

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, APRIL 6, 2016

SESSION OF 2016

200TH OF THE GENERAL ASSEMBLY

No. 20

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

HON. SID MICHAELS KAVULICH, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Let us bow our heads and pray:

Father, in the Book of Isaiah, chapter 11, You tell us that "The wolf...shall dwell with the lamb, and the leopard shall lie down with the kid; and the calf and the young lion...together; and a little child shall lead them."

In Matthew 18, You tell us that unless we turn from our sins and become like little children, we will never get into the kingdom of heaven.

In spite of these words, we get caught up in this world, which is full of distrust, conceit, hatred, and self-centeredness. We seek honor and wealth instead of the riches of Your kingdom.

We pray today that You help us to be humble, without malice, simple, able to be taught, willingly dependent on You, our Father. Please, give us a modest opinion of ourselves, and help us drop all thoughts of being greater than one another.

Renew us this day and every day, that we examine our inner selves so we become like little children – full of innocence, trusting You to care for us, to guide us in all our decisions, to protect us, to provide for us, and to love and cherish us – until we see You and live with You in Your kingdom for all eternity. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, April 5, 2016, will be postponed until printed.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1891, PN 2940

By Rep. PAYNE

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, in preliminary provisions, further providing for definitions; in games of chance, further providing for distributor licenses, for major league sports drawing, for registration of manufacturers, for regulations of department and for licensing of eligible organizations and providing for authorized small games; in club licensees, further providing for club licensee, for distribution of proceeds and for records; in enforcement, further providing for revocation of licenses and for enforcement; and providing for powers and duties of the Pennsylvania Gaming Control Board.

GAMING OVERSIGHT.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1124

By Representatives COX, BRIGGS, COHEN, D. COSTA, HARHART, HENNESSEY, KOTIK, McGINNIS, MILLARD, MUSTIO, PEIFER and ZIMMERMAN

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in township supervisors, further providing for compensation of supervisors.

Referred to Committee on LOCAL GOVERNMENT, April 6, 2016.

No. 1956

By Representatives HARPER and FREEMAN

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in public improvements, utilities and services, providing for public notice and public meeting requirements.

Referred to Committee on LOCAL GOVERNMENT, April 6, 2016.

No. 1958

By Representatives R. BROWN, ACOSTA, V. BROWN, COHEN, D. COSTA, ENGLISH, EVERETT, HANNA, HELM, LONGIETTI, MACKENZIE, MENTZER, MURT, ORTITAY, PICKETT, QUIGLEY, ROZZI, SAINATO, SCHLOSSBERG, STAATS, THOMAS, TRUITT, WARD, WATSON and BULLOCK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in high schools, further providing for courses of study.

Referred to Committee on EDUCATION, April 6, 2016.

No. 1959 By Representatives KAMPF, BRIGGS, VEREB, CORBIN and HARPER

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Upper Merion Township certain lands situate in Upper Merion Township, Montgomery County.

Referred to Committee on STATE GOVERNMENT, April 6, 2016.

SENATE BILLS FOR CONCURRENCE

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

SB 881, PN 1604

Referred to Committee on CONSUMER AFFAIRS, April 6, 2016.

SB 1104, PN 1645

Referred to Committee on JUDICIARY, April 6, 2016.

RESIGNATION OF COMMITTEE CHAIRMAN

The SPEAKER. The clerk will read the following communication from the Democratic leader.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

April 5, 2016

Frank Dermody, Leader
426 Main Capitol
Harrisburg, PA 17120

Dear Leader Dermody,

Please accept this letter as my formal resignation as Democratic Chair of Tourism & Recreational Development Committee.

It has been an honor and a pleasure to serve as chair of the committee for the last 7 years.

Thank you for all of your support as Democratic Leader.

Sincerely,
Representative Thaddeus Kirkland
159th District

LEAVES OF ABSENCE

The SPEAKER. The majority whip has indicated that Representative QUINN of Bucks County requests a leave of absence for the day. Without objection, that will be granted.

The minority whip requests leaves of absence for the following individuals: Representative KORTZ of Allegheny County for the day, Representative SNYDER of Greene County for the day, Representative RAVENSTAHL of Allegheny County for the day, Representative SIMS of Philadelphia County for the day, Representative WHEATLEY of Allegheny County for the day, and Representative Pete DALEY of Washington County for the day. Without objection, those will be granted.

MASTER ROLL CALL

The SPEAKER. The Chair now turns to the master roll. We are going to take the master roll call, and members will proceed to vote.

The following roll call was recorded:

PRESENT—195

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

| | | | |
|------------|--------------|-----------|------------|
| DiGirolamo | Keller, F. | Pashinski | Wheeland |
| Donatucci | Keller, M.K. | Payne | White |
| Driscoll | Keller, W. | Peifer | Youngblood |
| Dunbar | Killion | Petrarca | Zimmerman |
| Dush | Kim | Petri | |
| Ellis | Kinsey | Pickett | Turzai, |
| Emrick | Kirkland | Quigley | Speaker |
| English | | | |

ADDITIONS—0

NOT VOTING—0

EXCUSED—8

| | | | |
|-----------|-------|------------|----------|
| Daley, P. | Pyle | Ravenstahl | Snyder |
| Kortz | Quinn | Sims | Wheatley |

LEAVES ADDED—9

| | | | |
|---------|------------|-----------|--------|
| Bullock | DiGirolamo | McClinton | Moul |
| Cohen | Kim | McGinnis | Mustio |
| Dawkins | | | |

LEAVES CANCELED—2

| | |
|-----|------|
| Kim | Sims |
|-----|------|

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

GUESTS INTRODUCED

The SPEAKER. Members, please take your seats.

Located to the left of the rostrum, the Chair welcomes Allison Schaefer. Allison, if you will please stand. She is here today with Representative Bryan Cutler for the day. Thank you so much for being here today.

Boy, I did not even see him come in. Griffin Caruso, a constituent of my district, the 28th District, and a good friend from Marshall Township in Allegheny County, is here today. Not only had he volunteered in our district office for a number of years, but he is currently a senior at Temple University and he is going to be graduating with honors in May with degrees in political science, environmental studies, and a certificate in geographic information systems. Once more, young man, Griffin, welcome.

MATHCOUNTS CHAMPIONS INTRODUCED

The SPEAKER. Located in the rear of the House, the Chair welcomes the 2016 State champions of the MATHCOUNTS competition.

At this time Representative Warren Kampf, on unanimous consent. I know these are guests of a number of our members, but Representative Kampf is going to do our introductions.

Mr. KAMPF. Mr. Speaker, thank you.

If you would do the introductions, that would be great, and I will just say something real quickly afterwards.

The SPEAKER. Yes, sir. Please stand, Kevin Wu, Jupiter Ding, Joshua Yoo, Evan Qiang, and they are here with Lisa Stehouwer, their teacher, and they are going to represent Pennsylvania in the national championship in May in Washington, DC, for the MATHCOUNTS competition. They

are guests of the following Representatives: Representatives Kampf, Adolph, Benninghoff, Harper, and Milne. We are so glad to have you here, and we wish you great luck in that competition. Bring us back some great wins.

Representative Kampf, on unanimous consent, sir.

Mr. KAMPF. Thank you, Mr. Speaker.

If I might just add, ladies and gentlemen, the team is actually here in the Capitol getting to know one another. This is their first day together. They are practicing so that they can go and win the nationals. And it is just incredible, these seventh and eighth graders, how good they are, how quick they are, and I am just thrilled that they are here before all of you.

So thank you, Mr. Speaker.

The SPEAKER. Yes, sir.

GUESTS INTRODUCED

The SPEAKER. In the rear of the House, the Chair welcomes Michael, Staci, Maddison, and Brooke McGettigan. Please stand. Michael is a police detective sergeant with the West Norriton Police Department, and they are good friends and guests of Representative Mike Vereb. Thank you so much for being with us today.

In the rear of the House, the Chair welcomes 16 interns participating in the Harrisburg Internship Semester sponsored by PASSHE (Pennsylvania State System of Higher Education). These interns are placed in various offices and government agencies throughout Harrisburg. Thank you so much for being with us today and thank you for your service. Please take the time to get to know the members here in the legislature. Welcome.

You may have seen a good number of pharmacists and pharmacy students from throughout the State here in the Capitol today. As I call out these pharmacy students' names from the University of Pittsburgh and Duquesne University, please stand – Mara Ott, Olivia Marchionda, Kimberly Goehring, Linda Huang, Heather Whitmer, Meghan Cunningham, Maura Jeffries, Eleni Mermigas – and I understand that we have in the gallery, although I do not have everyone's names, a number of our pharmacy students from all across Pennsylvania. Please stand up as well. Please stand in the gallery. Welcome. We are so glad that you are here today in the Capitol and that you are taking the time to visit us in the House chamber.

In the well of the House, Representative Longietti has guest page Kaitlin Winslow. Kaitlin, will you please stand. Thank you, Kaitlin, for being with us.

LISA KAPLAN PRESENTED

The SPEAKER. Representative Bullock is invited to the rostrum for the purpose of presenting an important citation today.

Mrs. BULLOCK. Thank you, Mr. Speaker.

I stand today in absence of my colleague, Representative Brian Sims, to recognize one of our greatest Pennsylvanians, Principal Lisa Kaplan of the Andrew Jackson Elementary School in Philadelphia.

Ms. Kaplan has nearly 30 years of experience in education as a teacher, central office staff member, assistant principal, and for the last 6 years as principal.

This past year Ms. Kaplan was awarded the 2015 national Escalante-Gradillas Prize for Best in Education, besting finalists from across the country. She has achieved great success despite a lack of support staff, services, and resources. She has done so much with too little.

Prior to Ms. Kaplan's arrival at the Andrew Jackson Elementary School, it had suffered from low achievement and dwindling enrollment, serving just 230 students. One neighborhood parent described the school as "dark, yucky, prison-looking." The school needed revitalization and the students needed inspiration. Ms. Kaplan turned Andrew Jackson Elementary around, and today it is one of the best performing schools in Philadelphia, serving over 500 students. Ms. Kaplan has partnered with organizations, institutions, and universities to expose her students to the experiences and opportunities too often reserved only for those in the expensive private school system.

Trained at Temple University and at the Sorbonne in Paris, France, Ms. Kaplan carries the torch of education with skill and dedication, virtues which she so readily and genuinely displays. Her commitment to the students, faculty, staff, and families of her school and the community is unwavering, and with vision, energy, and enthusiasm, Ms. Kaplan truly serves as a role model worthy of emulation.

Ms. Kaplan, on behalf of the Pennsylvania House of Representatives and the people of the Commonwealth of Pennsylvania, we congratulate you on your well-deserved recognition and commend you for your exemplary record of service and lasting contributions to the lives of your students, your school, and your colleagues.

On behalf of my colleague, Representative Brian Sims, I thank you for your service and may you continue to build upon this great success.

Thank you, Mr. Speaker, for this time.

The SPEAKER. Ms. Lisa Kaplan, to you, on behalf of our entire chamber – Representative Bullock said it so well – but to be named the best principal in the country, that is no small task. And in addition, what you have done for those students and for that school and that community, to be named best principal in the country, is just amazing. You are a hero to this chamber. Thank you so very much for being here.

FIRST RESPONDERS INTRODUCED

The SPEAKER. Located in the rear of the House, the Chair is pleased to welcome a group of first responders from Lebanon, Dauphin, Schuylkill, and Berks Counties.

Representatives Diamond, Helm, Jozwiak, Payne, and Gingrich are recognized under unanimous consent and will tell you about these first responders in Lebanon, Dauphin, Schuylkill, and Berks Counties and will also introduce them to you. So please, please come forward, and then Representative Diamond will lead us off.

Members, please take your seats.

Representative Diamond, the floor is yours, sir, and then I do believe that Representative Jozwiak and Representative Helm will also be speaking. Please proceed.

Mr. DIAMOND. Thank you, Mr. Speaker.

I rise today, along with some of our colleagues, to honor and recognize the first responders who braved brutally cold temperatures and high winds to come to the aid of strangers who were guests of our Commonwealth.

On February 13, 2016, a freak and sudden whiteout caused an accident of epic proportions on Interstate 78 in Lebanon County. It has been called the worst such accident in Pennsylvania history, involving 64 vehicles, 73 injuries, and sadly, claiming 3 lives.

Kenneth J. Lesko, Francisca V. Pear, and Alfred Dean Kinnick were not Pennsylvanians. They were not our family, friends, or neighbors. But they were our guests and their lives deserve mention.

With additional lives hanging in the balance, our first responders sprang into action, demonstrating their thorough preparation and keen instincts. They prepared for this day, one they hoped would never come, and thankfully were ready at a moment's notice to respond. They did so gracefully, even as brutally cold winds bore down on them and the devastation that resembled a war zone. I cannot imagine what the scene must have been like from their perspective, but let me tell you, as someone who drove truck for a living, this scenario echoed my worst nightmares. I have seen whiteout conditions suddenly overtake lanes of traffic. I have driven past horrific accident scenes and wondered, what if it happened to me? Who would be there to assist if I were hurt?

Many first responders will say they were only doing their job and that anyone would have done the same thing. They probably even believe that. That is modesty on their part, and it does not surprise me. But it was not just anyone who responded that day. It was an elite group of people who dedicate their lives to serving our communities. They are people of character and strength, the backbone of our communities. They personify Lebanon County and Pennsylvania values. They willingly place their own lives in danger, numerous times, day in and day out, to protect and save ours. The combination of professionals, volunteers, and even private businesses who stepped up to the plate that day made for what one first responder called a true community effort. Due to their swift efforts, Interstate 78 was cleared and reopened in both directions within a mere 22 hours.

Mr. Speaker, we have with us here in the hall of the House today representatives from many of the organizations who responded on that fateful day. In the rear of the chamber they are, and I will ask them all to rise so that we here in the House of Representatives can show our appreciation for their dedication and professionalism. Please rise, gentlemen. Thank you. You deserve our appreciation. In fact, you deserve recognition much greater than this. We are not trying to repay you though. We cannot. But we can and do honor you today.

Beyond a mere thank you, however, you deserve your community's support. For those organizations who rely on volunteers, I am not talking about a bumper sticker that says "I support first responders." I am talking about real material support. You need manpower and you need our financial support. As such, I would like to use this occasion to call on the citizens of this Commonwealth to seriously consider signing up to be a volunteer first responder or to support them financially.

These volunteers spend far too much of their time trying to raise money, a buck or two at a time, through chicken barbecues and sub sales.

Thank you all so much for joining us here today and allowing us to show our appreciation. The entire Commonwealth appreciates your efforts. May God bless you as you continue to serve and protect us.

Representative Helm.

The SPEAKER. Representative Helm, you may proceed.

Ms. HELM. Thank you, Mr. Speaker.

Just so everyone can think about what they were doing on February 13, I got up to go out and get petitions that morning when I turned the radio on and heard about this horrific accident. So while we were out going door-to-door getting petitions, we had these emergency responders working in our districts, helping us to protect other citizens, and I think that is why we are here today, to thank them for everything they do for us so that we can do our jobs.

I am proud to have the Belle Grove and Ono Fire Departments located in the 104th District, and members of each of these volunteer companies responded to the horrific accident on Interstate 78.

I wholeheartedly echo the sentiments of Representative Diamond. These dedicated men and women are true community heroes who volunteer their time, not for fame or recognition, but because they believe it is simply the right thing to do. Our volunteers are to be commended for their public service, and thanking them is something that probably does not happen that often, and we need to do it as often as we can.

I am here today to say thank you. Thank you for responding on February 13, without hesitation, to an accident that was probably the worst most of them have ever seen, but they performed their job nonetheless, treating and transporting dozens of victims. They acted quickly and professionally in conditions that were less than ideal. They were there simply to lend a helping hand to strangers in need.

Thank you for truly making a difference on that day and for making a difference every day in your Lebanon County communities. Thank you very much.

The SPEAKER. Representative Barry Jozwiak.

Mr. JOZWIAK. Thank you, Mr. Speaker.

Would you please introduce my guests, sir.

The SPEAKER. Yes, sir.

Representative Jozwiak, please proceed. You may introduce everybody, and then at the end I will introduce some others, but please feel free to introduce anybody.

Mr. JOZWIAK. Thank you, Mr. Speaker.

Colleagues, with me today is the State Police commander of Troop L, Reading barracks, which is Berks, Lebanon, and Schuylkill Counties, who actually spearheaded the entire incident on that fatal day on Route 78. To the left of the rostrum is Capt. Kristal Turner-Childs of our State Police.

I have some comments about the captain and the incident that day. As you know, Mr. Speaker, Saturday, February 13, it was Valentine's weekend. It was supposed to be an exciting day for Pennsylvania's State Police Capt. Kristal Turner-Childs. The Captain was beginning her very first day as a new commander of Troop L of the Reading barracks. So Captain Turner-Childs – here is another one I want you to remember; pay attention to this one – this captain is the first African-American female to be named a State Police troop commander in the history of the Pennsylvania State Police. I think that is quite an

accomplishment. As she prepared for work that day, only one can imagine the sense of pride, accomplishment, and perhaps even a few first-day jitters that she may have been experiencing. Little did she know her first day on the job would test her in ways she never could have imagined.

