much more dangerous, in my opinion, than medical marijuana.

And we also have comprehensive motor vehicle laws on the books that deal with driving under the influence that I think certainly handle this situation. I would therefore ask for a negative vote. Thank you.

The SPEAKER. Oh, I am sorry. Representative Lawrence, for the second time on the amendment.

Mr. LAWRENCE. Thank you, Mr. Speaker.

I appreciate the comments of the gentleman, and I guess my only thought would be is that certainly prescription drugs are a concern as well. Certainly operating a motor vehicle or heavy equipment or anything else under the influence of anything is a concern, but certainly the matter at hand today is medical marijuana. That is the entire point of the legislation in front of us today. And as I have outlined, the Vehicle Code is very clear, there is not room for any debate in the fact that the Vehicle Code is extremely clear with mandatory minimum penalties for any trace of marijuana found in your system. Certainly we would want to make sure folks are aware of that. Certainly we would want to encourage them to discuss that with their doctor before beginning the medical marijuana regimen.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—81

Baker	Grove	Marshall	Schemel
Barrar	Hanna	McGinnis	Simmons
Benninghoff	Harhart	Mentzer	Snyder
Bloom	Harper	Metcalfe	Sonney
Boback	Heffley	Metzgar	Staats
Brown, R.	Hennessey	Millard	Stephens
Causar	Hickernell	Miller, B.	Taylor
Corbin	Hill	Milne	Tobash
Culver	James	Mustio	Toepel
Cutler	Jozwiak	Neuman	Topper
Day	Kampf	Ortity	Truitt
Dush	Kauffman	Parker, D.	Ward
Emrick	Keller, F.	Petri	Warner
English	Klunk	Pickett	Wentling
Evankovich	Knowles	Quigley	Wheeland
Fee	Lawrence	Rapp	White
Gabler	Lewis	Roae	Zimmerman
Gillen	Mackenzie	Ross	
Gillespie	Maher	Rothman	Turzai,
Godshall	Major	Saccone	Speaker
Greiner	Maloney	Saylor	

NAYS—106

Acosta	Donatucci	Killion	Payne
Adolph	Driscoll	Kim	Petrarca
Barbin	Dunbar	Kinsey	Pyle
Bizzarro	Ellis	Kirkland	Quinn
Bradford	Evans	Kortz	Rader
Briggs	Everett	Kotik	Ravenstahl
Brown, V.	Fabrizio	Krueger	Readshaw
Bullock	Farina	Longietti	Reed
Burns	Farry	Mahoney	Regan
Caltagirone	Flynn	Markosek	Roebuck
Carroll	Frankel	Marsico	Rozzi
Cohen	Freeman	Masser	Sainato
Conklin	Gainey	Matzie	Samuelson
Costa, D.	Galloway	McCarter	Sankey
Costa, P.	Gergely	McClinton	Santarsiero
Cox	Gibbons	McNeill	Santora
Daley, M.	Goodman	Miccarelli	Schlossberg
Davidson	Hahn	Miller, D.	Schreiber
Davis	Harhai	Moul	Schweyer
Dawkins	Harkins	Murt	Sims
Dean	Harris, A.	Neilson	Tallman
Deasy	Harris, J.	Nesbit	Thomas
DeLissio	Helm	O'Brien	Vereb
Delozier	Irvin	O'Neill	Vitali
DeLuca	Kavulich	Oberlander	Wheatley
Dermody	Keller, M.K.	Pashinski	Youngblood
Diamond	Keller, W.		

NOT VOTING—0

EXCUSED—13

Boyle	DiGirolamo	Mullery	Sturla
Christiana	Gingrich	Peifer	Toohil
Cruz	Kaufer	Reese	Watson
Daley, P.			

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

AMENDMENT A06063 RECONSIDERED

The SPEAKER. Representatives Bernie O'Neill and Jerry Knowles move that the vote by which amendment 6063 to SB 3, PN 889, was defeated by a vote of 94 to 93 on this 15th day of March be reconsidered. It is a motion to reconsider.

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

The SPEAKER. Does anybody wish to be recognized on the motion to reconsider?

Representative Lawrence.

Mr. LAWRENCE. Thank you, Mr. Speaker.

I would appreciate the opportunity to reconsider this amendment. It appeared that we had prevailed, and then I believe that the House rules state that when the Speaker says the clerk will record the vote, the board is to be immediately frozen, and that, unfortunately, was not the case and we lost by one vote. So I would appreciate the opportunity to reconsider amendment 6063. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—102

Adolph	Harhart	Metcalf	Saccone
Baker	Harper	Metzgar	Samuelson
Barbin	Heffley	Miccarelli	Sankey
Benninghoff	Helm	Millard	Santora
Bloom	Hennessey	Miller, B.	Saylor
Brown, R.	Hickernell	Milne	Schemel
Causer	Hill	Moul	Simmons
Corbin	James	Murt	Sonney
Culver	Kampf	Mustio	Staats
Cutler	Kauffman	Nesbit	Stephens
Davis	Keller, F.	O'Neill	Tallman
Day	Keller, M.K.	Oberlander	Taylor
Delozier	Killion	Ortitay	Tobash
Dunbar	Klunk	Parker, D.	Toepel
Dush	Knowles	Payne	Topper
Ellis	Kortz	Petri	Truitt
Emrick	Lawrence	Pickett	Verbe
English	Lewis	Pyle	Vitali
Evankovich	Mackenzie	Quigley	Ward
Everett	Maher	Quinn	Warner
Fee	Major	Rapp	Wentling
Gabler	Maloney	Reed	Wheeland
Gillespie	Marshall	Regan	Zimmerman
Godshall	Masser	Roae	
Greiner	McGinnis	Ross	Turzai,
Grove	Mentzer	Rothman	Speaker