An automobile accident occurred on Interstate 78 at approximately 9:30 in the morning. Wintry weather conditions caused the effects of the accident to quickly multiply. By the time all was said and done, 65 vehicles, including 53 cars and 12 tractor-trailers, were involved. Seventy-three people were injured; 3 people lost their lives as a result of this horrible accident. Some have called this the worst accident in Pennsylvania history.

For Capt. Kristal Turner-Childs it was baptism by fire. Pennsylvania State Police from Jonestown, Hamburg, Harrisburg, Reading, Frackville, and Newport barracks all responded to this incident. There was a strong cooperative effort between the State Police and other emergency responders. A unified incident command was established to deal with the situation. I-78 was closed in both directions because there were vehicles all over the place. After 21 hours, nearly an entire day, of working together, the interstate was reopened for traffic.

Mr. Speaker, a lot of things went wrong that day. I already mentioned the three people who lost their lives and the many people who were injured. However, Mr. Speaker, I feel it is equally important that we acknowledge what went right that day. So Captain Childs, on her first day on the job, displayed the leadership that earned her the position of troop commander. State Police troopers from the region, along with many emergency responders, responded to the incident, provided assistance, and helped to reopen the road in a timely manner. Police, firefighters, and other emergency responders worked together during stressful and challenging circumstances, aiding the injured and literally saving lives. Together they helped begin the process of recovering from one of the worst emergencies in recent Pennsylvania history.

Mr. Speaker, I had the honor and privilege of serving 25 years with the Pennsylvania State Police. I can say with confidence that you would be hard pressed to find any organization that would have been able to respond to an emergency like this with the level of professionalism and dedication displayed by our State troopers.

While I have a tremendous amount of respect for all emergency responders, I rise today to applaud the efforts of the Pennsylvania State Police on February 13. We all hope Pennsylvania will never again have an emergency like this one. However, we can rest assured if there ever is another situation, there will always be the Pennsylvania State Police troopers and emergency responders willing to answer the call to duty.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Jozwiak, and thank you, members.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. KINSEY called up **HR 722, PN 2915**, entitled:

A Resolution honoring the 75th anniversary of the Tuskegee Airmen, a group of African-American military pilots who served honorably during World War II.

On the question,
Will the House adopt the resolution?

The SPEAKER. Representative Kinsey, sir, you have the floor and you may introduce your guests, and Representative Thomas.

Sir, you may proceed.

Mr. KINSEY. Mr. Speaker, if you do not mind, I would like to yield to the chairman first, if that is okay?

The SPEAKER. Yes, sir, you certainly may.

Chairman Thomas, the floor is yours.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to extend my sincere thanks and appreciation to the author of this resolution and to each and every one of my colleagues individually and collectively for your support for this resolution.

This resolution is to acknowledge and uplift the dedication, honor, and commitment made on behalf of a group of African-American pilots who became known as the Tuskegee Airmen. Today we celebrate their 75th anniversary, and we are confident that the outcome of World War II for this great nation would not, would not have been what it was but for the contribution of these outstanding pilots.

I am especially moved because, as some of you know, it was a year ago that my father died, 2 days before he turned 101. He was raised in Tuskegee, Alabama, and took part in making sure that the Tuskegee Airmen went and participated in the war in a victorious manner. So Curtis Thomas was one of the Tuskegee Airmen, and so I am especially moved on the celebration of this 75th anniversary.

So I ask and I am going to call them seasoned pilots in the back and to the side to stand up and to give each and every one of them a standing, a standing salute and standing appreciation for their contribution on the 75th anniversary. So I would like to ask the Tuskegee Airmen in the back and the ones to the side if they would all stand at this time and ask you if you would stand and celebrate them.

Mr. Speaker, I thank you.

And at this time I would like to yield to my colleague and the author of this distinguished resolution, the Honorable State Rep. Kinsey.

The SPEAKER. Representative Kinsey, the floor is yours, sir. Thank you.

Mr. KINSEY. Thank you, Mr. Speaker.

Mr. Speaker, we must not forget history. If I may, for a second, I just want to share some remarks and read information that I came across just as I looked up information about the Tuskegee Airmen that I would like to share with this esteemed body.

"Service in the U.S. Army Air Corps had been limited to white personnel from its inception as part of the U.S. Army Signal Corps in 1907 until near the end of the 1930s. (The U.S. Air Force did not exist as a separate branch within the U.S. military until after World War II; however, during that war large air groups were designated Eighth Air Force, Fifteenth Air Force, etc.) The officer corps of the Army included a high number of men from the South, the region of the old Confederate States of America during the Civil War. The notion that blacks were inherently inferior to whites was still a wide-spread belief in most of the United States but particularly

in the South, where virtually all aspects of life were racially segregated, so it is not surprising that Southern military men readily accepted – in fact, they had helped to write – a 1925 Army War College study of black troops in World War I that concluded Negroes, the racial term then in use, were subservient, mentally inferior and 'barely fit for combat.'

"In 1939, the National Association for the Advancement of Colored People (NAACP) took aim at the military's segregated policies. Negro newspapers and civic groups around the country began a public campaign to integrate the armed forces. The African-American *Pittsburgh Courier* especially agitated for acceptance of blacks in the Air Corps.

"In 1941, the campaign turned to the courts. Yancey Williams, a student at Howard University, filed a suit backed by the NAACP to force the Air Corps to accept him into training. The Corps' answer was to create a segregated unit to train black pilots and ground crews at Tuskegee Institute in Alabama.

"That wasn't what the NAACP had sought; it wanted full integration. The 239 black aviators who comprised the National Airmen's Association also strongly objected, but to no avail. The plan was called the Tuskegee Experiment. Members of the Tuskegee Airmen believed it was called an experiment, 'because we were supposed to fail.' Contrary to what is commonly believed, however, the training at Tuskegee was the equal of that at white facilities."

Mr. Speaker, there have been many folks that have come across these halls and entered into this House and there were many folks that we have called heroes because of the work that they have done throughout our country, but, Mr. Speaker, it is my belief that the Tuskegee Airmen are second to none. What they have done for this country and when we think about just the times, 1941, these men put their lives on the line for a country that still regarded them as second-class citizens, but nonetheless, Mr. Speaker, they gave of their life, they gave of their liberties in pursuit of our happiness.

GUESTS INTRODUCED

Mr. KINSEY. So without further ado, Mr. Speaker, if I may, we are honored, honored to have with us three of the original Tuskegee Airmen. Roscoe Draper is to my left. In addition to Mr. Draper, we also have Dr. Eugene Richardson to my left. We are also joined by a gentleman who has been very helpful to me prior to entering this hall of the House. The gentleman actually campaigned for me, knocked on doors with me, and little did I know about his history. I knew he was something special, but nonetheless, an original Tuskegee Airman, Mr. Nathan Thomas, to my left. And let us not forget the descendants and members also to the left, Mr. Aaron Watkins and Mr. Ulysses Vance II, all Tuskegee Airmen.

Mr. Speaker, in addition to those five gentlemen that I mentioned, right in the rear and also in the gallery – and I am going to ask you to all stand – we have members of the Greater Philadelphia chapter of Tuskegee Airmen, who will be celebrating their 75th anniversary within the next 2 weeks, and I wanted to welcome each and every one of those members here to the hall of the House. Thank you for joining us.

The SPEAKER. Oh my, to have these individuals with such important history.

Representative Mustio, you are so recognized, sir.

Mr. MUSTIO. I just wanted to commend the makers of the resolution for taking the time to honor the Tuskegee Airmen.

And for those of you that perhaps have time in traveling and make it through the Pittsburgh International Airport, I just want you to know that in 2010 a memorial recognizing the Tuskegee Airmen was built in Concourse A, and it is a phenomenal memorial honoring the airmen. I would encourage all of you, if you ever happen to travel through the Pittsburgh Airport, to get there a little early and take time to visit that memorial. Thank you.

The SPEAKER. Representative Jordan Harris.

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

I commend also the makers of the resolution, but I would be remiss if I did not stand and make mention that I have had the pleasure of personally knowing one of the Tuskegee Airmen. He is my deceased fraternity brother, the Honorable Brother Henry L. Moore. He was an original member of the Tuskegee Airmen. Brother Moore flew with the 302d fighter group. He was a crew chief and was in charge of maintenance while the airmen were flying, and he actually flew behind enemy lines on I think it was a B-25 bomber. I have had the pleasure of knowing Brother Moore for many years before he died. He was a graduate of West Virginia State and he has a master's degree from Temple University, an honorable man and an original member of the Tuskegee Airmen.

So I just had to stand and recognize my fraternity brother, the Honorable Brother Henry L. Moore. 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—195

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

| | | | |
|------------|--------------|------------|------------|
| Davis | Hennessey | Mustio | Toepel |
| Dawkins | Hickernell | Neilson | Toohil |
| Day | Hill | Nelson | Topper |
| Dean | Irvin | Nesbit | Truitt |
| Deasy | James | Neuman | Vereb |
| DeLissio | Jozwiak | O'Brien | Vitali |
| Delozier | Kampf | O'Neill | Ward |
| DeLuca | Kaufer | Oberlander | Warner |
| Dermody | Kauffman | Ortitay | Watson |
| Diamond | Kavulich | Parker, D. | Wentling |
| DiGirolamo | Keller, F. | Pashinski | Wheeland |
| Donatucci | Keller, M.K. | Payne | White |
| Driscoll | Keller, W. | Peifer | Youngblood |
| Dunbar | Killion | Petrarca | Zimmerman |
| Dush | Kim | Petri | |
| Ellis | Kinsey | Pickett | Turzai, |
| Emrick | Kirkland | Quigley | Speaker |
| English | | | |

NAYS—0

NOT VOTING—0

EXCUSED—8

| | | | |
|--------------------|---------------|--------------------|--------------------|
| Daley, P. Kortz | Pyle Quinn | Ravenstahl Sims | Snyder Wheatley |
|--------------------|---------------|--------------------|--------------------|

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

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. READSHAW called up **HR 754, PN 2994**, entitled:

A Resolution recognizing the week of April 10 through 16, 2016, as "National Library Week" in Pennsylvania.

* * *

Ms. CULVER called up **HR 768, PN 3032**, entitled:

A Resolution recognizing the month of April 2016 as "National Poetry Month" in Pennsylvania.

* * *

Mr. GALLOWAY called up **HR 779, PN 3062**, entitled:

A Resolution designating the month of March 2016 as "Ancient Order of Hibernians Month" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—195

| | | | |
|--------|------------|----------|----------|
| Acosta | Evankovich | Klunk | Rader |
| Adolph | Evans | Knowles | Rapp |
| Artis | Everett | Kotik | Readshaw |
| Baker | Fabrizio | Krueger | Reed |
| Barbin | Farina | Lawrence | Reese |
| Barrar | Farry | Lewis | Regan |

| | | | |
|-------------|--------------|------------|-------------|
| Benninghoff | Fee | Longietti | Roae |
| Bizzarro | Flynn | Mackenzie | Roebuck |
| Bloom | Frankel | Maher | Ross |
| Boback | Freeman | Mahoney | Rothman |
| Boyle | Gabler | Major | Rozzi |
| Bradford | Gainey | Maloney | Saccone |
| Briggs | Galloway | Markosek | Sainato |
| Brown, R. | Gergely | Marshall | Samuelson |
| Brown, V. | Gibbons | Marsico | Sankey |
| Bullock | Gillen | Masser | Santarsiero |
| Burns | Gillespie | Matzie | Santora |
| Caltagirone | Gingrich | McCarter | Savage |
| Carroll | Godshall | McClinton | Saylor |
| Causer | Goodman | McGinnis | Schemel |
| Christiana | Greiner | McNeill | Schlossberg |
| Cohen | Grove | Mentzer | Schreiber |
| Conklin | Hahn | Metcalfe | Schweyer |
| Corbin | Hanna | Metzgar | Simmons |
| Costa, D. | Harhai | Miccarelli | Sonney |
| Costa, P. | Harhart | Millard | Staats |
| Cox | Harkins | Miller, B. | Stephens |
| Cruz | Harper | Miller, D. | Sturla |
| Culver | Harris, A. | Milne | Tallman |
| Cutler | Harris, J. | Moul | Taylor |
| Daley, M. | Heffley | Mullery | Thomas |
| Davidson | Helm | Murt | Tobash |
| Davis | Hennessey | Mustio | Toepel |
| Dawkins | Hickernell | Neilson | Toohil |
| Day | Hill | Nelson | Topper |
| Dean | Irvin | Nesbit | Truitt |
| Deasy | James | Neuman | Vereb |
| DeLissio | Jozwiak | O'Brien | Vitali |
| Delozier | Kampf | O'Neill | Ward |
| DeLuca | Kaufer | Oberlander | Warner |
| Dermody | Kauffmann | Ortitay | Watson |
| Diamond | Kavulich | Parker, D. | Wentling |
| DiGirolamo | Keller, F. | Pashinski | Wheeland |
| Donatucci | Keller, M.K. | Payne | White |
| Driscoll | Keller, W. | Peifer | Youngblood |
| Dunbar | Killion | Petrarca | Zimmerman |
| Dush | Kim | Petri | |
| Ellis | Kinsey | Pickett | |
| Emrick | Kirkland | Quigley | |
| English | | | |

NAYS–0**NOT VOTING–0****EXCUSED–8**

| | | | |
|-----------|-------|------------|----------|
| Daley, P. | Pyle | Ravenstahl | Snyder |
| Kortz | Quinn | Sims | Wheatley |

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

The SPEAKER. We are going to just stand for a brief recess, and then I am going to call on Representative Murt, and then after Representative Murt we are going to be doing a condolence resolution.

I do apologize. Representative Murt, we are going to do the vote that is on the supplemental, and I apologize. I will do the vote and then I will call on Representative Murt.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Sims is on the House floor and should be placed on the master roll.

UNCONTESTED SUPPLEMENTAL CALENDAR A**RESOLUTIONS PURSUANT TO RULE 35**

Mr. MURT called up **HR 765, PN 3093**, entitled:

A Resolution designating April 8, 2016, as "Cushing's Syndrome Awareness Day" in Pennsylvania.

* * *

Ms. KIM called up **HR 785, PN 3094**, entitled:

A Resolution designating the week of April 4 through 8, 2016, as "Youth Violence Prevention Week" in Pennsylvania.

* * *

Mr. SCHREIBER called up **HR 787, PN 3095**, entitled:

A Resolution recognizing the week of April 10 through 16, 2016, as the "Week of the Young Child" in Pennsylvania.

* * *

Mr. SCHREIBER called up **HR 788, PN 3096**, entitled:

A Resolution designating the month of April 2016 as "Prevention of Cruelty to Animals Month" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS–196

| | | | |
|-------------|------------|------------|-------------|
| Acosta | Evankovich | Knowles | Rapp |
| Adolph | Evans | Kotik | Readshaw |
| Artis | Everett | Krueger | Reed |
| Baker | Fabrizio | Lawrence | Reese |
| Barbin | Farina | Lewis | Regan |
| Barrar | Farry | Longietti | Roae |
| Benninghoff | Fee | Mackenzie | Roebuck |
| Bizzarro | Flynn | Maher | Ross |
| Bloom | Frankel | Mahoney | Rothman |
| Boback | Freeman | Major | Rozzi |
| Boyle | Gabler | Maloney | Saccone |
| Bradford | Gainey | Markosek | Sainato |
| Briggs | Galloway | Marshall | Samuelson |
| Brown, R. | Gergely | Marsico | Sankey |
| Brown, V. | Gibbons | Masser | Santarsiero |
| Bullock | Gillen | Matzie | Santora |
| Burns | Gillespie | McCarter | Savage |
| Caltagirone | Gingrich | McClinton | Saylor |
| Carroll | Godshall | McGinnis | Schemel |
| Causer | Goodman | McNeill | Schlossberg |
| Christiana | Greiner | Mentzer | Schreiber |
| Cohen | Grove | Metcalfe | Schweyer |
| Conklin | Hahn | Metzgar | Simmons |
| Corbin | Hanna | Miccarelli | Sims |
| Costa, D. | Harhai | Millard | Sonney |
| Costa, P. | Harhart | Miller, B. | Staats |
| Cox | Harkins | Miller, D. | Stephens |
| Cruz | Harper | Milne | Sturla |
| Culver | Harris, A. | Moul | Tallman |
| Cutler | Harris, J. | Mullery | Taylor |
| Daley, M. | Heffley | Murt | Thomas |
| Davidson | Helm | Mustio | Tobash |
| Davis | Hennessey | Neilson | Toepel |
| Dawkins | Hickernell | Nelson | Toohil |

| | | | |
|------------|--------------|------------|------------|
| Day | Hill | Nesbit | Topper |
| Dean | Irvin | Neuman | Truitt |
| Deasy | James | O'Brien | Vereb |
| DeLissio | Jozwiak | O'Neill | Vitali |
| Delozier | Kampf | Oberlander | Ward |
| DeLuca | Kaufer | Ortitay | Warner |
| Dermody | Kauffman | Parker, D. | Watson |
| Diamond | Kavulich | Pashinski | Wentling |
| DiGirolamo | Keller, F. | Payne | Wheeland |
| Donatucci | Keller, M.K. | Peifer | White |
| Driscoll | Keller, W. | Petrarca | Youngblood |
| Dunbar | Killion | Petri | Zimmerman |
| Dush | Kim | Pickett | |
| Ellis | Kinsey | Quigley | Turzai, |
| Emrick | Kirkland | Rader | Speaker |
| English | Klunk | | |

NAYS—0

NOT VOTING—0

EXCUSED—7

| | | | |
|--------------------|---------------|----------------------|----------|
| Daley, P. Kortz | Pyle Quinn | Ravenstahl Snyder | Wheatley |
|--------------------|---------------|----------------------|----------|

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

STATEMENT BY MR. MURT

The SPEAKER. On unanimous consent, the Chair recognizes Representative Tom Murt.