NAYS—85

Acosta	DeLuca	Harkins	Neilson
Barrar	Dermody	Harris, A.	Neuman
Bizzarro	Diamond	Harris, J.	O'Brien
Boback	Donatucci	Irvin	Pashinski
Bradford	Driscoll	Jozwiak	Petrarca
Briggs	Evans	Kavulich	Rader
Brown, V.	Fabrizio	Keller, W.	Ravenstahl
Bullock	Farina	Kim	Readshaw
Burns	Farry	Kinsey	Roebuck
Caltagirone	Flynn	Kirkland	Rozzi
Carroll	Frankel	Kotik	Sainato

Cohen	Freeman	Krueger	Santarsiero
Conklin	Gainey	Longiatti	Schlossberg
Costa, D.	Galloway	Mahoney	Schreiber
Costa, P.	Gergely	Markosek	Schweyer
Cox	Gibbons	Marsico	Sims
Daley, M.	Gillen	Matzie	Snyder
Davidson	Goodman	McCarter	Thomas
Dawkins	Hahn	McClinton	Wheatley
Dean	Hanna	McNeill	White
Deasy	Harhai	Miller, D.	Youngblood
DeLissio			

NOT VOTING—0

EXCUSED—13

Boyle	DiGirolamo	Mullery	Sturla
Christiana	Gingrich	Peifer	Toohil
Cruz	Kaufner	Reese	Watson
Daley, P.			

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

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

The SPEAKER. The motion to reconsider passes, and we will proceed to amendment 6063.

Representative Lawrence, on the amendment.

Mr. LAWRENCE. Thank you, Mr. Speaker.

I will not go through all the details again, but just again, this amendment prohibits elected officials, including members of the House and the Senate, from holding a financial interest in a medical marijuana organization. This is the exact same language that currently exists in the Gaming Act, and again, it is simply a good-government bill to ensure the citizens of Pennsylvania that there is a bright line between elected officials and medical marijuana operations.

I would appreciate an affirmative vote. Thank you.

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

The following roll call was recorded:

YEAS—136

Acosta	Gillen	Maloney	Ross
Adolph	Gillespie	Marshall	Rothman
Baker	Godshall	Masser	Rozzi
Barbin	Greiner	McCarter	Saccone
Barrar	Grove	McGinnis	Sainato
Benninghoff	Hahn	Mentzer	Samuelson
Bloom	Harhart	Metcalf	Sankey
Boback	Harper	Metzgar	Santora
Brown, R.	Harris, A.	Miccarelli	Saylor
Burns	Heffley	Millard	Schemel
Causer	Helm	Miller, B.	Schlossberg
Conklin	Hennessey	Milne	Simmons
Corbin	Hickernell	Moul	Snyder
Cox	Hill	Murt	Sonney
Culver	Irvin	Mustio	Staats
Cutler	James	Nesbit	Stephens
Davidson	Jozwiak	Neuman	Tallman
Davis	Kampf	O'Brien	Taylor
Day	Kauffman	O'Neill	Tobash
Delozier	Kavulich	Oberlander	Toepel
DeLuca	Keller, F.	Ortitay	Topper

Diamond	Keller, M.K.	Parker, D.	Truitt
Donatucci	Killion	Payne	Vereb
Dunbar	Kim	Petri	Vitali
Dush	Kirkland	Pickett	Ward
Ellis	Klunk	Pyle	Warner
Emrick	Knowles	Quigley	Wentling
English	Kortz	Quinn	Wheatley
Evankovich	Krueger	Rader	Wheeland
Everett	Lawrence	Rapp	White
Farry	Lewis	Reed	Zimmerman
Fee	Longietti	Regan	
Freeman	Mackenzie	Roae	Turzai,
Gabler	Maher	Roebuck	Speaker
Galloway	Major		

NAYS—51

Bizzarro	Deasy	Hanna	Miller, D.
Bradford	DeLissio	Harhai	Neilson
Briggs	Dermody	Harkins	Pashinski
Brown, V.	Driscoll	Harris, J.	Petrarca
Bullock	Evans	Keller, W.	Ravenstahl
Caltagirone	Fabrizio	Kinsey	Readshaw
Carroll	Farina	Kotik	Santarsiero
Cohen	Flynn	Mahoney	Schreiber
Costa, D.	Frankel	Markosek	Schweyer
Costa, P.	Gainey	Marsico	Sims
Daley, M.	Gergely	Matzie	Thomas
Dawkins	Gibbons	McClinton	Youngblood
Dean	Goodman	McNeill	

NOT VOTING—0

EXCUSED—13

Boyle	DiGirolamo	Mullery	Sturla
Christiana	Gingrich	Peifer	Toohil
Cruz	Kaufar	Reese	Watson
Daley, P.			

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

On the question recurring,

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

Mr. **GAINEY** offered the following amendment No. **A06004**:

Amend Bill, page 2, by inserting between lines 11 and 12 (A05835)

Section 712. Diversity goals.

Amend Bill, page 26, by inserting between lines 5 and 6 (A05835)

Section 712. Diversity goals.