Mr. MURT. Thank you, Mr. Speaker.

I want to express my gratitude to the members of the House for their affirmative vote on HR 765.

Mr. Speaker, right now between 10 and 15 million people are suffering from an endocrine disorder known as Cushing's syndrome. Many will suffer without realizing that treatment is both available and critical to preventing further complications. Cushing's syndrome is an endocrine disorder that most commonly affects people between the ages of 20 and 50. It occurs when the body's tissues are exposed to excessive levels of cortisol for long periods of time.

Mr. Speaker, many people suffer the symptoms of the illness when they take hormones to fight asthma, rheumatoid arthritis, lupus, and other inflammatory diseases. The most common signs and symptoms involve progressive obesity and skin changes. Mr. Speaker, those afflicted will notice weight gain and fatty tissue deposits, particularly around the midsection and upper back. Their face will grow thicker, and they will notice purple stretch marks on the skin of the abdomen, thighs, and arms. Mr. Speaker, they will be slow to heal from cuts and infection. If those affected do not receive prompt treatment, they can experience bone loss and unusual fractures, high blood pressure, diabetes, frequent or unusual infections, and loss of muscle mass and strength.

Mr. Speaker, this is why it is so important that someone who suspects they are suffering from Cushing's syndrome that they receive prompt treatment to reduce further risk of serious injury. It is also why I have offered this resolution to declare April 8 as "Cushing's Syndrome Awareness Day" in Pennsylvania. The

best weapon against this illness is education, and we must make our public aware of the disease's symptoms to increase the chances of a successful treatment.

Again, I thank my colleagues for their support of this measure. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

GUESTS INTRODUCED

The SPEAKER. Located in the well of the House, the Chair welcomes guest pages from the Civil Air Patrol Squadron 811: Cadet SrA. Michael Discala, Cadet T. Sgt. Harrison Cole Tarapchak, Cadet A1c. Lydia Becker, and Cadet SrA. Lisa Rubright. Thank you so much. They are guests of Representative Maloney, Representative Cox, and Representative Jozwiak. Great to have you, young men and women.

And located in the rear of the House, the Chair welcomes Maj. Mark Durick and 2d Lt. Cole Mitchell. They are escorting our guest pages today, and they are guests of Representative Jerry Knowles. Thank you very much for being with us.

MEMORIAL SERVICE IN HONOR OF HON. JOHN J. ZUBECK

The SPEAKER. We are now going to move, members, to a condolence resolution, and I would ask that the Sergeants at Arms please close the doors of the House. All members, please take your seats.

We are about to take up a condolence resolution on the death of our deceased former Chief Clerk, John J. Zubeck.

Members, we are very, very appreciative that the family can be with us here today.

CONDOLENCE RESOLUTION

The SPEAKER. The clerk at this time will read the resolution.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA
THE HOUSE OF REPRESENTATIVES

CONDOLENCE RESOLUTION

WHEREAS, The House of Representatives of Pennsylvania wishes to honor the memory of John Joseph Zubeck, who passed away at the age of seventy-seven on March 28, 2016; and

WHEREAS, Born in Connellsville on May 21, 1938, Mr. Zubeck was the son of the late George and Carrie Zubeck. He began his career with the House of Representatives of Pennsylvania as a page in 1959, and he served continually as a messenger and calendar and amendment clerk, and served as Director of the Calendar and Amendment Room prior to election as Chief Clerk. Mr. Zubeck was elected Chief Clerk of the House of Representatives of Pennsylvania on November 18, 1980, and he served until his retirement in 1994. A member of Saint Peter Catholic Church in Elizabethtown, his hobbies included trains, sailing, tending to his animals, spending time with his family and friends and watching the Pittsburgh Steelers National Football League Team; and

WHEREAS, A beloved family member, a dedicated worker and avowed community steward, Mr. Zubeck generously gave of his heart and time to enhance the quality of life of his family and community. His inspiring presence and genuine love for his family members and friends will live long in the hearts and memories of many individuals whose lives he touched; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania proclaim with enduring sorrow the passing of John Joseph Zubeck; and extend heartfelt condolences to his wife of fifty-two years, Margaret Wilkinson Zubeck; sons, John, Jr., and Doug; daughter, Jeanette; six grandchildren; and many other family members and friends; and be it further

RESOLVED, That a copy of this resolution, sponsored by Representatives Mike Turzai, Dave Reed, Frank Dermody and David S. Hickernell on March 31, 2016, be transmitted to Margaret Wilkinson Zubeck.

Dave Reed, Sponsor

Frank Dermody, Sponsor

David S. Hickernell, Sponsor
 Mike Turzai, Speaker of the House
 ATTEST:
 David Reddecliff, Chief Clerk of the House

On the question,
 Will the House adopt the resolution?

The SPEAKER. Our Parliamentarian and Representative Hickernell will be offering some remarks shortly, but at this time those in favor of the resolution, members, please rise and remain standing as a mark of respect for our deceased former Chief Clerk. Guests, please also rise with us.

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

The SPEAKER. The resolution has been unanimously adopted.

The Sergeants at Arms will open the doors of the House.

REMARKS BY SPEAKER

The SPEAKER. Over the past few weeks we have honored several House employees who, without question, dedicated their lives in outstanding service to this Commonwealth. John Zubeck was one of those individuals who offered much to this institution.

Beginning as a page and ultimately becoming Chief Clerk of the House, it was a career milestone, he told many folks. It is a story of an individual whose impeccable work ethic, loyalty, and humility allowed him to achieve great things in this life and do much for this outstanding institution.

John had a long tenure as Chief Clerk, serving from 1980 until he retired in 1994, and he instituted many of the professional changes that were needed to move us into the 21st century. Shortly our Parliamentarian will be offering details about that notable period.

I have the honor of introducing his family and friends today. First of all, would you please give a great warm welcome to his wife of 52 years, Peggy Zubeck. Peggy, thank you so much for being with us today. Please stand. We also have with her, her son, who is our good friend and colleague, John Zubeck, Jr. — John, stand up — and Doug, his other son, a longtime House

employee, now across the other side of the Capitol. Thank you so much for being here too. We are very appreciative. Doug is here with his wife, Christine, and John is here with his daughter, Brooke, and her fiancé, Alex Castro. And also with the family today are longtime friends and associates, Denise Johnson and Beryl Wickard. In fact, Beryl served as John's secretary in the 1980s. Thank you for being with us today.

Please know that on behalf of the leaders — Dave Reed and Frank Dermody and myself — and all the members of this great institution, we express our greatest condolences.

REMARKS BY PARLIAMENTARIAN

The SPEAKER. Now, at this time I am going to turn the rostrum over to our Parliamentarian, Clancy Myer, and then he will be followed by Representative Dave Hickernell.

Clancy, please proceed.

Mr. MYER. Thank you, Mr. Speaker.

John was the first elected nonpartisan Chief Clerk of the House. Prior to the adoption of the Bipartisan Management Act in 1979, the majority party controlled the Chief Clerk's Office. Not only did they appoint the Chief Clerk, but they appointed most of the Chief Clerk's Office employees also. Thus, whenever the control of the House changed, not only did the Chief Clerk go out of office but also most of the employees. There were many periods when the control changed every 4 or 6 years, so you can imagine that during this time there was great uncertainty as to who had a job and who was doing what kind of a job. The secretaries, the messengers, the roll call clerks, the personnel employees, and other positions all changed along with the party control. This was not only very inefficient since the incoming employees frequently had no experience in their new positions and were not well versed in the current office practices, but also outgoing employees were either terminated or took positions within the caucus, thus causing caucus employees to lose their jobs. Also, in 1980 a former Chief Clerk was indicted by a Federal grand jury for employing ghost employees in the Chief Clerk's Office. In short, the Chief Clerk's Office was in desperate need of major changes.

After the enactment of the Bipartisan Management Act, Speaker Seltzer, Majority Leader Ryan, Democratic Leader Irvis, Majority Whip Sam Hayes, and Democratic Whip Jim Manderino held numerous meetings dividing up the positions of the Chief Clerk's Office between the Republican and Democratic staff members. The biggest sticking point was the selection of the Chief Clerk. Several names were mentioned but were discarded for one reason or another. After weeks of no results, Representative Irvis came into the office one morning rather excited as he had thought overnight of John Zubeck and that he would be perfect for this position. The other members agreed, and soon thereafter he was sworn into office. I might add Speaker Irvis had a particular talent for choosing very good staff personnel, especially House officers. I was expecting some groans. Apparently, it went over your head or you all agree with me. I hope it was the latter, but it was probably the former.

I would like to read a short excerpt from Matt Ryan's nominating speech on that day on November 18: "I am especially pleased to recommend to the House, John Zubeck, for the office of Chief Clerk. It would take too long to go into the qualifications, but I can say without fear of contradiction and without hesitation that John Zubeck has been a slave to this

House, a servant of this House, a peer of this House without regard to party affiliation. He has been sitting up here for" a long time, "I do not know how many years. He has worked under Speakers of Republican and Democrat persuasion, and each one has the same high..." regard for him. That was from November 18, 1980.

John laid the groundwork for all future Chief Clerks of the House and was known for his dedication to the job, fairness to all members and staff regardless of party, his integrity, and was loved by his employees.

Peggy, John, and Doug, I am proud to say that I worked closely with John for over 14 years, and I am even prouder to say that he was my friend.

The SPEAKER. Thank you so much, Clancy.

REMARKS BY MR. HICKERNELL

The SPEAKER. Representative David Hickernell.

Mr. HICKERNELL. Thank you, Mr. Speaker.

I am proud to have represented both John and his wife, Peggy, during my tenure here in the House of Representatives, and I offer my personal condolences to the entire Zubeck family as I did last Friday at our church in Elizabethtown during his service. We were both members of the same church in Elizabethtown, St. Peter's Roman Catholic, and our paths did cross occasionally when we attended the same Mass.

I did not know John well, but he was Chief Clerk when I arrived here as a young staff person in 1983, fresh out of college. I did, however, have the pleasure of working closely with both of his sons, Doug and John, Jr., during my time on the House Republican staff, and I consider both of them to be great friends, and I learned a lot about their dad through them.

Doug and John both had tremendous respect for their father and have chosen the same career path as their dad. As I thought about this, you know, I thought, what a greater tribute to a father than to have decided to do the same thing in life as your father, and I know he was very proud of both sons. Both Doug and John, Jr., have a great love for this institution, a love that was instilled in them by their father. John, Jr., as most of us know, is one of the most dedicated and loyal House employees in this chamber, and although Doug has moved over to the dark side of the Senate, I know that his heart and soul are still in this House of Representatives. So even after his retirement, John Zubeck continues to have an impact on this House of Representatives through his sons.

During his tenure here, John Zubeck, as Clancy said, was instrumental in instituting many, many positive changes that professionalized this institution. As Clancy said, he was the first Chief Clerk when the Bipartisan Management Committee was instituted, and he worked alongside some great leaders in this House of Representatives that helped to change this place, like Matt Ryan, Jim Manderino, Leroy Irvis, and Sam Hayes. He and those leaders had a vision and together changed this House of Representatives for all who came after them.

We all owe a great debt of gratitude to John Zubeck for his dedication and leadership in this chamber over 35 years. His work has truly left a legacy for all those who have followed him.

I want to express my gratitude to the Zubeck family for sharing your husband and dad with this institution over those years, and I thank you all. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Hickernell.

REMARKS BY MR. MARKOSEK

The SPEAKER. Representative Joe Markosek, for remarks.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, on behalf of Leader Dermody and the leadership team of the Democratic Caucus and all of the Democratic members, I would like to stand today to give a few short remarks and offer our condolences to Mrs. Zubeck and her sons and family on the passing of my first Chief Clerk of the House of Representatives, John Zubeck.

His career started right around the same time mine did, and he was one of the first persons, people that I met when I walked into the door of this wonderful chamber and this wonderful House. It is just like yesterday, as you admonished to the new members that they had to immediately go down and see the Chief Clerk and sign the oath, I had to do that too, and he was there and greeted me with a smile, and for the decade or so that I was here that he was the Chief Clerk, he always had that smile. And he reminded me all the time and every time I would see him about his western Pennsylvania roots and certainly his Steeler, Pirate, Penguin background, that he loved all those teams. And now, fast-forward to these many years, I get to serve with his son, John, who does a wonderful job for Chairman Adolph and the majority Appropriations Committee, and we see John, Jr., almost every day that we are here.

I think it is just appropriate that we honor Chief Clerk John Zubeck today, and I wanted to make sure that his family knows that certainly we are here in the Democratic Caucus, and I am sure all of the members, send out our heartfelt condolences and sadness that he has now passed us. That smiling face is gone but lives on in our memory.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Mr. Chairman.

REMARKS BY MR. THOMAS

The SPEAKER. Representative Curtis Thomas, for remarks.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I have been blessed to have served and worked under John Zubeck. And so to Mrs. Zubeck, I rise not on his death, but on his transition from labor to reward, and Mrs. Zubeck and to the family, I think that whether you are Democrat or Republican, we can probably, at least from the time I knew him, that when we looked at him, we thought about a man whom we knew not his party, but we knew that he cared, and he would give his best to help each and every one of us.

One thing I was confident about, as Chief Clerk, we could put him next to any Chief Clerk in the United States of America and he would stand out, stand out because of his stewardship, his personality, and his willingness to do his job with fidelity and with results.

So I share my sympathy with you and with the family. And, Mr. Speaker, thank you for the opportunity.

The SPEAKER. Thank you, sir.

To the family members, we will be with you just shortly. We just have a few more items of business. Thank you for your patience, and thank you for being with us here today.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. At this time an announcement from our Appropriations chair, Bill Adolph, and then followed by an announcement from our caucus chair, Sandra Major.

Mr. ADOLPH. I sure hope John Zubeck is ready because we have a hard time to get a meeting started without him. So, John, say goodbye to your family and get to work. God bless him.

There will be an immediate Appropriations Committee meeting in the majority caucus room. Thank you.

The SPEAKER. Thank you, Chairman Adolph.

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

REPUBLICAN CAUCUS

The SPEAKER. The majority caucus chair, Sandra Major, for an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 12:45. I would ask our Republican members to please report to our caucus room at 12:45. We would be prepared to come back on the floor, Mr. Speaker, at 1:45. Thank you.

The SPEAKER. Thank you, Madam Chair.

DEMOCRATIC CAUCUS

The SPEAKER. The minority caucus chair, Chairman Dan Frankel, for an announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will also caucus at 12:45. Democrats will caucus at 12:45.

RECESS

The SPEAKER. Members, the House will stand in recess until 1:45, unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 2 p.m.; further extended until 2:15 p.m.; further extended until 2:30 p.m.; further extended until 2:45 p.m.; further extended until 3 p.m.; further extended until 3:15 p.m.; further extended until 3:30 p.m.

AFTER RECESS

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

LEAVES OF ABSENCE

The SPEAKER. Representative MUSTIO, Representative McGINNIS, Representative MOUL, Representative DiGIROLAMO have all requested to be placed on leave for the rest of the afternoon. Without objection, those requests will be granted.

BILLS REREPORTE FROM COMMITTEE

HB 176, PN 3088

By Rep. ADOLPH

An Act providing for grants to regional police departments; establishing the Law Enforcement Grant Program Fund; imposing powers and duties on the Center for Local Government Services, the Department of Community and Economic Development and the Pennsylvania Commission on Crime and Delinquency; providing for transfers from the State Gaming Fund; and establishing the Law Enforcement and Treatment Grant Program.

APPROPRIATIONS.

HB 791, PN 3024

By Rep. ADOLPH

An Act authorizing public school districts to implement senior local tax reduction incentive volunteer exchange programs.

APPROPRIATIONS.

HB 967, PN 3087

By Rep. ADOLPH

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for industrial hemp research; imposing powers and duties on the Department of Agriculture and the Legislative Reference Bureau; imposing criminal and civil penalties; abrogating a regulation; and making a related repeal.

APPROPRIATIONS.

HB 1500, PN 2343

By Rep. ADOLPH

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.

APPROPRIATIONS.

HB 1581, PN 3089

By Rep. ADOLPH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, providing for the offense of strangulation.

APPROPRIATIONS.

HB 1600, PN 2974

By Rep. ADOLPH

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in veteran-owned small businesses, further providing for definitions and for regulations and providing for business fee exemption.

APPROPRIATIONS.

HB 1683, PN 2507

By Rep. ADOLPH

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for incentives for volunteers of fire companies and emergency medical services agencies.

APPROPRIATIONS.

HB 1787, PN 2733

By Rep. ADOLPH

An Act designating a portion of State Route 1013 in Philadelphia County as the Michael R. Goodwin, Sr. Memorial Highway.

APPROPRIATIONS.

HB 1788, PN 2734

By Rep. ADOLPH

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.

APPROPRIATIONS.

HB 1823, PN 3020

By Rep. ADOLPH

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for ordinances.

APPROPRIATIONS.