(a) Goals.—It is the intent and goal of the General Assembly that the department promote and ensure diversity and the participation by diverse groups in the activities authorized under this act. In order to further this goal, the department shall adopt and implement policies or guidelines ensuring the following:

(1) That diverse groups are accorded equal opportunity in the registration process, either directly as applicants or registrants or through ownership interests in applicants or registrants.

(2) That registrants promote the participation of diverse groups in the registrants' operations by affording equal access to employment opportunities.

(b) Duties of department.—To facilitate participation by diverse

groups in the activities authorized under this act, the department shall:

(1) Conduct the necessary and appropriate outreach, including, if determined appropriate, consulting with other State agencies, boards and commissions, including the Department of General Services and the Department of State, for the purpose of identifying diverse groups capable of participating in the activities under this act.

(2) Provide sufficient and continuous notice of the participation opportunities afforded under this act by publishing notice in the Pennsylvania Bulletin and on the department's publicly accessible Internet website.

(3) Include in the applications for registration under this act language to encourage applicants to utilize and give consideration to diverse groups for contracting or professional services opportunities.

(4) Designate an employee to oversee the efforts adopted by registrants to promote the participation of diverse groups in the activities authorized under this act and comply with the diversity goals of this section.

(c) Reports.—No later than March 1, 2018, and each March 1 thereafter, the department shall submit a report to the chairperson and minority chairperson of the Public Health and Welfare Committee of the Senate and the chairperson and minority chairperson of the Health Committee of the House of Representatives summarizing the participation and utilization of diverse groups in the activities authorized under this act. The report shall include:

(1) The participation level, by percentage, of diverse groups in the activities authorized under this act.

(2) A summary of how diverse groups are utilized by registrants, including in the provision of goods or services.

(3) Any other information the department deems appropriate.

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

"Disadvantaged business." As defined in 74 Pa.C.S. § 303(b) (relating to diverse business participation).

"Diverse group." A disadvantaged business, minority-owned business, women-owned business, service-disabled veteran-owned small business or veteran-owned small business that has been certified by a third-party certifying organization.

"Minority-owned business." As defined in 74 Pa.C.S. § 303(b).

"Service-disabled veteran-owned small business." As defined in 51 Pa.C.S. § 9601 (relating to definitions).

"Third-party certifying organization." As defined in 74 Pa.C.S. § 303(b).

"Veteran-owned small business." As defined in 51 Pa.C.S. § 9601.

"Women-owned business." As defined in 74 Pa.C.S. § 303(b).

On the question,

Will the House agree to the amendment?

The **SPEAKER**. Representative Gainey, on the amendment, sir.

On that question, the Chair recognizes Representative Gainey.

Mr. **GAINEY**. Thank you, Mr. Speaker.

This is just an amendment to talk about making sure that the business is diverse, that we have veterans, that we have women, and that we have minority included in this new business. So we want to make sure going into it the amendment addresses diversity, veterans, women, and minorities.

So with that, Mr. Speaker, thank you.

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

The following roll call was recorded:

YEAS—131

Acosta	Fabrizio	Krueger	Rader
Adolph	Farina	Lawrence	Ravenstahl
Barbin	Farry	Lewis	Readshaw
Barrar	Flynn	Longiotti	Regan
Bizzarro	Frankel	Mackenzie	Roebuck
Boback	Freeman	Maher	Ross
Bradford	Gainey	Mahoney	Rothman
Briggs	Galloway	Maloney	Rozzi
Brown, R.	Gergely	Markosek	Sainato
Brown, V.	Gibbons	Marshall	Samuelson
Bullock	Gillen	Masser	Santarsiero
Burns	Godshall	Matzie	Santora
Caltagirone	Goodman	McCarter	Schlossberg
Carroll	Hanna	McClinton	Schreiber
Cohen	Harhai	McNeill	Schweyer
Conklin	Harhart	Mentzer	Simmons
Costa, D.	Harkins	Metzgar	Sims
Costa, P.	Harris, A.	Miccarelli	Snyder
Cox	Harris, J.	Millard	Sonney
Culver	Helm	Miller, D.	Taylor
Daley, M.	James	Murt	Thomas
Davidson	Jozwiak	Mustio	Tobash
Davis	Kampf	Neilson	Topper
Dawkins	Kavulich	Nesbit	Truitt
Dean	Keller, F.	Neuman	Veréb
Deasy	Keller, M.K.	O'Brien	Vitali
DeLissio	Keller, W.	O'Neill	Warner
DeLuca	Killion	Parker, D.	Wheatley
Dermody	Kim	Pashinski	White
Donatucci	Kinsey	Petrarca	Youngblood
Driscoll	Kirkland	Petri	
Dunbar	Kortz	Quigley	Turzai,
Evankovich	Kotik	Quinn	Speaker
Evans			

NAYS—56

Baker	Fee	Knowles	Reed
Benninghoff	Gabler	Major	Roae
Bloom	Gillespie	Marsico	Saccone
Causer	Greiner	McGinnis	Sankey
Corbin	Grove	Metcalfe	Saylor
Cutler	Hahn	Miller, B.	Schemel
Day	Harper	Milne	Staats
Delozier	Heffley	Moul	Stephens
Diamond	Hennessey	Oberlander	Tallman
Dush	Hickernell	Ortitay	Toepel
Ellis	Hill	Payne	Ward
Emrick	Irvin	Pickett	Wentling
English	Kauffman	Pyle	Wheeland
Everett	Klunk	Rapp	Zimmerman

NOT VOTING—0

EXCUSED—13

Boyle	DiGirolamo	Mullery	Sturla
Christiana	Gingrich	Peifer	Toohil
Cruz	Kaufer	Reese	Watson
Daley, P.			

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

STATEMENT BY MR. GAINEY

The SPEAKER. On unanimous consent, you may proceed.
Mr. GAINEY. Thank you, Mr. Speaker.
I just wanted to say thank you to my colleagues. I appreciate it. Thank you.

CONSIDERATION OF SB 3 CONTINUED

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

Ms. HELM offered the following amendment No. A06029:

Amend Bill, page 4, by inserting between lines 8 and 9
Section 102. Declaration of policy.

The General Assembly finds and declares as follows:

(1) Diversity is an important goal in business activities in this Commonwealth.

(2) Improving minority-owned business participation in licensing under this act will implement paragraph (1).

Amend Bill, page 4, line 9, by striking out "102" and inserting
103

Amend Bill, page 4, by inserting between lines 22 and 23
"Diversity." The quality of being different or unique at the individual or group level.

Amend Bill, page 7, by inserting between lines 10 and 11
"Minority-owned business." A business owned and controlled by a majority of individuals who are African Americans, Hispanic Americans, Native Americans, Asian Americans, Alaskans or Pacific Islanders.

Amend Bill, page 24, line 23, by inserting after "act."
The board shall ensure that between 5% and 10% of the licensees are minority-owned businesses.

Amend Bill, page 27, line 9, by inserting after "tinctures."
The board shall ensure that between 5% and 10% of the licensees are minority-owned businesses.

Amend Bill, page 29, line 23, by inserting after "practitioner."
The board shall ensure that between 5% and 10% of the licensees are minority-owned businesses.

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

The SPEAKER. It is my understanding that amendment 6029 has been redrafted as 6128, as 6128. Representative Helm, 6128.

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

Ms. HELM offered the following amendment No. A06128:

Amend Bill, page 3, by inserting between lines 39 and 40
(A05835)

(5) Diversity is an important goal in business activities in this Commonwealth.

(6) Improving minority-owned business participation in licensing under this act will implement paragraph (1).

Amend Bill, page 4, by inserting between lines 38 and 39
(A05835)

"Diversity." The quality of being different or unique at the individual or group level.

Amend Bill, page 5, by inserting between lines 17 and 18 (A05835)

"Minority-owned business." A business owned and controlled by a majority of individuals who are African Americans, Hispanic Americans, Native Americans, Asian Americans, Alaskans or Pacific Islanders.

Amend Bill, page 20, by inserting between lines 35 and 36 (A05835)

(5.1) The department shall ensure that between 5% and 10% of the registrants are minority-owned businesses.

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

The SPEAKER. The Chair recognizes Representative Helm. Ms. HELM. Thank you, Mr. Speaker.

This amendment would require that between 5 percent and 10 percent of licensees under the bill are minority-owned businesses, which the amendment defines as businesses owned and controlled by a majority of individuals who are African-Americans, Hispanic Americans, Native Americans, Asian Americans, Alaskans or Pacific Islanders. This is a very simple amendment, however, a very important amendment, and I ask for a positive vote.

Thank you, Mr. Speaker.

The SPEAKER. Representative Helm.

Does anybody wish to be recognized on this? Representative Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

I certainly appreciate the lady's intention by offering this amendment. However, I do think that this subject was certainly handled by the amendment that was just adopted, that was offered by Representative Gainey.

The department will certainly look at this and it will allow them to implement regulations regarding diversity that I think are much more comprehensive than what is involved in the lady's amendment and it does not, as the lady suggests, require quotas.

I ask for a negative vote. Thank you.

LEAVE OF ABSENCE

The SPEAKER. Representative THOMAS has requested to be placed on leave of absence. Without objection, that will be granted.

CONSIDERATION OF SB 3 CONTINUED

The SPEAKER. Does anybody else wish the opportunity to speak on this amendment?

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

The following roll call was recorded:

YEAS-38

Table with 4 columns: Baker, Bloom, Boback, Brown, R., Evankovich, Everrett, Fee, Godshall, Kotik, Lewis, Mackenzie, Maher, Pickett, Quinn, Rothman, Saccone

Table with 4 columns: Corbin, Cutler, Davidson, Day, Dunbar, Emrick, Grove, Harhart, Heffley, Helm, Hennessey, Hickernell, Major, Maloney, Masser, Mentzer, Metzgar, Parker, D., Simmons, Topper, Truitt, Turzai, Speaker