SB 879, PN 1618

By Rep. ADOLPH

An Act providing for the establishment of a savings program by the Treasury Department to encourage savings accounts for individuals with disabilities; establishing the Pennsylvania ABLE Savings Program and the ABLE Savings Program Fund; and imposing duties on the Treasury Department.

APPROPRIATIONS.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1340, PN 1822**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 526, PN 1628**, and **SB 644, PN 1089**.

BILLS SIGNED BY SPEAKER

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

HB 1340, PN 1822

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in condominiums, further providing for creation, alteration and termination of condominiums and for management of condominiums; and, in planned communities, further providing for creation, alteration and termination of planned communities and for management of planned communities.

SB 526, PN 1628

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in auditors and accountants, further providing for completion, filing and publication of annual township report and financial statement.

SB 644, PN 1089

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in Independent Fiscal Office, further providing for definitions, for duties of office and for access to information.

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

LEAVES OF ABSENCE

The SPEAKER. It is my understanding that Representative BULLOCK and Representative McCLINTON have requested to be placed on leave of absence for the remainder of the day. Without objection, that will be granted.

Members, please take your seats. Members, please take your seats. Members, please take your seats.

GUESTS INTRODUCED

The SPEAKER. Located to the left of the rostrum, the Chair welcomes additional cadets from the Civil Air Patrol Squadron 811. Please stand. They are here with Maj. Mark Durick and 2d Lt. Cole Mitchell. Thank you so much for being with us today.

CALENDAR CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mr. MALONEY called up **HR 748, PN 2988**, entitled:

A Resolution recognizing the 75th anniversary of the Civil Air Patrol.

On the question,
Will the House adopt the resolution?

The SPEAKER. On the resolution, Representative Dave Maloney, the floor is yours, sir.

Mr. MALONEY. Thank you, Mr. Speaker.

The ranks of the Civil Air Patrol and those wanting to serve in Army aviation grew quickly right after Pearl Harbor as Americans volunteered to serve their country in a time of need. Some amazing heroes came out of those volunteers.

One of them, Gen. Carl Spaatz, a native son of Boyertown, who directed the bombing campaign against Nazi Germany in World War II, was as the first Chief of Staff of the United States Air Force and the first chairman of the Civil Air Patrol National Board. In fact, the most elite group in the Civil Air Patrol's Cadet Program are those who earn the Spaatz Cadet Award and are expected to follow Spaatz's example, serving as role models for junior cadets and later becoming leaders in their community. To qualify to take the Spaatz exam, cadets must prove themselves as servant leaders.

This resolution commemorates the 75th anniversary of the Civil Air Patrol and thanks all of its members, past and present, for their dedication, sacrifice, and love of country. As the official civilian auxiliary of the United States Air Force, the Civil Air Patrol, referred to as "CAP," was created in 1941 by an administrative order of the United States Director of Civilian

Defense. It is a nonprofit organization with 56,000 members nationwide and operates a fleet of 550 aircraft. CAP performs approximately 90 percent of continental U.S. inland search and rescue missions. CAP also provides emergency services, aerospace education, and cadet programs.

CAP received a Congressional Gold Medal in 2014 in honor of heroic efforts of its World War II veterans. Just last May a ceremony was held in Pennsylvania honoring the CAP members and sailors whose lives were lost during World War II.

The ranks of the Civil Air Patrol grew quickly right after Pearl Harbor as Americans volunteered to serve their country in a time of need. As President Dwight Eisenhower, whose family came to Pennsylvania from Germany in 1741, said, "...the volunteers of the Civil Air Patrol, by their almost daily performance of aerial search and rescue, mercy missions and disaster relief, have added immeasurably to the safety and well-being of their fellow citizens."

Mr. Speaker, to me, that really is the resolution, all of the volunteerism, taking something of value that only you can give, your time and your effort, to help others and strengthen our communities. A true volunteer asks for nothing in return. But I think it is important to take a moment now and again on the House floor to at least let them know how much we appreciate their service.

Thank you, Mr. Speaker.

FILMING PERMISSION

The SPEAKER. Members, Jon Eirkson – I think I am saying the name correctly – of WHTM will be allowed on the House floor here in just about 5 minutes and will be videotaping with audio.

Members, I would ask that you please take your seats.

But WHTM will be permitted on the House floor for videotaping with audio here in just about 5 minutes, and they will be permitted on the floor for approximately 5 to 10 minutes.

CONSIDERATION OF HR 748 CONTINUED

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

The following roll call was recorded:

YEAS—190

| | | | |
|-------------|------------|-----------|-------------|
| Acosta | Evankovich | Kirkland | Readshaw |
| Adolph | Evans | Klunk | Reed |
| Artis | Everett | Knowles | Reese |
| Baker | Fabrizio | Kotik | Regan |
| Barbin | Farina | Krueger | Roae |
| Barrar | Farry | Lawrence | Roebuck |
| Benninghoff | Fee | Lewis | Ross |
| Bizzarro | Flynn | Longietti | Rothman |
| Bloom | Frankel | Mackenzie | Rozzi |
| Boback | Freeman | Maher | Saccone |
| Boyle | Gabler | Mahoney | Sainato |
| Bradford | Gainey | Major | Samuelson |
| Briggs | Galloway | Maloney | Sankey |
| Brown, R. | Gergely | Markosek | Santarsiero |
| Brown, V. | Gibbons | Marshall | Santora |
| Burns | Gillen | Marsico | Savage |
| Caltagirone | Gillespie | Masser | Saylor |

| | | | |
|------------|--------------|------------|-------------|
| Carroll | Gingrich | Matzie | Schemel |
| Causer | Godshall | McCarter | Schlossberg |
| Christiana | Goodman | McNeill | Schreiber |
| Cohen | Greiner | Mentzer | Schweyer |
| Conklin | Grove | Metcalfe | Simmons |
| Corbin | Hahn | Metzgar | Sims |
| Costa, D. | Hanna | Miccarelli | Sonney |
| Costa, P. | Harhai | Millard | Staats |
| Cox | Harhart | Miller, B. | Stephens |
| Cruz | Harkins | Miller, D. | Sturla |
| Culver | Harper | Milne | Tallman |
| Cutler | Harris, A. | Mullery | Taylor |
| Daley, M. | Harris, J. | Murt | Thomas |
| Davidson | Heffley | Neilson | Tobash |
| Davis | Helm | Nelson | Toepel |
| Dawkins | Hennessey | Nesbit | Toohil |
| Day | Hickernell | Neuman | Topper |
| Dean | Hill | O'Brien | Truitt |
| Deasy | Irvin | O'Neill | Verеб |
| DeLissio | James | Oberlander | Vitali |
| Delozier | Jozwiak | Ortitay | Ward |
| DeLuca | Kampf | Parker, D. | Warner |
| Dermody | Kafer | Pashinski | Watson |
| Diamond | Kauffman | Payne | Wentling |
| Donatucci | Kavulich | Peifer | Wheeland |
| Driscoll | Keller, F. | Petrarca | White |
| Dunbar | Keller, M.K. | Petri | Youngblood |
| Dush | Keller, W. | Pickett | Zimmerman |
| Ellis | Killion | Quigley | |
| Emrick | Kim | Rader | Turzai, |
| English | Kinsey | Rapp | Speaker |

NAYS—0

NOT VOTING—0

EXCUSED—13

| | | | |
|------------|-----------|--------|------------|
| Bullock | McClinton | Mustio | Ravenstahl |
| Daley, P. | McGinnis | Pyle | Snyder |
| DiGirolamo | Moul | Quinn | Wheatley |
| Kortz | | | |

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

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1907, PN 3059**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, further providing for definitions and for penalties for violation of compulsory attendance requirements, providing for procedure by school when child habitually truant, for procedure upon filing of citation and for penalties for violating compulsory school attendance requirements and further providing for suspension of operating privilege.

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

The SPEAKER. There are a number of amendments being offered on the bill.

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

Mr. BENNINGHOFF offered the following amendment
No. A06433:

Amend Bill, page 1, line 6, by striking out "and" and inserting , providing for attendance policy at charter, regional charter and cyber charter schools, further providing

Amend Bill, page 4, lines 27 and 28, by striking out all of said lines and inserting

Section 2. The act is amended by adding a section to read:

Section 1327.2. Attendance Policy at Charter, Regional Charter and Cyber Charter Schools.—(a) Each charter, regional charter and cyber charter school shall establish an attendance policy designed to determine when a child who is enrolled in a charter, regional charter or cyber charter school has an unexcused absence, which may differ from the policy of the school district in which the child resides. The policy must conform to the provisions of this act relating to compulsory attendance. Each cyber charter school may develop guidelines setting forth alternative methods of calculating unexcused absences for the purposes of determining whether a child enrolled in a cyber charter school has an unexcused absence, subject to approval by the department.

(b) Notwithstanding section 1333.2(a), in the case of a child enrolled in a cyber charter school the venue for the filing of a citation under section 1333.1 shall be based upon the residence of the child. A cyber charter school may participate in a proceeding under sections 1333.1, 1333.2 and 1333.3 in person, by phone conferencing, by video conferencing or by any other electronic means.

(c) Charter, regional charter and cyber charter schools shall report unexcused absences directly to the department annually through the Pennsylvania Information Management System (PIMS).

Section 2.1. Section 1333 of the act, amended November 17, 1995 (1st Sp.Sess. P.L.1110, No.29), is amended to read:

Amend Bill, page 16, line 29, by inserting after "1326," 1327.2,

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

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I want to thank the members of the Education Committee as well as the chairmen for their support on this initiative. This is a great opportunity for us to address our schools, give our kids a great chance of being successful. This specific amendment, A06433, clarifies some provisions for charter schools, regional charter schools, and cyber charter schools as well, and having them to establish the truancy policies for themselves.

Thank you, Mr. Speaker. I would ask for unanimous support.

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—190

| | | | |
|-------------|------------|----------|----------|
| Acosta | Evankovich | Kirkland | Readshaw |
| Adolph | Evans | Klunk | Reed |
| Artis | Everett | Knowles | Reese |
| Baker | Fabrizio | Kotik | Regan |
| Barbin | Farina | Krueger | Roeae |
| Barrar | Farry | Lawrence | Roebuck |
| Benninghoff | Fee | Lewis | Ross |

| | | | |
|-------------|--------------|------------|-------------|
| Bizzarro | Flynn | Longietti | Rothman |
| Bloom | Frankel | Mackenzie | Rozzi |
| Boback | Freeman | Maher | Saccone |
| Boyle | Gabler | Mahoney | Sainato |
| Bradford | Gainey | Major | Samuelson |
| Briggs | Galloway | Maloney | Sankey |
| Brown, R. | Gergely | Markosek | Santarsiero |
| Brown, V. | Gibbons | Marshall | Santora |
| Burns | Gillen | Marsico | Savage |
| Caltagirone | Gillespie | Masser | Saylor |
| Carroll | Gingrich | Matzie | Schemel |
| Causer | Godshall | McCarter | Schlossberg |
| Christiana | Goodman | McNeill | Schreiber |
| Cohen | Greiner | Mentzer | Schweyer |
| Conklin | Grove | Metcalfe | Simmons |
| Corbin | Hahn | Metzgar | Sims |
| Costa, D. | Hanna | Miccarelli | Sonney |
| Costa, P. | Harhai | Millard | Staats |
| Cox | Harhart | Miller, B. | Stephens |
| Cruz | Harkins | Miller, D. | Sturla |
| Culver | Harper | Milne | Tallman |
| Cutler | Harris, A. | Mullery | Taylor |
| Daley, M. | Harris, J. | Murt | Thomas |
| Davidson | Heffley | Neilson | Tobash |
| Davis | Helm | Nelson | Toepel |
| Dawkins | Hennessey | Nesbit | Toohil |
| Day | Hickernell | Neuman | Topper |
| Dean | Hill | O'Brien | Truitt |
| Deasy | Irvin | O'Neill | Vereb |
| DeLissio | James | Oberlander | Vitali |
| Delozier | Jozwiak | Ortitay | Ward |
| DeLuca | Kampf | Parker, D. | Warner |
| Dermody | Kaufer | Pashinski | Watson |
| Diamond | Kaufman | Payne | Wentling |
| Donatucci | Kavulich | Peifer | Wheeland |
| Driscoll | Keller, F. | Petrarca | White |
| Dunbar | Keller, M.K. | Petri | Youngblood |
| Dush | Keller, W. | Pickett | Zimmerman |
| Ellis | Killion | Quigley | |
| Emrick | Kim | Rader | Turzai, |
| English | Kinsey | Rapp | Speaker |

NAYS—0

NOT VOTING—0

EXCUSED—13

| | | | |
|------------|-----------|--------|------------|
| Bullock | McClinton | Mustio | Ravenstahl |
| Daley, P. | McGinnis | Pyle | Snyder |
| DiGirolamo | Moul | Quinn | Wheatley |
| Kortz | | | |

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

On the question,

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

Mr. BENNINGHOFF offered the following amendment
No. A06471:

Amend Bill, page 14, line 18, by inserting after "violation" and is not subject to an exception to compulsory attendance under section 1330

Amend Bill, page 15, line 15, by striking out "the child;" and inserting

either of the following applies:

(i) The child;

Amend Bill, page 15, line 16, by striking out "(i)" and inserting
(A)
 Amend Bill, page 15, line 20, by striking out "(ii)" and inserting
(B)
 Amend Bill, page 15, line 23, by striking out "(iii)" and inserting
(C)
 Amend Bill, page 15, by inserting between lines 23 and 24
(ii) The child is subject to an exception to compulsory attendance under section 1330.

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

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Again, very briefly, this is a response to some questions asked by members of both parties in the committee, ensuring that young people who may have a suspension of license can have this restored. It allows the courts to send PENNDOT a notice of the child's violation of compulsory attendance and only if the child is not subject to an exemption to this compulsory attendance under this section, 1330. It also allows restoration of a child's driving privileges if the child is subject to an exemption in this compulsory attendance under this section.

I would ask for full support of this. Thank you, Mr. Speaker.

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—190

| | | | |
|-------------|------------|------------|-------------|
| Acosta | Evankovich | Kirkland | Readshaw |
| Adolph | Evans | Klunk | Reed |
| Artis | Everett | Knowles | Reese |
| Baker | Fabrizio | Kotik | Regan |
| Barbin | Farina | Krueger | Roaе |
| Barrar | Farry | Lawrence | Roebuck |
| Benninghoff | Fee | Lewis | Ross |
| Bizzarro | Flynn | Longietti | Rothman |
| Bloom | Frankel | Mackenzie | Rozzi |
| Boback | Freeman | Maher | Saccone |
| Boyle | Gabler | Mahoney | Sainato |
| Bradford | Gainey | Major | Samuelson |
| Briggs | Galloway | Maloney | Sankey |
| Brown, R. | Gergely | Markosek | Santarsiero |
| Brown, V. | Gibbons | Marshall | Santora |
| Burns | Gillen | Marsico | Savage |
| Caltagirone | Gillespie | Masser | Saylor |
| Carroll | Gingrich | Matzie | Schemel |
| Causer | Godshall | McCarter | Schlossberg |
| Christiana | Goodman | McNeill | Schreiber |
| Cohen | Greiner | Mentzer | Schweyer |
| Conklin | Grove | Metcalfe | Simmons |
| Corbin | Hahn | Metzgar | Sims |
| Costa, D. | Hanna | Miccarelli | Sonney |
| Costa, P. | Harhai | Millard | Staats |
| Cox | Harhart | Miller, B. | Stephens |
| Cruz | Harkins | Miller, D. | Sturla |
| Culver | Harper | Milne | Tallman |
| Cutler | Harris, A. | Mullery | Taylor |
| Daley, M. | Harris, J. | Murt | Thomas |
| Davidson | Heffley | Neilson | Tobash |
| Davis | Helm | Nelson | Toepel |
| Dawkins | Hennessey | Nesbit | Toohil |

| | | | |
|-----------|--------------|------------|------------|
| Day | Hickernell | Neuman | Topper |
| Dean | Hill | O'Brien | Truitt |
| Deasy | Irvin | O'Neill | Verеб |
| DeLissio | James | Oberlander | Vitali |
| Delozier | Jozwiak | Ortitay | Ward |
| DeLuca | Kampf | Parker, D. | Warner |
| Dermody | Kauffer | Pashinski | Watson |
| Diamond | Kauffman | Payne | Wentling |
| Donatucci | Kavulich | Peifer | Wheeland |
| Driscoll | Keller, F. | Petrarca | White |
| Dunbar | Keller, M.K. | Petri | Youngblood |
| Dush | Keller, W. | Pickett | Zimmerman |
| Ellis | Killion | Quigley | |
| Emrick | Kim | Rader | Turzai, |
| English | Kinsey | Rapp | Speaker |

NAYS—0

NOT VOTING—0

EXCUSED—13

| | | | |
|------------|-----------|--------|------------|
| Bullock | McClinton | Mustio | Ravenstahl |
| Daley, P. | McGinnis | Pyle | Snyder |
| DiGirolamo | Moul | Quinn | Wheatley |
| Kortz | | | |

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 Dan Miller has, I believe, three amendments to offer. Oh; no. No, no. More than that, four.

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

Mr. D. MILLER offered the following amendment No. A06441:

Amend Bill, page 15, lines 20 through 23, by striking out all of lines 20 through 22 and "(iii)" in line 23 and inserting
(ii)

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

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

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

And, Mr. Speaker, I would like to thank the good gentleman for his bill and his willingness to discuss several aspects of it.

I will make this one brief, as I would like to incorporate it into a different amendment. But in essence here what I am offering in amendment 6441 is to strip the language out, the requirement for someone to get their license back for truancy. I offer for everyone's consideration to strip out the language that says that someone must have no disciplinary problems of any kind in order to get their license back. The short and sweet reason about that is because I think that no disciplinary

problems can be incredibly broad and it would have nothing to do with the underlying truancy or could have nothing to do with the underlying truancy, and I find it to be an impediment to getting the license back that is unwarranted.

I would ask for people's consideration with the amendment.

The SPEAKER. Representative Benninghoff, on the amendment; I apologize.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

And to the members, I will keep this brief as well.

I would like to remind everyone that this is a collection of over a year's worth of work by the resolution that many of you voted for, done in a very bipartisan manner, went out as a unanimous vote to try to give our schools, our students, and their families these opportunities to really kind of make a unified opportunity to address truancy. In addition to that, there were 29 different members from the community and police officers, Governor's Office, district justices, and a whole array of other individuals that put this report together. This legislation is specifically based on those recommendations.

I would respectfully ask that we not do this amendment and defeat it. Thank you very much.

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

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 1907 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS–80

| | | | |
|-------------|-----------|------------|-------------|
| Acosta | Deasy | Harper | Neuman |
| Artis | DeLissio | Harris, J. | O'Brien |
| Barbin | DeLuca | Kavulich | Pashinski |
| Bizzarro | Dermody | Keller, W. | Petrarca |
| Boyle | Donatucci | Kim | Readshaw |
| Bradford | Driscoll | Kinsey | Roebrick |
| Briggs | Evans | Kirkland | Rozzi |
| Brown, V. | Fabrizio | Kotik | Sainato |
| Burns | Farina | Krueger | Samuelson |
| Caltagirone | Flynn | Longietti | Santarsiero |
| Carroll | Frankel | Mahoney | Savage |
| Conklin | Freeman | Markosek | Schlossberg |
| Costa, D. | Gainey | Matzie | Schreiber |
| Costa, P. | Galloway | McCarter | Schweyer |
| Cruz | Gergely | McNeill | Sims |
| Daley, M. | Gibbons | Metzgar | Sturla |
| Davidson | Goodman | Miller, D. | Thomas |
| Davis | Hanna | Mullery | Vereb |
| Dawkins | Harhai | Murt | Vitali |
| Dean | Harkins | Neilson | Youngblood |

NAYS–109

| | | | |
|-------------|--------------|------------|-----------|
| Adolph | Gingrich | Maloney | Rothman |
| Baker | Godshall | Marshall | Saccone |
| Barrar | Greiner | Marsico | Sankey |
| Benninghoff | Grove | Masser | Santora |
| Bloom | Hahn | Mentzer | Saylor |
| Boback | Harhart | Metcalfe | Schemel |
| Brown, R. | Harris, A. | Miccarelli | Simmons |
| Causer | Heffley | Millard | Sonney |
| Christiana | Helm | Miller, B. | Staats |
| Corbin | Hennessey | Milne | Stephens |
| Cox | Hickernell | Nelson | Tallman |
| Culver | Hill | Nesbit | Taylor |
| Cutler | Irvin | O'Neill | Tobash |
| Day | James | Oberlander | Toepel |
| Delozier | Jozwiak | Ortitay | Toohil |
| Diamond | Kampf | Parker, D. | Topper |
| Dunbar | Kaufer | Payne | Truitt |
| Dush | Kauffman | Peifer | Ward |
| Ellis | Keller, F. | Petri | Warner |
| Emrick | Keller, M.K. | Pickett | Watson |
| English | Killion | Quigley | Wentling |
| Evankovich | Klunk | Rader | Wheeland |
| Everett | Knowles | Rapp | White |
| Farry | Lawrence | Reed | Zimmerman |
| Fee | Lewis | Reese | |
| Gabler | Mackenzie | Regan | Turzai, |
| Gillen | Maher | Roae | Speaker |
| Gillespie | Major | Ross | |

NOT VOTING–0

EXCUSED–14

| | | | |
|------------|-----------|--------|------------|
| Bullock | Kortz | Mustio | Ravenstahl |
| Cohen | McClinton | Pyle | Snyder |
| Daley, P. | McGinnis | Quinn | Wheatley |
| DiGirolamo | Moul | | |

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. D. MILLER offered the following amendment No. A06444:

Amend Bill, page 15, line 23, by striking out all of said line

On the question,

Will the House agree to the amendment?

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

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

Mr. Speaker, amendment 6444 again addresses issues regarding license, the return of a license for a truant child. In particular, this elimination applies to the requirement that someone must be attending school and passing all their classes. I offer this amendment – again, I will speak more in detail on a different amendment on a similar topic of it – but just consideration, if you are habitually truant, the chances for you to be passing all of your classes are extremely unlikely.

I would ask for people to consider this step to be a bridge too far, and I would ask for people to vote affirmative for the amendment. Thank you.

The SPEAKER. Representative Benninghoff, on the amendment, sir.

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

Very briefly, we believe this weakens the bill, weakens the penalty section. But more importantly, the goal is to get children in the classroom, make them successful, help them be able to pass the classes so they can be functioning adults and able to get good jobs later.

I would ask the members to stand with the government commission report and vote "no" to this amendment. 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—85

| | | | |
|-------------|-----------|------------|-------------|
| Acosta | DeLuca | Harris, J. | O'Brien |
| Artis | Dermody | Kavulich | O'Neill |
| Barbin | Donatucci | Keller, W. | Pashinski |
| Bizzarro | Driscoll | Kim | Petrarca |
| Boyle | English | Kinsey | Rapp |
| Bradford | Evans | Kirkland | Readshaw |
| Briggs | Fabrizio | Kotik | Reese |
| Brown, V. | Farina | Krueger | Roebuck |
| Burns | Flynn | Longietti | Rozzi |
| Caltagirone | Frankel | Mahoney | Sainato |
| Carroll | Freeman | Markosek | Samuelson |
| Conklin | Gainey | Matzie | Santarsiero |
| Costa, D. | Galloway | McCarter | Savage |
| Costa, P. | Gergely | McNeill | Schlossberg |
| Cruz | Gibbons | Metcalfe | Schreiber |
| Daley, M. | Gillen | Metzgar | Schweyer |
| Davidson | Godshall | Miller, D. | Sims |
| Davis | Goodman | Mullery | Sturla |
| Dawkins | Hanna | Neilson | Thomas |
| Dean | Harhai | Nesbit | Vitali |
| Deasy | Harkins | Neuman | Youngblood |

NAYS—104

| | | | |
|-------------|--------------|------------|----------|
| Adolph | Greiner | Maloney | Sankey |
| Baker | Grove | Marshall | Santora |
| Barrar | Hahn | Marsico | Saylor |
| Benninghoff | Harhart | Masser | Schemel |
| Bloom | Harper | Mentzer | Simmons |
| Boback | Harris, A. | Miccarelli | Sonney |
| Brown, R. | Heffley | Millard | Staats |
| Causer | Helm | Miller, B. | Stephens |
| Christiana | Hennessey | Milne | Tallman |
| Corbin | Hickernell | Murt | Taylor |
| Cox | Hill | Nelson | Tobash |
| Culver | Irvin | Oberlander | Toepel |
| Cutler | James | Ortitay | Toohil |
| Day | Jozwiak | Parker, D. | Topper |
| Delozier | Kampf | Payne | Truitt |
| Diamond | Kaufner | Peifer | Vereb |
| Dunbar | Kauffman | Petri | Ward |
| Dush | Keller, F. | Pickett | Warner |
| Ellis | Keller, M.K. | Quigley | Watson |
| Emrick | Killion | Rader | Wentling |
| Evankovich | Clunk | Reed | Wheeland |
| Everett | Knowles | Regan | White |

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|-----------|-----------|---------|-----------|
| Farry | Lawrence | Roae | Zimmerman |
| Fee | Lewis | Ross | |
| Gabler | Mackenzie | Rothman | Turzai, |
| Gillespie | Maher | Saccone | Speaker |
| Gingrich | Major | | |

NOT VOTING—0

EXCUSED—14

| | | | |
|------------|-----------|--------|------------|
| Bullock | Kortz | Mustio | Ravenstahl |
| Cohen | McClinton | Pyle | Snyder |
| Daley, P. | McGinnis | Quinn | Wheatley |
| DiGirolamo | Moul | | |

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. D. MILLER offered the following amendment No. A06525:

Amend Bill, page 1, line 7, by striking out "and," and inserting and

Amend Bill, page 1, lines 10 and 11, by striking out "AND FURTHER PROVIDING FOR SUSPENSION OF OPERATING PRIVILEGE"

Amend Bill, page 3, line 25, by inserting after "enrolled" including public school, area vocational-technical school, intermediate unit, charter school and cyber school,

Amend Bill, page 9, line 1, by striking out "will" and inserting may

Amend Bill, page 9, line 5, by striking out "May" and inserting Shall

Amend Bill, page 9, line 12, by inserting after "order" known to the school district

Amend Bill, page 9, line 15, by striking out "offer, by advance written notice," and inserting schedule

Amend Bill, page 9, lines 16 through 18, by striking out "to the child and person in parental" in line 16, all of line 17 and "the notice provided under subsection (a)(1)." in line 18 and inserting unless such conference was previously held following the notice provided under subsection (a)(1). The school shall make a reasonable effort to contact and schedule such meeting, including in writing, with the parental relation of the child.

Amend Bill, page 9, line 21, by striking out "may" and inserting shall

Amend Bill, page 9, lines 27 through 30, by striking out "department." in line 27 and all of lines 28 through 30 and inserting department. The school attendance improvement plan may include a referral to a school-based or community-based improvement program.

(3) Absent additional criteria consistent with child safety mandates and criminal activity, the school may not refer the child to a county children and youth agency for services or for possible disposition as a dependent child, nor to an appropriate magisterial district judge, until the completion of an appropriately noticed school attendance improvement conference.

Amend Bill, page 10, lines 3 through 6, by striking out "under" in line 3, all of lines 4 and 5 and "(i) A" in line 6 and inserting not currently active with an open county children and youth case or magisterial district judge citation, the school shall do any of the

following:

(1) Refer the child to a

Amend Bill, page 10, lines 7 and 8, by striking out "program."

(ii) The" and inserting

program. If additional unexcused absences occur, the district shall refer the child to a county children and youth agency or file a citation in the office of the appropriate magisterial district judge.

(2) Refer the child to a

Amend Bill, page 10, lines 10 and 11, by striking out "matters)." in line 10 and "(2) May file" in line 11 and inserting

matters) and provide a copy of the school attendance improvement plan and other relevant materials showing the school's effort to rectify the problem.

(3) File

Amend Bill, page 10, line 12, by inserting after "the" child or

Amend Bill, page 10, lines 13 through 30; page 11, lines 1 through 6; by striking out "child." in line 13, all of lines 14 through 30 on page 10 and all of lines 1 through 6 on page 11 and inserting

child and provide a copy of the school attendance improvement plan and other relevant materials showing the school's effort to rectify the problem.

Amend Bill, page 12, line 7, by inserting after "sentence."

Nothing in this section shall be construed to prohibit a judge from considering other relevant evidence.

Amend Bill, page 12, line 9, by striking out "A" and inserting

While nothing in this section shall be construed to prohibit a judge from making a referral to a county children and youth agency at any time in the proceedings, a

Amend Bill, page 12, line 11, by striking out "for the benefit of the school"

Amend Bill, page 12, lines 12 and 13, by striking out "for each citation, together with court costs" and inserting
, which may be directed to school-based community student support programs

Amend Bill, page 14, lines 13 through 30; page 15, lines 1 through 30; page 16, lines 1 through 22; by striking out all of said lines on said pages

Amend Bill, page 16, line 29, by striking out "5" and inserting
4

Amend Bill, page 16, line 30, by striking out ", 1333.3 AND 1338.1" and inserting
and 1333.3

Amend Bill, page 17, line 3, by striking out "6" and inserting
5

On the question,

Will the House agree to the amendment?

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

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

I recognize that I have offered a series of amendments to this bill, and again, I would like to compliment the gentleman for his focus on this issue.

My work in truancy has been one of sizable time. As a county solicitor in Allegheny County, I probably dealt with 1,000 truancy cases. As a public defender in the juvenile division of Allegheny County, I could not tabulate the amount of children who have truancy issues that we dealt with. Obviously, truancy has no bounds. There is no county that has any monopoly to the issue, but I do offer some thoughts as to what I believe to be part of the problems and how best we can solve it.

At first though, I would like to take a moment to highlight the differences between the good gentleman's bill and what I offer in amendment 6525.

First, the current bill says that if a child is truant, the school may offer a school attendance improvement conference, may offer. Why we would just say you maybe should offer the conference, I do not understand. To me, if you have a child who is truant, you shall offer it. I want the school district to do that conference.

The current bill says that there is a difference between a child who is 15 and younger and a child who is under 15 and we should handle their truancy differently. Why? I do not know. I do not understand the difference with it. My amendment treats every child the same no matter their age if they are truant.

The current bill says that if a truant child misses more days, a school improvement conference may occur, may occur. My amendment says that if absences continue to pile up on a child who is truant, the school has to have that conference, and after trying to reach the parent reasonably, this conference has to occur whether or not the parents attend or not.

Again, we know we have a problem. Let us not wait for more time to go by. My amendment says that a school improvement conference for a truant child may refer to a truancy prevention program. The current bill seems to take that option away. I do not understand that aspect to it.

The current bill says that the school may undertake no further legal action in relation to truancy matters until the date of the conference has passed, and again, this is a key point. It is saying that you have to wait till a conference, for a conference to pass, not that you have to have the conference. But it also blurs a little bit here because we know that schools have other obligations, meaning that truancy could be part of a problem, not the entirety of the issue. Schools have child welfare issues that need to be taken care of. Schools have criminal matters that need to be appropriately dealt with. My amendment makes sure that schools recognize that those issues, in addition to related truancy matters, have to be acted upon appropriately.

My amendment makes sure that additional truancy citations and other referrals do not pile up once a child is active at a district judge and CYF (Children, Youth and Families) for the same problem. Keep in mind, this is at the heart of what HB 141 and other measures we have talked about have tried to do. We know that there are issues where multiple fines become ridiculous. We know that there are issues where the ineffectiveness of those fines and jail sentences end up sending parents to jail for weeks, if not months on time, with related issues that come up after that.

The current bill specifies no relief when a habitually truant child fails a truancy prevention program.

My amendment rectifies that. My amendment clarifies that a district judge can consider all relevant information when deciding appropriate action and clarifies that a district judge can always refer the case to CYF no matter its stage in the process.

The current bill says that a truancy fine levied by a school district – and this is again confusing to me – must be paid to the school district. So think about that. A fine that is levied by the district judge has to go to the school. Why? My amendment here allows for that money from a fine to go to the school district if the district judge finds it appropriate as long as it goes to a community-based program to help children with some other

issue, like a truancy prevention program. These fines should not go to backfill school district line items that are running short that year.

The current bill – and here is a big issue with it, and I tried to address this briefly in the other amendments – the current bill tackles issues in relation to suspension of license. Now, keep in mind, the existing law is now that upon a finding of truancy, you can have your license suspended. That is existing law. But here is the issue that comes up with it. Now we are trying to say that in order for you to get that license back, you have to do several things. One of those things is a habitually truant child has to attend school either 2 or 4 months without an unexcused absence.

THE SPEAKER. Representative, I apologize. Suspend for just a second.

Members, please take your seats. I should have spoken up earlier, and I do apologize. Members, please take your seats. Thank you. Please, all members, please take your seats. If you could take any conversations to the back rooms, we would certainly appreciate it.

Representative Miller is entitled to be heard on amendment 6525. Representative, I do apologize for not interjecting earlier.

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

Again, just to summarize here with it, the provision in relation to a license suspension has large repercussions. The barriers, the mandates that have been put on to this requirement are going to have big implications. One of those provisions is saying that a habitually truant child, if you are going to get your license back, well, you have to be at school for 2 to 4 months. That is a bar that seems disconnected from the issues that these kids have.

Here is another one with it. In order for you to get the license back with it, you cannot have an unexcused tardy for 2 to 4 months. You cannot have an unexcused tardy to get your license back. Think about the implications of how that will come up.

The disciplinary problems. This is, again, an issue to which had nothing to do most likely with the truancy issue. So if you go up there in class and do something foolish, which is common for many 16-, 17-year-olds here with it, with throwing a paper airplane, you have had a disciplinary problem, you are not getting your license back.

My reading of the bill here seems to say that this problem can come up no matter when you get that truancy provision. So this could mean that you could be truant 2 years prior to when you actually can get a license and you are still going to be held to these requirements seemingly for years until you get them back.

Listen, let us be honest here with this amendment and let us be honest here with what we are talking about. Anybody who has been involved with truancy will tell you this, we have a massive issue that is not easy to solve. The gentleman's bill is a step in the direction; I appreciate much of that. I believe that we need to ratchet up the truancy problem, and I think this bill here, this amendment that I offer can do that. This one here will speed things up.