NAYS-148

Table with 4 columns: Acosta, Adolph, Barbin, Barrar, Benninghoff, Bizzarro, Bradford, Briggs, Brown, V., Bullock, Burns, Caltagirone, Carroll, Causer, Cohen, Conklin, Costa, D., Costa, P., Cox, Culver, Daley, M., Davis, Dawkins, Dean, Deasy, DeLissio, Delozier, DeLuca, Dermody, Diamond, Donatucci, Driscoll, Dush, Ellis, English, Evans, Fabrizio, Farina, Farry, Flynn, Frankel, Freeman, Gabler, Gainey, Galloway, Gergely, Gibbons, Gillen, Gillespie, Goodman, Greiner, Hahn, Hanna, Harhai, Harkins, Harper, Harris, A., Harris, J., Hill, Irvin, James, Jozwiak, Kampf, Kauffman, Kavulich, Keller, F., Keller, M.K., Keller, W., Killion, Kim, Kinsey, Kirkland, Klunk, Knowles, Kortz, Krueger, Lawrence, Longietti, Mahoney, Markosek, Marshall, Marsico, Matzie, McCarter, McClinton, McGinnis, McNeill, Metcalfe, Miccarelli, Millard, Miller, B., Miller, D., Milne, Moul, Murt, Mustio, Neilson, Nesbit, Neuman, O'Brien, O'Neill, Oberlander, Orbitay, Pashinski, Payne, Petrarca, Petri, Pyle, Quigley, Rader, Rapp, Ravenstahl, Readshaw, Reed, Regan, Roae, Roebuck, Ross, Rozzi, Sainato, Samuelson, Sankey, Santarsiero, Santora, Saylor, Schemel, Schlossberg, Schreiber, Schweyer, Sims, Snyder, Sonney, Staats, Stephens, Tallman, Taylor, Tobash, Toepel, Vereb, Vitali, Ward, Warner, Wentling, Wheatley, Wheeland, White, Youngblood, Zimmerman

NOT VOTING-0

EXCUSED-14

Table with 4 columns: Boyle, Christiana, Cruz, Daley, P., DiGirolamo, Gingrich, Kaufner, Mullery, Peifer, Reese, Sturla, Thomas, Toohil, Watson

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

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

Mr. WHEATLEY offered the following amendment No. A06119:

Amend Bill, page 33, by inserting between lines 30 and 31 (A05835)

(31) To develop a diversity plan for licensing minority business owners.

Amend Bill, page 33, line 31 (A05835), by striking out "(31)" and inserting
(32)

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Chair recognizes Representative Wheatley.
All the amendments are redrafts and they are timely?
Representative Wheatley withdraws amendment 6119.

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

Mr. WHEATLEY offered the following amendment No. A06126:

Amend Bill, page 24, by inserting between lines 44 and 45 (A05835)
(1) Public hearing.—The board shall hold a public hearing with an opportunity for the public to comment on the location of the facility for each new applicant under this section.

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

The SPEAKER. On that amendment, the Chair recognizes Representative Wheatley, A06126.
Mr. WHEATLEY. Thank you, Mr. Speaker.
Mr. Speaker, I rise and ask my colleagues to support the amendment, 06126, which essentially gives our local communities a say in what is happening with any dispensary or facility that would come about because of this new industry and where it is located.
So again, I would ask my colleagues for an affirmative support of this amendment. Thank you.

The SPEAKER. Representative Marsico, on the amendment, sir.

Mr. MARSICO. Mr. Speaker, I rise to oppose this amendment. Actually, the board has nothing to do with granting or issuing licenses, and it would be the department. So the amendment mentions the board. I am not quite sure what that is, but actually, with that, the Department of Health will do the things that the sponsor wants the board to do. So with that in mind, I oppose this amendment.

The SPEAKER. Representative Petrarca, on the amendment? No.

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

The following roll call was recorded:

YEAS—83

Barbin	Dush	Kim	Petrarca
Bizzarro	Evans	Kinsey	Pickett
Boback	Fabrizio	Kirkland	Quigley
Bradford	Farina	Lewis	Rapp
Briggs	Flynn	Longiatti	Ravenstahl

Brown, R.	Gabler	Maher	Readshaw
Brown, V.	Gainey	Mahoney	Roebuck
Bullock	Galloway	Markosek	Rothman
Burns	Gergely	Masser	Sainato
Caltagirone	Gibbons	Matzie	Santarsiero
Cohen	Gillen	McClinton	Sims
Costa, P.	Godshall	McNeill	Snyder
Davidson	Goodman	Metcalfe	Staats
Davis	Hanna	Metzgar	Stephens
Dawkins	Harhai	Miller, D.	Toepel
Dean	Harkins	Murt	Truitt
Deasy	Harper	Neilson	Vitali
DeLissio	Harris, J.	Neuman	Wheatley
Delozier	Hennessey	O'Brien	
Dermody	Kavulich	Parker, D.	Turzai,
Donatucci	Keller, M.K.	Pashinski	Speaker
Driscoll			

NAYS—102

Acosta	Frankel	Major	Ross
Adolph	Freeman	Maloney	Rozzi
Baker	Gillespie	Marshall	Saccone
Barrar	Greiner	Marsico	Samuelson
Benninghoff	Grove	McCarter	Sankey
Bloom	Hahn	McGinnis	Santora
Carroll	Harhart	Mentzer	Saylor
Causar	Harris, A.	Miccarelli	Schemel
Conklin	Heffley	Millard	Schlossberg
Corbin	Helm	Miller, B.	Schreiber
Costa, D.	Hickernell	Milne	Schweyer
Cox	Hill	Moul	Simmons
Culver	Irvin	Mustio	Sonney
Cutler	James	Nesbit	Tallman
Daley, M.	Jozwiak	O'Neill	Taylor
Day	Kampf	Oberlander	Tobash
DeLuca	Kauffman	Ortitay	Topper
Diamond	Keller, F.	Payne	Vereb
Dunbar	Keller, W.	Petri	Ward
Ellis	Killion	Pyle	Warner
Emrick	Klunk	Quinn	Wentling
English	Knowles	Rader	Wheeland
Evankovich	Kortz	Reed	White
Everett	Krueger	Regan	Youngblood
Farry	Lawrence	Roae	Zimmerman
Fee	Mackenzie		

NOT VOTING—0

EXCUSED—15

Boyle	DiGirolamo	Mullery	Thomas
Christiana	Gingrich	Peifer	Toohil
Cruz	Kaufner	Reese	Watson
Daley, P.	Kotik	Sturla	

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

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

Mr. WHEATLEY offered the following amendment No. A06121:

Amend Bill, page 5, by inserting between lines 12 and 13 (A05835)
"Keystone opportunity zone." As defined in section 103 of the act of October 6, 1998 (P.L.705, No.92), known as the

Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act.