Let us not forget what happens at a district judge. This one here is spending, in my opinion, the bill and too much of our truancy matters are being addressed at a district judge's office. But ask yourselves, what services are available at a district judge's office? There are no county solicitors; there are no public defenders; there is no district attorney; there is no child

advocate; there is no parent advocate; there is no ability to order mental health or have it paid for. Those factors there on a truancy petition are not present. The only way you get those services is to go to family court. My amendment here speeds that process along and makes sure that instead of running aground 3, 6, 9 months of a case staying at a district judge's level, we get this case to a common pleas court, to family court, to CYF, so we could get court-ordered assistance to that person.

And again, I want to stress a factor to it, the majority of kids who are sitting here with habitually truant, you are not going to be able to scare them straight by saying I am going to suspend your license. That is not the reality for which these habitually truant students are living in. The reality is much deeper with that. We need to get this matter to common pleas court with mental health treatment, with all the issues that can help a young person when they are truant.

I would ask everyone to consider that this amendment here is not meant to weaken the aspect of truancy enforcement here. It is meant to enhance it. The only thing that is different in relation to that is what I think to be the bridge too far, license suspension matters, which I think we should do away with and just allow existing law to handle that problem. No child is going to become less truant because of anything that is in that license suspension aspect of the bill.

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

THE SPEAKER. Does any other member wish to be recognized?

Representative McCarter, on the amendment.

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

Again, as my fellow colleague who just spoke, Mr. Miller, Representative Miller, my 35 years in education also have led me to a little bit of a different perspective I think than what possibly has been done by the good—

THE SPEAKER. Sir, please suspend.

Members, please take your seats. Members, please take your seats. Please take conversations to the outer rooms. Members, please take your seats.

Representative McCarter, please proceed.

MR. McCARTER. Thank you, Mr. Speaker.

As I was saying that the 35 years that I had in education in dealing with some of these truancy issues as well, like Representative Miller, who saw them from the magisterial district judge perspective, has led us in a little bit of a different direction possibly than the good commission has been looking at this for the past year, and I want to commend them really for their work and for all the work of everybody who has worked on this, and it is very, very positive. It is just that our perspective looks at the nature of this driving issue a little bit differently because sometimes – and again, I think all of us have experienced this, too, dealing with PENNDOT – it is not the easiest organization in the world or agency to be able to get clarifications and changes. So for a student who is penalized, if you will, or cited under this measure, what would happen is, if they lose their licenses, they will have a devil of a time getting them back. And with all the measures that have been cited here that Representative Miller talked about, I think that we are moving down the wrong path in letting that particular piece go forward.

The other piece that I would add to this is in talking with the magisterial district judges in my community, both of them, talking about the nature of while they like the idea of having the

option, putting that in as a definite is something that they really do not want to do. And this, while giving them still the option, once you give it to PENNDOT, it is a "shall." PENNDOT shall impose these things, and getting it back is the hard part. So that is the reason I know that Representative Miller has cited what he is doing, and I will be offering further amendments to talk about that as well.

So I ask you to really think carefully about the nature of this and the driving piece of this so that we do not end up pushing kids out of school, because that will happen with the older students. If in fact it is a choice between staying in school and losing your license or leaving school, then I think we have the opposite effect of what we are trying to accomplish.

Thank you, Mr. Speaker.

THE SPEAKER. Representative Benninghoff, on the amendment.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

And to our members, very briefly, I appreciate the passion of the two previous speakers, but this specific amendment is really not curing some of the things that they thought or the actual problem, and I think you are being a little bit misled regarding this only being about license revocations. I think it is important to know that your district justices have some leeway and some flexibility. It is a "may" provision should they want to repeal a license from an individual, but this bill is more— Pardon me; and I do not believe this amendment addresses it. I will speak on the bill on final passage later. But this bill is about trying to put the burden of proof on the schools. This is a cooperative effort to provide to schools, to parents, and district justices as a last result more options than what we currently have. Putting children in jail is not what we want, or the parents.

The reality is, the goal is to get children in the classroom. Let them learn. We can talk about education funding all we want, but we have to be able to give children the opportunity to learn in good environments and have them in the classroom to do that. I do not believe this amendment addresses some of their own concerns the gentlemen raised.

And last, I would say, keep in mind, this 29-member pretty much blue-ribbon panel, from physicians to psychologists to D.J.s to educators and people in law enforcement, looked at all these issues and this bill is a culmination of this.

I would ask you to please vote "no" to this amendment. This is a pretty significant rewrite of the bill itself. It is not just addressing the few items that were raised, and it substantially changes what the intent of the legislation is and really would, in my opinion, postpone our ability to correct the truancy problem in Pennsylvania and get our kids graduating from school.

Thank you, Mr. Speaker, and thank you to the members.

THE SPEAKER. Representative Thomas, on the amendment.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I do not know what the outcome of this amendment will be, but I think it is important that the record contain some important information. Mr. Speaker, this issue of truancy is not one that occurs in all 501 school districts and all communities. I had an opportunity a couple years ago to sit down with Senator Greenleaf and look at some statistical data, some tracking information, that a number of judges and folks from the law enforcement community took a look at in reference to this whole issue of truancy, this whole issue of pipelines to prisons and some of the social problems that get in the way of a quality education.

And, Mr. Speaker, folks took a look at this issue by ZIP (Zoning Improvement Plan) Codes, specifically in Philadelphia County, and so, Mr. Speaker, if you just take a look at two ZIP Codes in my district, 19123 had the lowest level of truancy; it was almost zero. And then right across a major thoroughfare and we go into ZIP Code 19122, there is a real problem of truancy.

And, Mr. Speaker, this also, according to the Pew foundation, this major thoroughfare that separates one neighborhood with low, almost zero truancy from another neighborhood where there was an explosion of truancy, according to the Pew foundation, this also is symbolic of the problem of income inequality in the city of Philadelphia and the Commonwealth of Pennsylvania possibly; that on one side of the thoroughfare where truancy was up, people were living on less than \$12,000 a year, while on the other side people were living on less than \$150,000.

So, Mr. Speaker, one of the things that came out of this data was that we have to stop looking at this issue of truancy as though punishment is going to bring about the kind of result that we want, that we need to take a look at some comprehensive approaches that get to the root of the truancy problem. Like, for example, if a kid wakes up in a housing situation where he or she does not have clothes to go to school, you have to deal with the inability to eat, dress, and have a roof over your head and be able to go to school. Truancy is going to be more commonplace in those situations.

So, Mr. Speaker, I caution my colleagues on both sides of the aisle, thank you for being concerned about this issue of truancy, but let us step back and take a look at how can we deal with this issue and deal with the underlying causes of truancy rather than the issue of truancy, because I think by looking at the underlying causes and dealing with those underlying causes, then you are going to deal with a reduction and a serious reduction in the number of kids that are truant. And similarly, you are going to get an increase in academic performance if you deal with some of these underlying causes.

So I guess I started out with I do not know what the outcome of this is going to be, but I caution you, caution you from looking at punishment as an end product to dealing with this issue, because it is clear from evidence-based facts and data that punishment is not going resolve this issue.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—89

| | | | |
|-------------|-----------|------------|-------------|
| Artis | Donatucci | Kavulich | Pashinski |
| Barbin | Driscoll | Keller, W. | Petrarca |
| Bizzarro | English | Kim | Rapp |
| Boyle | Evans | Kinsey | Readshaw |
| Bradford | Fabrizio | Kirkland | Roebuck |
| Briggs | Farina | Kotik | Rozzi |
| Brown, V. | Flynn | Krueger | Sainato |
| Burns | Frankel | Longietti | Samuelson |
| Caltagirone | Freeman | Maher | Santarsiero |
| Carroll | Gainey | Mahoney | Savage |
| Conklin | Galloway | Maloney | Schlossberg |
| Costa, D. | Gergely | Markosek | Schreiber |
| Costa, P. | Gibbons | Marshall | Schweyer |
| Cruz | Gillen | Matzie | Sims |

| | | | |
|-----------|------------|------------|------------|
| Daley, M. | Godshall | McCarter | Sturla |
| Davidson | Goodman | McNeill | Thomas |
| Davis | Hanna | Metcalfe | Tobash |
| Dawkins | Harhai | Miller, D. | Toohil |
| Dean | Harkins | Mullery | Truitt |
| Deasy | Harris, J. | Neilson | Vitali |
| DeLissio | Hennessey | Neuman | Watson |
| DeLuca | Jozwiak | O'Brien | Youngblood |

NAYS—100

| | | | |
|-------------|--------------|------------|-----------|
| Acosta | Gillespie | Marsico | Ross |
| Adolph | Gingrich | Masser | Rothman |
| Baker | Greiner | Mentzer | Saccone |
| Barrar | Grove | Metzgar | Sankey |
| Benninghoff | Hahn | Miccarelli | Santora |
| Bloom | Harhart | Millard | Saylor |
| Boback | Harper | Miller, B. | Schemel |
| Brown, R. | Harris, A. | Milne | Simmons |
| Causer | Heffley | Murt | Sonney |
| Christiana | Helm | Nelson | Staats |
| Corbin | Hickernell | Nesbit | Stephens |
| Cox | Hill | O'Neill | Tallman |
| Culver | Irvin | Oberlander | Taylor |
| Cutler | James | Ortitay | Toepel |
| Day | Kampf | Parker, D. | Topper |
| Delozier | Kaufer | Payne | Vereb |
| Diamond | Kauffman | Peifer | Ward |
| Dunbar | Keller, F. | Petri | Warner |
| Dush | Keller, M.K. | Pickett | Wentling |
| Ellis | Killion | Quigley | Wheeland |
| Emrick | Klunk | Rader | White |
| Evankovich | Knowles | Reed | Zimmerman |
| Everett | Lawrence | Reese | |
| Farry | Lewis | Regan | |
| Fee | Mackenzie | Roaee | |
| Gabler | Major | Turzai, | |
| | | Speaker | |

NOT VOTING—0

EXCUSED—14

| | | | |
|------------|-----------|--------|------------|
| Bullock | Kortz | Mustio | Ravenstahl |
| Cohen | McClinton | Pyle | Snyder |
| Daley, P. | McGinnis | Quinn | Wheatley |
| DiGirolamo | Moul | | |

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. McCARTER offered the following amendment No. A06476:

Amend Bill, page 14, lines 13 through 30; page 15, lines 1 through 27; by striking out all of said lines on said pages

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question, the Chair recognizes Representative McCarter.

Mr. McCARTER. Thank you, Mr. Speaker.

Well, now we are down to the heart of this in terms of the driving privilege issue that we are talking about here. Amendment 6476 would remove the section dealing with the driving component, or suspension of license. And again, there are a myriad of reasons why we really need to think about this one really carefully. I can give you a couple of examples.

Number one, a student who is absent from school because of a situation at home that deals with work, but there are three other kids at home, the mother has to go to work, they have to stay home potentially to take care of kids at times. Not a good situation, but a reality. Or a situation where they have a job in which they sometimes have to go to work during school, and as a result, not good, they miss school, but in reality, it is a choice between feeding mouths or not feeding mouths. That becomes a reality sometimes that can be missed in what happens. Or in the case of an older person in the home that needs to go for medical reasons. We would hope that every magisterial district judge, if it gets to that direction, will take all those things into consideration, but sometimes it does not happen.

So we are concerned about the nature in the sense of this driving component, that it would be best that it be eliminated out as an option. That is what this amendment calls for, Mr. Speaker. Thank you.

The SPEAKER. Representative Benninghoff, on the amendment.

Mr. BENNINGHOFF. Very briefly, Mr. Speaker, and thank you very much.

I would ask the members to not support this. This is current law. It is supported by the Pennsylvania School Boards Association, the Pennsylvania School Administrators Association, but more importantly, it is at the discretion of the judge and these are for students that are habitually, over and over and over, truant. We want a well-educated population, and we want well-educated students. We have to have them in the classrooms.

Please join me and vote "no" to this amendment. Thank you, Mr. Speaker.

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

Mr. McCARTER. Just one point of clarification. When we talk habitual, we are talking about six absences from school; six. That is when this kicks in, and you could be held under this same provision under the first three absences. So it is very, very— While we are all in agreement, as an educator, I want every student to be in school all 190 days of the year or at least a minimum of 180 that some of our school districts still use. They should be there all the time, but there are realities, and I think we do not want to set this just like a mandatory minimum sentence that sometimes I think, unfortunately, we get ourselves into. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—91

| | | | |
|-------------|------------|------------|-------------|
| Acosta | DeLissio | Hennessey | Parker, D. |
| Artis | DeLuca | Jozwiak | Pashinski |
| Barbin | Dermody | Kavulich | Petrarca |
| Bizzarro | Donatucci | Keller, W. | Rapp |
| Boyle | Driscoll | Kim | Readshaw |
| Bradford | Evans | Kinsey | Roaee |
| Briggs | Fabrizio | Kirkland | Roebuck |
| Brown, R. | Farina | Kotik | Rozzi |
| Brown, V. | Flynn | Krueger | Sainato |
| Burns | Frankel | Longietti | Samuelson |
| Caltagirone | Freeman | Mahoney | Santarsiero |
| Carroll | Gainey | Maloney | Savage |
| Conklin | Galloway | Markosek | Schlossberg |
| Costa, D. | Gergely | Matzie | Schreiber |
| Costa, P. | Gibbons | McCarter | Schweyer |
| Cox | Gillen | McNeill | Sims |
| Cruz | Godshall | Metcalfe | Sturla |
| Daley, M. | Goodman | Metzgar | Thomas |
| Davidson | Hanna | Miller, D. | Truitt |
| Davis | Harhai | Mullery | Vitali |
| Dawkins | Harkins | Neilson | Ward |
| Dean | Harris, J. | Neuman | Youngblood |
| Deasy | Heffley | O'Brien | |

NAYS—98

| | | | |
|-------------|--------------|------------|--------------------|
| Adolph | Gingrich | Marshall | Saccone |
| Baker | Greiner | Marsico | Sankey |
| Barrar | Grove | Masser | Santora |
| Benninghoff | Hahn | Mentzer | Saylor |
| Bloom | Harhart | Miccarelli | Schemel |
| Boback | Harper | Millard | Simmons |
| Causer | Harris, A. | Miller, B. | Sonney |
| Christiana | Helm | Milne | Staats |
| Corbin | Hickernell | Murt | Stephens |
| Culver | Hill | Nelson | Tallman |
| Cutler | Irvin | Nesbit | Taylor |
| Day | James | O'Neill | Tobash |
| Delozier | Kampf | Oberlander | Toepel |
| Diamond | Kaufer | Ortitay | Toohil |
| Dunbar | Kauffman | Payne | Topper |
| Dush | Keller, F. | Peifer | Vereb |
| Ellis | Keller, M.K. | Petri | Warner |
| Emrick | Killion | Pickett | Watson |
| English | Klunk | Quigley | Wentling |
| Evankovich | Knowles | Rader | Wheeland |
| Everett | Lawrence | Reed | White |
| Farry | Lewis | Reese | Zimmerman |
| Fee | Mackenzie | Regan | |
| Gabler | Maher | Ross | |
| Gillespie | Major | Rothman | Turzai, Speaker |

NOT VOTING—0

EXCUSED—14

| | | | |
|------------|-----------|--------|------------|
| Bullock | Kortz | Mustio | Ravenstahl |
| Cohen | McClinton | Pyle | Snyder |
| Daley, P. | McGinnis | Quinn | Wheatley |
| DiGirolamo | Moul | | |

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. McCARTER offered the following amendment No. A06477:

Amend Bill, page 15, by inserting between lines 27 and 28

(6) Nothing in this section shall prohibit a child who is convicted of a violation of the compulsory school attendance requirements of this article from being eligible for an occupational limited license under 75 Pa.C.S. § 1553 (relating to occupational limited license).

On the question,

Will the House agree to the amendment?

The SPEAKER. Representative McCarter, on the amendment.

Mr. McCARTER. Thank you, Mr. Speaker.

This amendment, Mr. Speaker, would take a specific situation. We already have something on the books that is called the occupational limited license, which gives under various other provisions such as underage drinking or in the case of a drug conviction, where a student may be able to still have their license suspended but be able to have that license for the purpose of going to and from school and to work. That is already on the books as well, and that would be something under this provision that would not be an option given to the judges at the present moment. This would allow that to occur in which they would be able to have that option, or in the case of someone, again, that does not already have the occupational limited license when it comes up and the judge then has to give a sentence or give this over to PENNDOT for the purpose of suspension, that they could also say and give them this option to be able to have this limited license so that they could be able to get to their job and get back and forth from school if that would be a necessity of their transportation needs. That is what this particular amendment does in a very limited form. Thank you.

The SPEAKER. Thank you, sir.

Representative Benninghoff, on the amendment.

Mr. BENNINGHOFF. I would just reiterate, please, I would appreciate a "no" vote. The commission has looked at all these types of things. Remember, we are talking about people who have abused this over and over and over – unexcused absences. These are not just any absence.

The reality is, this bill already provides avenues for students to earn their license back. This a cooperative effort between the parents, the schools, the school boards to put the programs, these care plans in order if you want to call it, and let the children be participants in that. So there are avenues already in this bill.

I would ask for a "no" vote to this amendment. Thank you, Mr. Speaker.

The SPEAKER. Representative Mike Carroll, on the amendment.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, I think this amendment really is one that needs to be considered by this body. This amendment simply provides the issuance of an occupational limited license, which many of us know to be a bread-and-butter license, for drivers who are suspended to be able to get to work. I would offer the observation that we are about to engage in the suspension of driver's licenses for something that has nothing to do with driving a car, and so when we have students who have jobs, we, with this license, can at least allow them to get to work.