Amend Bill, page 19, by inserting between lines 30 and 31 (A05835)

(4) A grower/processor may not be located within 1,000 feet of the property line of a public, private or parochial school or a day-care center, unless the medical grower/processor is located within a keystone opportunity zone in a city of the second class.

(5) A dispensary may not be located within 1,000 feet of the property line of a public, private or parochial school or a day-care center, unless the medical grower/processor is located within a keystone opportunity zone in a city of the second class.

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

The SPEAKER. On that question, the Chair recognizes Representative Wheatley, amendment 6121.

Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, I would ask my colleagues to support the amendment, 06121. Basically, what this allows for the cities of the second class, cities of the second class, is to help to prevent any of these facilities that might be created in this new industry from being within 1,000 feet of where our children and youth find themselves recreating or educating themselves, and it gives us some authority to make sure these facilities are not harmful to our children, are not impeding zones that are specifically for children and families to find themselves. So I think this is a very good-government amendment, and I would ask for support from my colleagues. Thank you.

And again, this is for cities of the second class, cities of the second class.

The SPEAKER. Does anybody wish to speak on this amendment?

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

The following roll call was recorded:

YEAS-148

Table listing names of members who voted 'YEAS' (148 total). Includes Acosta, Baker, Benninghoff, Bizzarro, Bloom, Boback, Bradford, Briggs, Brown, R., Brown, V., Bullock, Burns, Caltagirone, Cohen, Corbin, Costa, P., Cox, Culver, Cutler, Davidson, Davis, Dawkins, Day, Deasy, Fabrizio, Farina, Farry, Fee, Flynn, Gabler, Gainey, Galloway, Gergely, Gibbons, Gillen, Gillespie, Godshall, Goodman, Greiner, Grove, Hanna, Harhai, Harhart, Harkins, Harris, A., Harris, J., Heffley, Hennessey, Knowles, Kortz, Krueger, Lewis, Longietti, Mackenzie, Mahoney, Major, Maloney, Markosek, Marshall, Marsico, Masser, Matzie, McCarter, McClinton, McGinnis, McNeill, Mentzer, Metcalfe, Metzgar, Miccarelli, Millard, Miller, B., Pickett, Pyle, Quigley, Quinn, Rader, Rapp, Ravenstahl, Readshaw, Reed, Regan, Roebuck, Rothman, Sainato, Santarsiero, Santora, Saylor, Schlossberg, Schweyer, Simmons, Sims, Snyder, Staats, Toepel, Truitt.

Table listing names of members who voted 'NAYS' (37 total). Includes DeLissio, DeLozier, DeLuca, Dermody, Donatucci, Driscoll, Dunbar, Dush, Ellis, Emrick, English, Evankovich, Evans, Everett, Hickernell, Hill, Jozwiak, Kampf, Kauffman, Kavulich, Keller, F., Keller, M.K., Keller, W., Killion, Kim, Kinsey, Kirkland, Klunk, Miller, D., Milne, Murt, Neilson, Neuman, O'Brien, O'Neill, Oberlander, Ortitay, Parker, D., Pashinski, Payne, Petri, Vereb, Vitali, Ward, Warner, Wentling, Wheatley, Wheeland, White, Youngblood, Zimmerman, Turzai, Speaker.

NAYS-37

Table listing names of members who voted 'NOT VOTING' (0 total). Includes Adolph, Barbin, Barrar, Carroll, Causer, Conklin, Costa, D., Daley, M., Dean, Diamond, Frankel, Freeman, Hahn, Harper, Helm, Irvin, James, Lawrence, Maher, Moul, Mustio, Nesbit, Petrarca, Roae, Ross, Rozzi, Saccone, Samuelson, Sankey, Schemel, Schreiber, Sonney, Stephens, Tallman, Taylor, Tobash, Topper.

NOT VOTING-0

EXCUSED-15

Table listing names of members who were 'EXCUSED' (15 total). Includes Boyle, Christiana, Cruz, Daley, P., DiGirolamo, Gingrich, Kaufer, Kotik, Mullery, Peifer, Reese, Sturla, Thomas, Toohil, Watson.

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

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

Mr. WHEATLEY offered the following amendment No. A06120:

Amend Bill, page 5, by inserting between lines 12 and 13 (A05835)

"Keystone opportunity zone." As defined in section 103 of the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act.

Amend Bill, page 19, by inserting between lines 30 and 31 (A05835)

(4) A grower/processor may not be located within 1,000 feet of the property line of a public, private or parochial school or a day-care center, unless the medical grower/processor is located within a keystone opportunity zone.

(5) A dispensary may not be located within 1,000 feet of the property line of a public, private or parochial school or a day-care center, unless the dispensary is located within a keystone opportunity zone.

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

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

Mr. WHEATLEY. First, Mr. Speaker, let me thank my colleagues for their affirmative vote on the prior amendment, and let me also say in this amendment, 06120, it provides that a grower, processor, or dispensary may not be located within 1,000 feet of a school or day-care center, unless it is located within a KOZ zone, or keystone opportunity zone.

Let me begin by asking my colleagues to support this and do not buy into the concept that this somehow limits the abilities for these facilities to be located in urban areas, because again, I think we want to be very judicial in how we set this in place. If we are going to allow for facilities either growing or dispensing these types of material, we want to be careful where they get located, and again, they can still be located within urban areas, they can still be in rural areas. It is just going to give us some conditions on how we recognize where they can be.

So I would ask that my colleagues support this amendment and help provide safe, free zones for our kids and our families. Thank you.

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

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

The following roll call was recorded:

YEAS—160

Adolph	Farry	Lawrence	Quigley
Baker	Fee	Lewis	Quinn
Barbin	Flynn	Longietti	Rader
Benninghoff	Gabler	Mackenzie	Rapp
Bizzarro	Gainey	Maher	Ravenstahl
Bloom	Galloway	Mahoney	Readshaw
Boback	Gergely	Major	Reed
Bradford	Gibbons	Maloney	Regan
Briggs	Gillen	Markosek	Roebuck
Brown, R.	Gillespie	Marshall	Ross
Bullock	Godshall	Marsico	Rozzi
Burns	Goodman	Masser	Sainato
Caltagirone	Greiner	Matzie	Samuelson
Carroll	Grove	McCarter	Santarsiero
Causar	Hahn	McGinnis	Santora
Cohen	Hanna	McNeill	Saylor
Conklin	Harhai	Mentzer	Schlossberg
Corbin	Harhart	Metcalfe	Schreiber
Costa, P.	Harkins	Metzgar	Simmons
Cox	Harper	Miccarelli	Sims
Culver	Harris, A.	Millard	Snyder
Cutler	Heffley	Miller, B.	Sonney
Daley, M.	Helm	Miller, D.	Staats
Davidson	Hennessey	Milne	Stephens
Davis	Hickernell	Moul	Tallman
Day	Hill	Murt	Taylor
Dean	Irvin	Neilson	Tobash
Deasy	James	Nesbit	Toepel
DeLuca	Jozwiak	Neuman	Truitt
Dermody	Kampf	O'Brien	Vereb
Donatucci	Kauffman	O'Neill	Ward
Driscoll	Kavulich	Oberlander	Warner
Dush	Keller, F.	Ortitay	Wentling
Ellis	Keller, W.	Parker, D.	Wheatley
Emrick	Killion	Pashinski	White
English	Kim	Payne	Youngblood
Evankovich	Kinsey	Petrarca	Zimmerman

Evans	Kirkland	Petri	
Everett	Klunk	Pickett	Turzai,
Fabrizio	Knowles	Pyle	Speaker
Farina	Krueger		

NAYS—25

Acosta	Diamond	Kortz	Sankey
Barrar	Dunbar	McClinton	Schemel
Brown, V.	Frankel	Mustio	Schweyer
Costa, D.	Freeman	Roae	Topper
Dawkins	Harris, J.	Rothman	Vitali
DeLissio	Keller, M.K.	Saccone	Wheeland
Delozier			

NOT VOTING—0

EXCUSED—15

Boyle	DiGirolamo	Mullery	Thomas
Christiana	Gingrich	Peifer	Toohil
Cruz	Kaufner	Reese	Watson
Daley, P.	Kotik	Sturla	

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

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

The SPEAKER. Representative Wheatley, do you wish to call up amendments 6122 and 6124?

Mr. WHEATLEY. Yes, Mr. Speaker. And again, I want to thank my colleagues for their support, and I will withdraw my last two amendments. Thank you.

The SPEAKER. Amendments 6122 and 6124 will be withdrawn.

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

Mrs. DAVIDSON offered the following amendment No. A06000:

Amend Bill, page 6, by inserting between lines 7 and 8 (A05835)
(15) Sickle cell anemia.

Amend Bill, page 6, line 8 (A05835), by striking out "(15)" and inserting
(16)

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

The SPEAKER. Representative Davidson, the floor is yours on the amendment.

Members, please take your seats. Members, please take your seats.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

Mr. Speaker, we have had the wherewithal to include other ailments in this medical marijuana bill. We had the good fortitude to include autism. I would like the members to also consider including sickle cell anemia into this legislation.

Cannabis is an anti-inflammatory without NSAID (Nonsteroidal anti-inflammatory drug) effects. This reduces the tissue damage caused by vascular occlusion, tissue infraction, and inflammation. Pain relief minimizes the use of heavy narcotics like the ones we are trying to avoid with this legislation.

Approximately 1.5 million Philadelphians are affected by sickle cell anemia. One in 13 African-Americans have the sickle cell anemia trait. One in 365 has the disease. This is a disease that overwhelmingly affects African-Americans, and we would like to see that this ailment be included in the bill.

The vaporization of cannabis can provide immediate relief of breakthrough pain, and multidimensional studies, as published by the Internal Medicine, led by researchers at Perelman School of Medicine, including the University of Pennsylvania, have discovered that cannabis has in fact dropped the morbidity rate due to sickle cell anemia.

Including sickle cell anemia in this lifesaving legislation would save additional lives particularly affected by the African-American community, and I would ask my colleagues to vote "yes."