I hear a drumbeat in this room and in this building over and over about how important it is for people to be able to go to work. Well, here is an opportunity, Mr. Speaker. A bread-and-butter license lets them go to work. And by the way, I will remind everybody again, we are going to suspend people for an offense that has nothing to do with driving a vehicle.

Mr. Speaker, the provision of an occupational limited license has been in effect in this State for decades. This is nothing new. It is simply an extension of a provision that the Vehicle Code provides that should be extended in this instance. I really believe, Mr. Speaker, a "yes" vote is the right vote to allow people to get to work.

The SPEAKER. Representative Dan Miller, on the amendment.

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

I rise in support of the amendment, 6477, and I do so with just this caveat, recognizing I have spoken earlier today. Not every child is going to ace or pass every class while they are in school. Not every child is going to have that capability. Here, while we are holding them to the threshold of saying you have to pass every class, we are also going to turn to them — I am thinking about children with an IEP (individualized education program); I am thinking about those with a mental health issue that they are working on; I am thinking those at a vocational high school opportunity — and we are going to say to them, "Listen, despite you showing up to school, you have been so habitually truant over the last year, or whatever could be the experience with it, that, yes, you are not passing your class, and because of that, you will not go to work. You will not be able to work." Knowing that the academic career of some of these children is not college, not everyone is going to go to a 4-year college, work experience could be extremely key to them, much more than whether or not they got a C in astronomy.

So I would ask people here that this is a very commonsense approach. This is one here that rewards work, and this is one here that reminds us all that not every child is going to pass every class given the abilities that they have combined with issues that they have to deal with as young people.

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

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

Mr. McCARTER. Thank you, Mr. Speaker.

Just the additional point that I mentioned earlier, we want this to be a positive; we do not want this to be a negative. But the negative could be that given the choice, as Representative Miller just suggested, they are failing one class, they know they cannot get their license back, now they are faced with a situation: Do I give up permanently? Do I leave school and continue to work, or do I stay in school, not be able to work? That is what it really comes down to, and for these students that we are talking about, they are the ones that we want to help in the best possible way.

I would appreciate a positive vote. Thank you.

The SPEAKER. Representative Benninghoff, on the amendment.

Mr. BENNINGHOFF. Very briefly, Mr. Speaker, thank you.

They are talking about trying to amend current law. I do not change anything within the bill itself. We are talking about current law, and I would ask the members to stick with the commission's recommendations. They have worked very, very

hard. They have a lot of knowledge what is going to work best within the schools, and I think we need to respect that. My bill does not change the current law.

Thank you, Mr. Speaker. I would 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 DAWKINS has indicated that he wishes to be placed on leave. Without objection, that will be granted.

CONSIDERATION OF HB 1907 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS–113

| | | | |
|-------------|------------|--------------|-------------|
| Acosta | Dush | Keller, M.K. | Pashinski |
| Artis | English | Keller, W. | Petrarca |
| Barbin | Evankovich | Kim | Rapp |
| Bizzarro | Evans | Kinsey | Readshaw |
| Boyle | Fabrizio | Kirkland | Reese |
| Bradford | Farina | Klunk | Regan |
| Briggs | Farry | Knowles | Roae |
| Brown, R. | Flynn | Kotik | Roebuck |
| Brown, V. | Frankel | Krueger | Ross |
| Burns | Freeman | Longietti | Rozzi |
| Caltagirone | Gabler | Maher | Sainato |
| Carroll | Gainey | Mahoney | Samuelson |
| Conklin | Galloway | Maloney | Santarsiero |
| Costa, D. | Gergely | Markosek | Santora |
| Costa, P. | Gibbons | Marshall | Savage |
| Cox | Gillen | Matzie | Schlossberg |
| Cruz | Godshall | McCarter | Schreiber |
| Daley, M. | Goodman | McNeill | Schweyer |
| Davidson | Hanna | Metcalfe | Sims |
| Davis | Harhai | Metzgar | Staats |
| Dean | Harkins | Miller, D. | Sturla |
| Deasy | Harris, J. | Mullery | Thomas |
| DeLissio | Heffley | Neilson | Tobash |
| Delozier | Hennessey | Nelson | Truitt |
| DeLuca | Hill | Neuman | Vitali |
| Dermody | Jozwiak | O'Brien | Ward |
| Donatucci | Kampf | O'Neill | Warner |
| Driscoll | Kavulich | Ortitay | Youngblood |
| Dunbar | | | |

NAYS–75

| | | | |
|-------------|------------|------------|----------|
| Adolph | Grove | Mentzer | Saylor |
| Baker | Hahn | Miccarelli | Schemel |
| Barrar | Harhart | Millard | Simmons |
| Benninghoff | Harper | Miller, B. | Sonney |
| Bloom | Harris, A. | Milne | Stephens |
| Boback | Helm | Murt | Tallman |
| Causer | Hickernell | Nesbit | Taylor |
| Christiana | Irvin | Oberlander | Toepel |
| Corbin | James | Parker, D. | Toohil |
| Culver | Kaufer | Payne | Topper |
| Cutler | Kauffman | Peifer | Vereb |

| | | | |
|-----------|------------|---------|-----------|
| Day | Keller, F. | Petri | Watson |
| Diamond | Killion | Pickett | Wentling |
| Ellis | Lawrence | Quigley | Wheeland |
| Emrick | Lewis | Rader | White |
| Everett | Mackenzie | Reed | Zimmerman |
| Fee | Major | Rothman | |
| Gillespie | Marsico | Saccone | Turzai, |
| Gingrich | Masser | Sankey | Speaker |

NOT VOTING—0

EXCUSED—15

| | | | |
|-----------|------------|--------|------------|
| Bullock | DiGirolamo | Moul | Ravenstahl |
| Cohen | Kortz | Mustio | Snyder |
| Daley, P. | McClinton | Pyle | Wheatley |
| Dawkins | McGinnis | Quinn | |

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

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1589, PN 3086**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in financially distressed municipalities, providing for financial recovery; in oil and gas wells, providing for the Environmental Stewardship Fund; in tax credits, providing for Department of Community and Economic Development; in special funds, further providing for funding, for State Workers' Insurance Board, for expiration and for other grants; in additional special funds, further providing for use of the Tobacco Settlement Fund and for distributions from the Pennsylvania Race Horse Development Fund and providing for miscellaneous limitations and transfers and for the Natural Gas Infrastructure Development Fund; in general budget implementation, further providing for the Department of General Services, providing for the Pennsylvania Gaming Control Board, further providing for the Department of Human Services, for the Pennsylvania State Police and providing for the Commonwealth Financing Authority; providing for 2015-2016 budget implementation; and making editorial changes.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. Representative Vitali, I do believe that you have filed an amendment on third consideration, which would require a suspension of the rules.

Representative Vitali, you are recognized.

Mr. VITALI. I am not going to run that amendment.

The SPEAKER. Okay. The amendment has been withdrawn.

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, Representative Vitali wishes to be recognized.

Mr. VITALI. I want to point out one problem with this bill from an environmental perspective, and that is the transfer of \$12 million from the alternative energy investment fund, specifically a fund designed to fund high-performance buildings, grants and loans to businesses and individuals. There is a transfer from this program, which promotes energy conservation, to something called a Natural Gas Infrastructure Fund, which essentially would fund the extension of gas pipelines to entities such as businesses and hospitals and so forth.

The problem I have here is the concept of taking money from energy conservation and moving it to promoting fossil fuels using government dollars. What the Paris Agreement on climate in December really told us is how dramatic our climate change situation is and how we have to become carbon neutral by about midcentury if we have any hope of averting the worst effects of climate change.

Now, carbon neutral means we have to really suck in as much carbon as we release out into the atmosphere, so we need to make these dramatic reductions, and the only way you are going to do that is to keep most, in fact two-thirds of the economically recoverable fossil fuel that we are aware of in the ground. I mean, that is a staggering challenge, keeping two-thirds of the economically recoverable fossil fuel in the ground. And it is a difficult challenge, but if we fail to do that, what science tells us will happen is pretty, pretty frightening as far as sea level rise and flooding and storms and all the rest.

So the problem here is the movement of this money. Now, I have had several conversations today with the people who run this High Performance Buildings Program, and one reality is that this money has not been used to any great extent since during the Rendell administration we transferred that \$25 million there. But the answer to that, I feel, is not to take money from the program but make adjustments to the program to make it more attractive to those who might want to construct high-performance buildings. I will not get into the details of what needs to be done, but there are very concrete steps to make this a viable program.

So I just want to express my concerns about what we are doing as far as moving money away from conservation and toward fossil fuel production. Thank you.

The SPEAKER. Representative Adolph, on the bill, HB 1589.

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

Mr. Speaker, I certainly understand and certainly appreciate the gentleman from Delaware County's passion regarding environmental issues. However, what this bill will do, it will enable us – the State, the Commonwealth of Pennsylvania – to move forward on line items that we need to get out. There are a lot of issues that people have passion about, a lot of interest about, and there are line items and there are issues that we cannot always agree on.

However, it is so important for us to move forward with this so the money is driven out for such line items as, you know, the racehorse development money that transfers over to the Animal Health Commission, the Farm Shows, the Pennsylvania Veterinary Lab Service, avian flu, the Pennsylvania Chartered Schools for the Deaf and Blind. I can go on and on regarding the issues that are being funded through this bill.

We need to move forward. We took out some of the issues that were a concern of the Governor, and we are going to continue to work with the administration to get that straightened out, being the School Code, etc., and the school funding issues.

But, however, these issues, for the most part, are all agreed to, and I would urge everybody in this General Assembly to vote "yes" on this bill. Thank you very much.

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 1589 CONTINUED

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—176

| | | | |
|-------------|------------|------------|-------------|
| Acosta | Evans | Klunk | Reed |
| Adolph | Everett | Kotik | Reese |
| Artis | Fabrizio | Lawrence | Regan |
| Baker | Farina | Lewis | Roae |
| Barbin | Farry | Longietti | Roebrick |
| Barrar | Fee | Mackenzie | Ross |
| Benninghoff | Flynn | Maher | Rothman |
| Bizzarro | Frankel | Mahoney | Rozzi |
| Bloom | Freeman | Major | Saccone |
| Boyle | Gabler | Maloney | Sainato |
| Briggs | Gainey | Markosek | Samuelson |
| Brown, R. | Galloway | Marshall | Sankey |
| Brown, V. | Gergely | Marsico | Santora |
| Burns | Gibbons | Matzie | Savage |
| Caltagirone | Gillespie | McNeill | Saylor |
| Carroll | Gingrich | Mentzer | Schemel |
| Causer | Godshall | Metcalfe | Schlossberg |
| Christiana | Goodman | Metzgar | Schreiber |
| Conklin | Greiner | Miccarelli | Schweyer |
| Corbin | Grove | Millard | Simmons |
| Costa, D. | Hahn | Miller, B. | Sims |
| Costa, P. | Hanna | Miller, D. | Sonney |
| Cox | Harhai | Milne | Staats |
| Cruz | Harhart | Mullery | Stephens |
| Culver | Harkins | Murt | Sturla |
| Cutler | Harper | Neilson | Tallman |
| Daley, M. | Harris, A. | Nelson | Taylor |
| Davidson | Harris, J. | Nesbit | Thomas |
| Davis | Heffley | Neuman | Tobash |
| Day | Helm | O'Brien | Toepel |
| Dean | Hennessey | O'Neill | Toohil |
| Deasy | Hickernell | Oberlander | Topper |
| DeLissio | Hill | Ortitay | Vereb |
| Delozier | Irvin | Parker, D. | Ward |
| DeLuca | James | Pashinski | Warner |
| Dermody | Jozwiak | Payne | Watson |
| Diamond | Kampf | Peifer | Wentling |

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|------------|--------------|----------|------------|
| Donatucci | Kauffman | Petrarca | Wheeland |
| Driscoll | Kavulich | Petri | White |
| Dunbar | Keller, F. | Pickett | Youngblood |
| Dush | Keller, M.K. | Quigley | Zimmerman |
| Ellis | Keller, W. | Rader | |
| Emrick | Killion | Rapp | Turzai, |
| English | Kinsey | Readshaw | Speaker |
| Evankovich | Kirkland | | |

NAYS—11

| | | | |
|----------|---------|-------------|--------|
| Boback | Kaufer | Masser | Truitt |
| Bradford | Knowles | McCarter | Vitali |
| Gillen | Krueger | Santarsiero | |

NOT VOTING—0

EXCUSED—16

| | | | |
|-----------|------------|----------|------------|
| Bullock | DiGirolamo | McGinnis | Quinn |
| Cohen | Kim | Moul | Ravenstahl |
| Daley, P. | Kortz | Mustio | Snyder |
| Dawkins | McClinton | Pyle | Wheatley |

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

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

RESOLUTIONS

Mrs. GINGRICH called up **HR 735, PN 2953**, entitled:

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.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—187

| | | | |
|-------------|------------|------------|-------------|
| Acosta | Everett | Knowles | Reed |
| Adolph | Fabrizio | Kotik | Reese |
| Artis | Farina | Krueger | Regan |
| Baker | Farry | Lawrence | Roae |
| Barbin | Fee | Lewis | Roebrick |
| Barrar | Flynn | Longietti | Ross |
| Benninghoff | Frankel | Mackenzie | Rothman |
| Bizzarro | Freeman | Maher | Rozzi |
| Bloom | Gabler | Mahoney | Saccone |
| Boyle | Gainey | Major | Sainato |
| Briggs | Galloway | Maloney | Samuelson |
| Brown, R. | Gergely | Markosek | Sankey |
| Brown, V. | Gibbons | Marsico | Santora |
| Burns | Gillispe | Matzie | Savage |
| Caltagirone | Ginsburg | McNeill | Saylor |
| Carroll | Gingrich | Mentzer | Schemel |
| Causer | Godshall | Metcalfe | Schlossberg |
| Christiana | Goodman | Metzgar | Schweyer |
| Conklin | Greiner | Miccarelli | Simmons |
| Corbin | Grove | Millard | Sims |
| Costa, D. | Hahn | Miller, B. | Sonney |
| Costa, P. | Hanna | Miller, D. | Staats |
| Cox | Harhai | Milne | Stephens |
| Cruz | Harhart | Mullery | Tobash |
| Culver | Harkins | Murt | Sturla |
| Cutler | Harper | Neilson | Tallman |
| Daley, M. | Harris, A. | Nelson | Taylor |
| Davidson | Harris, J. | Nesbit | Thomas |
| Davis | Heffley | Neuman | Toepel |
| Day | Helm | O'Brien | Topper |
| Dean | Hennessey | O'Neill | Vereb |
| Deasy | Hickernell | Oberlander | Ward |
| DeLissio | Hill | Ortitay | Watson |
| Delozier | Irvin | Parker, D. | Wentling |
| DeLuca | James | Pashinski | |
| Dermody | Jozwiak | Payne | |
| Diamond | Kampf | Peifer | |

| | | | |
|------------|--------------|------------|------------|
| Cox | Harkins | Miller, D. | Stephens |
| Cruz | Harper | Milne | Sturla |
| Culver | Harris, A. | Mullery | Tallman |
| Cutler | Harris, J. | Murt | Taylor |
| Daley, M. | Heffley | Neilson | Thomas |
| Davidson | Helm | Nelson | Tobash |
| Davis | Hennessey | Nesbit | Toepel |
| Day | Hickernell | Neuman | Toohil |
| Dean | Hill | O'Brien | Topper |
| Deasy | Irvin | O'Neill | Truitt |
| DeLissio | James | Oberlander | Vereb |
| Delozier | Jozwiak | Ortitay | Vitali |
| DeLuca | Kampf | Parker, D. | Ward |
| Dermody | Kaufer | Pashinski | Warner |
| Diamond | Kauffman | Payne | Watson |
| Donatucci | Kavulich | Peifer | Wentling |
| Driscoll | Keller, F. | Petrarca | Wheeland |
| Dunbar | Keller, M.K. | Petri | White |
| Dush | Keller, W. | Pickett | Youngblood |
| Ellis | Killion | Quigley | Zimmerman |
| Emrick | Kinsey | Rader | |
| English | Kirkland | Rapp | Turzai, |
| Evankovich | Klunk | Readshaw | Speaker |

NAYS-0

NOT VOTING-0

EXCUSED-16

| | | | |
|-----------|------------|----------|------------|
| Bullock | DiGirolamo | McGinnis | Quinn |
| Cohen | Kim | Moul | Ravenstahl |
| Daley, P. | Kortz | Mustio | Snyder |
| Dawkins | McClinton | Pyle | Wheatley |

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

* * *

Ms. HARPER called up **HR 783, PN 3091**, entitled:

A Concurrent Resolution further providing for submission to the electorate of a constitutional amendment on retirement for justices, judges and justices of the peace.

On the question,
Will the House adopt the resolution?

RULES SUSPENDED

The SPEAKER. To vote on this concurrent resolution at this time, we will need a motion to suspend.

At this time the Chair calls upon the majority leader, Dave Reed, for the motion.

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

I make a motion to suspend the rules for the immediate consideration of HR 783. Thank you.

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

The SPEAKER. Representative Hanna, on the motion, sir.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, we support the motion.