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

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

The following roll call was recorded:

YEAS—144

Acosta	Evankovich	Kinsey	Quigley
Adolph	Evans	Kirkland	Quinn
Barrar	Everett	Klunk	Rader
Benninghoff	Fabrizio	Kortz	Ravenstahl
Bizzarro	Farina	Krueger	Readshaw
Bloom	Farry	Lawrence	Reed
Boback	Flynn	Lewis	Regan
Bradford	Frankel	Longietti	Roebuck
Briggs	Freeman	Mackenzie	Ross
Brown, R.	Gabler	Maher	Rothman
Brown, V.	Gainey	Mahoney	Rozzi
Bullock	Galloway	Markosek	Sainato
Burns	Gergely	Marshall	Samuelson
Caltagirone	Gibbons	Marsico	Santarsiero
Carroll	Gillen	Masser	Santora
Causar	Gillespie	Matzie	Saylor
Cohen	Godshall	McCarter	Schemel
Conklin	Goodman	McClinton	Schlossberg
Costa, D.	Grove	McNeill	Schreiber
Costa, P.	Hahn	Miccarelli	Schweyer
Cox	Hanna	Millard	Simmons
Culver	Harhai	Miller, D.	Sims
Daley, M.	Harkins	Milne	Snyder
Davidson	Harris, A.	Moul	Sonney
Davis	Harris, J.	Murt	Stephens
Dawkins	Heffley	Neilson	Taylor
Dean	Helm	Nesbit	Tobash
Deasy	Hennessey	Neuman	Toepel
DeLissio	Hill	O'Brien	Vereb
Delozier	Irvin	Ortitay	Vitali
DeLuca	James	Parker, D.	Wheatley
Dermody	Kauffman	Pashinski	White
Diamond	Kavulich	Payne	Youngblood
Donatucci	Keller, F.	Petrarca	
Driscoll	Keller, W.	Petri	Turzai,
Ellis	Killion	Pyle	Speaker
English	Kim		

NAYS—41

Baker	Harper	Metcalfe	Sankey
Barbin	Hickernell	Metzgar	Staats
Corbin	Jozwiak	Miller, B.	Tallman
Cutler	Kampf	Mustio	Topper
Day	Keller, M.K.	O'Neill	Truitt
Dunbar	Knowles	Oberlander	Ward
Dush	Major	Pickett	Warner
Emrick	Maloney	Rapp	Wentling
Fee	McGinnis	Roae	Wheeland
Greiner	Mentzer	Saccone	Zimmerman
Harhart			

NOT VOTING—0

EXCUSED—15

Boyle	DiGirolamo	Mullery	Thomas
Christiana	Gingrich	Peifer	Toohil
Cruz	Kaufner	Reese	Watson
Daley, P.	Kotik	Sturla	

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

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

The SPEAKER. Members, there are no further amendments.

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

The SPEAKER. The bill as amended will be reprinted.

COMMERCE COMMITTEE MEETING

The SPEAKER. Representative Harris, the chairman of the Commerce Committee, is recognized for a committee announcement.

Mr. A. HARRIS. Thank you, Mr. Speaker.

There will be a House Commerce Committee meeting tomorrow at the first break. House Commerce Committee meeting at the first break tomorrow. Thank you.

The SPEAKER. There will be a House Commerce Committee meeting tomorrow at the first break.

VOTE CORRECTION

The SPEAKER. Chairman Marsico is recognized.

Mr. MARSICO. Mr. Speaker, on amendment 6063 I would like to be recorded in the positive, a "yes" vote on amendment 6063. Thank you.

The SPEAKER. Thank you, sir. That will be reflected in the record.

**REPORT OF
COMMITTEE ON COMMITTEES**

The SPEAKER. The clerk will read a supplemental report from the Committee on Committees.

The following report was read:

COMMITTEE ON COMMITTEES

SUPPLEMENTAL REPORT

In the House of Representatives,
March 15, 2016

Resolved that,

Representative Krueger-Braneky, Delaware County, is elected a member of the Labor and Industry Committee.

Respectfully submitted,
Rep. Mike O'Brien
Chairman
Committee on Committees

On the question,
Will the House adopt the resolution?
Resolution was adopted.

VOTE CORRECTIONS

The SPEAKER. Representative Nesbit is recognized.
Mr. NESBIT. Thank you, Mr. Speaker.

I need to correct the record on amendment 6046. I was not recorded. I would like to be recorded as a negative vote.

The SPEAKER. Yes, sir; that will be reflected in the record.
Representative Petrarca is recognized.

Mr. PETRARCA. Thank you, Mr. Speaker.

I rise to correct the record.

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

Members, please, we still have some of our colleagues that wish to be recognized for the record. If we could just please keep the conversation down so that they can be heard.

Representative Petrarca, the floor is yours.

Mr. PETRARCA. Thank you, Mr. Speaker.

I rise to correct the record on SB 3, amendment 6063. I was recorded in the negative. I would like the record to reflect a positive vote. Thank you.

The SPEAKER. Thank you.

Do any other members wish to be recognized? Any other members wish to be recognized?

BILLS RECOMMITTED

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

HB 914;
HB 1103;
HB 1605; and
SB 3.

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 1339;
HB 1703; and
SB 385.

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

RESOLUTION

Mr. REED called up **HR 502, PN 2208**, entitled:

A Resolution adopting a temporary rule of the House of Representatives relating solely to amendments to the General Appropriation Bill for the fiscal year 2015-2016, Senate Bill 1000 (2015).

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 502 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 Chair recognizes the majority leader, who moves that HR 502 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 Hal English moves that the House be adjourned until Wednesday, March 16, 2016, 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 5:22 p.m., e.d.t., the House adjourned.