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

The following roll call was recorded:

YEAS-150

| | | | |
|-------------|------------|--------------|-------------|
| Acosta | Dush | Keller, F. | Reese |
| Adolph | Ellis | Keller, M.K. | Regan |
| Artis | English | Keller, W. | Roebrick |
| Barbin | Evankovich | Killion | Ross |
| Barrar | Evans | Kinsey | Rothman |
| Benninghoff | Everett | Kirkland | Rozzi |
| Bizzarro | Fabrizio | Kotik | Sainato |
| Bloom | Farina | Krueger | Sankey |
| Boback | Farry | Lewis | Santarsiero |
| Boyle | Flynn | Longietti | Santora |
| Bradford | Frankel | Mahoney | Saylor |
| Briggs | Freeman | Major | Schemel |
| Brown, R. | Gabler | Maloney | Schlossberg |
| Brown, V. | Gainey | Markosek | Schreiber |
| Burns | Galloway | Marsico | Schweyer |
| Caltagirone | Gergely | Matzie | Simmons |
| Carroll | Gibbons | McNeill | Sims |
| Christiana | Gillespie | Miccarelli | Sonney |
| Conklin | Gingrich | Millard | Staats |
| Corbin | Goodman | Murt | Stephens |
| Costa, D. | Grove | Neilson | Sturla |
| Costa, P. | Hahn | Nelson | Taylor |
| Cox | Hanna | Harhai | Thomas |
| Cruz | Harhart | O'Brien | Toepel |
| Culver | Harkins | O'Neill | Toohil |
| Cutler | Harper | Oberlander | Topper |
| Daley, M. | Harris, A. | Ortitay | Vereb |
| Davidson | Harris, J. | Parker, D. | Vitali |
| Davis | Heffley | Pashinski | Warner |
| DeLissio | Helm | Payne | Watson |
| Delozier | Hennessey | Petrarca | Wentling |
| DeLuca | Hill | Petri | Wheeland |
| Dermody | Jozwiak | Quigley | White |
| Diamond | Kampf | Rader | Youngblood |
| Donatucci | Kaufer | Rapp | |
| Driscoll | Kauffman | Readshaw | Turzai, |
| Dunbar | Kavulich | Reed | Speaker |

NAYS-37

| | | | |
|------------|-----------|------------|-----------|
| Baker | Irvin | Mentzer | Pickett |
| Causer | James | Metcalfe | Roae |
| Day | Clunk | Metzgar | Saccone |
| Dean | Knowles | Miller, B. | Samuelson |
| Emrick | Lawrence | Miller, D. | Tallman |
| Fee | Mackenzie | Milne | Tobash |
| Gillen | Marshall | Mullery | Truitt |
| Godshall | Masser | Neuman | Ward |
| Greiner | McCarter | Peifer | Zimmerman |
| Hickernell | | | |

NOT VOTING-0**EXCUSED-16**

| | | | |
|-----------|------------|----------|------------|
| Bullock | DiGirolamo | McGinnis | Quinn |
| Cohen | Kim | Moul | Ravenstahl |
| Daley, P. | Kortz | Mustio | Snyder |
| Dawkins | McClinton | Pyle | Wheatley |

A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

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

The SPEAKER. And now we will vote on HR 783.
Does anybody wish to be recognized on the resolution?
Representative Lawrence, on the resolution, sir.

Mr. LAWRENCE. Thank you, Mr. Speaker.

Mr. Speaker, I rise to speak in opposition to HR 783. The resolution before us contemplates changes to the Constitution regarding the mandatory retirement age for judges. The resolution contains two key points. The first is that it changes the language that will be contained in the ballot question presented to the voters, and the second is that it changes the date of the voter referendum from the upcoming primary election to the general election in the fall.

Mr. Speaker, I respect the maker of this resolution very much, but that being said, I cannot support these two changes for several specific reasons.

First, the revised ballot language contemplated by the resolution, in my view, is deficient. The current language that has been developed by the Secretary of the Commonwealth that will appear, is scheduled to appear on the primary ballot says, "Shall the Pennsylvania Constitution be amended to require that justices of the Supreme Court, judges and justices of the peace (known as magisterial district judges) be retired on the last day of the calendar year in which they attain the age of 75 years, instead of the current requirement that they be retired on the last day of the calendar year in which they attain the age of 70?"

Now, while I will be the first to say that that language is clunky, the replacement language, which I would also like to read, saying – this is the proposed replacement language – "Shall the Pennsylvania Constitution be amended to require that justices of the Supreme Court, judges, and magisterial district judges be retired on the last day of the calendar year in which they attain the age of 75 years?" I would suggest that language is deficient, because it does not say to the person in the polling place, in the booth, who has no idea what this – has never seen this issue before and is just going in to vote – they have no idea what the current limit is. They might say, "Oh, well, I guess we don't have any limit on when our judges have to retire. Maybe we should have one at 75." Or maybe they would not be aware that we have one at 70 right now. I would suggest that it is very important for the voter to be informed that the question they are being asked to decide is, do they want to move the retirement age from 70 to 75?

The second reason that I feel this resolution should be voted down is that the change proposed here will cost both the counties and the State significantly. Counties will need to reprint ballots that have already been printed for an election that is only 20 days away. Absentee ballots that have been mailed out will need to be remailed. There is a cost to advertising. In fact, the advertising that I pulled off the Web here says right at the bottom, "PAID FOR WITH PENNSYLVANIA TAXPAYER DOLLARS. THIS ADVERTISEMENT IS FUNDED IN WHOLE BY THE GENERAL FUND." We will have to readvertise this for the November election. I would suggest there is no reason to spend that money again.

Third, Mr. Speaker, on page 3 of the resolution, it states that one of the intentions of the resolution is to move the question from the primary ballot to the general election ballot because we want more people to participate. We anticipate a higher voter turnout in the general election, and thus, more people could be

heard on this matter. Now, that may or may not be the question, that may or may not be true; I do not know. But one thing that we can certainly agree on is that this is not something that just fell out of the sky yesterday. Certainly we could have anticipated that participation would be higher in the general election in the fall, prior to going through all of the advertising, all of the ballot printing, and everything else.

Also, and I believe this is key, Mr. Speaker, there are two amendments on the spring ballot: one with regard to this judicial age issue and the second with regard to abolishing the Philadelphia Traffic Court. By saying that we are moving the one amendment on retiring age for judges from the spring to the fall because we want additional participation, are we somehow suggesting that the question on amending the Constitution with regard to the Philadelphia Traffic Court is not as important, or we do not care about that, or that it is sufficient to let one group of voters vote on one question and another group of voters on the other? I would think it would be certainly easier to justify if we were contemplating moving both of those amendments to the fall election instead of one in the spring and one in the fall.

Mr. Speaker, I have several other issues with this, but in the interest of time, I will leave my remarks at that, and I encourage a negative vote.

Thank you, Mr. Speaker.

The SPEAKER. Representative Mike Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the resolution. It is important to note that this ballot question was challenged in court because of the way it was drafted, and it is, in fact, confusing, and to use the word of the earlier speaker, the language is "clunky." It needed to be redrafted, and in fact, now with this resolution it will be redrafted.

In addition, Mr. Speaker, I think it is important for these types of questions to be on a general election ballot. In the general election all voters are invited to vote on these types of questions and all Pennsylvanians should have input on these types of questions. So this should have been on the general election ballot to start with, and that is why I support HR 783.

Thank you, Mr. Speaker.

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

Representative Metcalfe, on the resolution.

Mr. METCALFE. Mr. Speaker, what about – will we be able to amend this somehow tonight to change their age to 60 instead of 75 maybe? Maybe we could all agree on that.

Thank you, Mr. Speaker.

The SPEAKER. I presume that was an argument and not an inquiry.

Does anybody else wish to be recognized on HR 783?

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

The following roll call was recorded:

YEAS-110

| | | | |
|-------------|------------|---------|-------------|
| Acosta | Ellis | Killion | Roebuck |
| Artis | Evankovich | Kinsey | Ross |
| Barbin | Everett | Kotik | Rothman |
| Barrar | Fabrizio | Krueger | Rozzi |
| Benninghoff | Farina | Lewis | Sankey |
| Bizzarro | Ferry | Mahoney | Santarsiero |

| | | | |
|-------------|------------|-----------|------------|
| Bloom | Flynn | Major | Savage |
| Boyle | Frankel | Markosek | Saylor |
| Bradford | Freeman | Marsico | Schreiber |
| Briggs | Gabler | Matzie | Schweyer |
| Brown, V. | Galloway | McNeill | Simmons |
| Burns | Gergely | Metzgar | Sims |
| Caltagirone | Gillespie | Milne | Staats |
| Carroll | Gingrich | Murt | Stephens |
| Conklin | Godshall | Neilson | Tallman |
| Costa, D. | Goodman | Neuman | Taylor |
| Costa, P. | Grove | O'Brien | Thomas |
| Cox | Hanna | O'Neill | Toepel |
| Cruz | Harkins | Ortitay | Toohil |
| Cutler | Harper | Pashinski | Topper |
| Daley, M. | Harris, A. | Payne | Vereb |
| Davidson | Harris, J. | Petrarca | Vitali |
| Davis | Helm | Petri | Watson |
| Deasy | Hennessey | Quigley | White |
| DeLissio | Hill | Rader | Youngblood |
| Dermody | Kampf | Readshaw | |
| Diamond | Kavulich | Reed | |
| Donatucci | Keller, W. | Regan | Speaker |

NAYS–77

| | | | |
|------------|--------------|------------|-------------|
| Adolph | Gibbons | Longietti | Pickett |
| Baker | Gillen | Mackenzie | Rapp |
| Boback | Greiner | Maher | Reese |
| Brown, R. | Hahn | Maloney | Roae |
| Causer | Harhai | Marshall | Saccone |
| Christiana | Harhart | Masser | Sainato |
| Corbin | Heffley | McCarter | Samuelson |
| Culver | Hickernell | Mentzer | Santora |
| Day | Irvin | Metcalfe | Schemel |
| Dean | James | Miccarelli | Schlossberg |
| Delozier | Jozwiak | Millard | Sonney |
| DeLuca | Kaufer | Miller, B. | Sturla |
| Driscoll | Kauffman | Miller, D. | Tobash |
| Dunbar | Keller, F. | Mullery | Truitt |
| Dush | Keller, M.K. | Nelson | Ward |
| Emrick | Kirkland | Nesbit | Warner |
| English | Klunk | Oberlander | Wentling |
| Evans | Knowles | Parker, D. | Wheeland |
| Fee | Lawrence | Peifer | Zimmerman |

NOT VOTING–0**EXCUSED–16**

| | | | |
|-----------|------------|----------|------------|
| Bullock | DiGirolamo | McGinnis | Quinn |
| Cohen | Kim | Moul | Ravenstahl |
| Daley, P. | Kortz | Mustio | Snyder |
| Dawkins | McClinton | Pyle | Wheatley |

The majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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

SUPPLEMENTAL CALENDAR B**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 967, PN 3087**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for industrial hemp research; imposing powers and duties on the Department of Agriculture and the

Legislative Reference Bureau; imposing criminal and civil penalties; abrogating a regulation; and making a related repeal.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS–187

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

NAYS–0**NOT VOTING–0**

EXCUSED-16

| | | | |
|-----------|------------|----------|------------|
| Bullock | DiGirolamo | McGinnis | Quinn |
| Cohen | Kim | Moul | Ravenstahl |
| Daley, P. | Kortz | Mustio | Snyder |
| Dawkins | McClinton | Pyle | Wheatley |

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

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

* * *

The House proceeded to third consideration of **HB 1581, PN 3089**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, providing for the offense of strangulation.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Corbin, on the bill.

Mrs. CORBIN. Thank you, Mr. Speaker.

I rise today to ask my colleagues for your support for HB 1581, legislation that would give prosecutors a new tool to bring perpetrators of domestic violence to justice.

Thirty-five States have enacted the crime of felony strangulation, but not Pennsylvania. Why is this problematic, you may ask? Strangulation is a very common form of intimate-partner violence. An individual can be choked within an inch of her or his life – and in most cases it is her life – with very few, if any, visible markers. This lack of physical markers can mask the severity of an attack involving strangulation. When police or paramedics arrive on the scene and find a victim conscious and alert, it is sometimes assumed that the assault may not have been that serious. In reality, however, that individual may have been only seconds from death, nearly murdered.

As a former commissioner of Brandywine Regional Police in Chester County, I know how frustrating it can be for law enforcement officers and prosecutors to bring perpetrators of domestic violence to justice. Under the legislation I have introduced, strangulation would become a crime, reflecting the severity of this violent act.

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

Members, please, if you can take your conversations to the outer rooms, we would appreciate it. Would all members please take their seats.

Thank you. Go ahead, Representative Corbin. The floor is yours.

Mrs. CORBIN. Thank you, Mr. Speaker.

District attorneys around the State, as well as advocates for domestic violence victims, strongly endorse this bill, and I urge your support for HB 1581.

Thank you, Mr. Speaker. I appreciate your support.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS-184

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

NAYS-3

| | | |
|-----------|------------|--------|
| Brown, V. | Harris, J. | Thomas |
|-----------|------------|--------|

NOT VOTING-0

EXCUSED-16

| | | | |
|-----------|------------|----------|------------|
| Bullock | DiGirolamo | McGinnis | Quinn |
| Cohen | Kim | Moul | Ravenstahl |
| Daley, P. | Kortz | Mustio | Snyder |
| Dawkins | McClinton | Pyle | Wheatley |

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

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

* * *

The House proceeded to third consideration of **HB 1788**, PN 2734, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-187

| | | | |
|-------------|------------|------------|-------------|
| Acosta | Everett | Knowles | Reed |
| Adolph | Fabrizio | Kotik | Reese |
| Artis | Farina | Krueger | Regan |
| Baker | Farry | Lawrence | Roe |
| Barbin | Fee | Lewis | Roebuck |
| Barrar | Flynn | Longietti | Ross |
| Benninghoff | Frankel | Mackenzie | Rothman |
| Bizzarro | Freeman | Maher | Rozzi |
| Bloom | Gabler | Mahoney | Saccone |
| Boback | Gainey | Major | Sainato |
| Boyle | Galloway | Maloney | Samuelson |
| Bradford | Gergely | Markosek | Sankey |
| Briggs | Gibbons | Marshall | Santarsiero |
| Brown, R. | Gillen | Marsico | Santora |
| Brown, V. | Gillespie | Masser | Savage |
| Burns | Gingrich | Matzie | Saylor |
| Caltagirone | Godshall | McCarter | Schemel |
| Carroll | Goodman | McNeill | Schlossberg |
| Causer | Greiner | Mentzer | Schreiber |
| Christiana | Grove | Metcalfe | Schweyer |
| Conklin | Hahn | Metzgar | Simmons |
| Corbin | Hanna | Miccarelli | Sims |
| Costa, D. | Harhai | Millard | Sonney |
| Costa, P. | Harhart | Miller, B. | Staats |
| Cox | Harkins | Miller, D. | Stephens |
| Cruz | Harper | Milne | Sturla |
| Culver | Harris, A. | Mullery | Tallman |
| Cutler | Harris, J. | Murt | Taylor |
| Daley, M. | Heffley | Neilson | Thomas |

| | | | |
|------------|--------------|------------|------------|
| Davidson | Helm | Nelson | Tobash |
| Davis | Hennessey | Nesbit | Toepel |
| Day | Hickernell | Neuman | Toohil |
| Dean | Hill | O'Brien | Topper |
| Deasy | Irvin | O'Neill | Truitt |
| DeLissio | James | Oberlander | Vereb |
| Delozier | Jozwiak | Ortitay | Vitali |
| DeLuca | Kampf | Parker, D. | Ward |
| Dermody | Kaufer | Pashinski | Warner |
| Diamond | Kauffman | Payne | Watson |
| Donatucci | Kavulich | Peifer | Wentling |
| Driscoll | Keller, F. | Petrarca | Wheeland |
| Dunbar | Keller, M.K. | Petri | White |
| Dush | Keller, W. | Pickett | Youngblood |
| Ellis | Killion | Quigley | Zimmerman |
| Emrick | Kinsey | Rader | |
| English | Kirkland | Rapp | Turzai, |
| Evankovich | Klunk | Readshaw | Speaker |
| Evans | | | |

NAYS-0

NOT VOTING-0

EXCUSED-16

| | | | |
|-----------|------------|----------|------------|
| Bullock | DiGirolamo | McGinnis | Quinn |
| Cohen | Kim | Moul | Ravenstahl |
| Daley, P. | Kortz | Mustio | Snyder |
| Dawkins | McClinton | Pyle | Wheatley |

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

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. On unanimous consent, Representative Martina White is recognized.

Ms. WHITE. Mr. Speaker, I just wanted to say to the House members, thank you very much for your support of this bill, and I would like to submit my remarks for the record. Thank you.

The SPEAKER. Thank you very much, Representative. They will be accepted.

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

HB 1788 streamlines the administration process when a neighborhood improvement district occurs within the same boundaries of a tax increment financing district. Both of these districts are utilized in the city of Philadelphia to help stimulate investment in blighted areas to promote improvement or advancement. These investments assist with revitalization in areas of the city that may otherwise be a burden on taxpayers.

However, when a TIF occurs in the same zone as an NID, the city must create two different administrative bodies to operate the district. This causes administrative overlap and at times can make the administration of one or both districts ambiguous or conflict.

By streamlining the administration of the two districts, the two can work in conjunction and will help further stimulate investment in blighted areas and facilitate the investments that are already occurring.

I thank you for your support of HB 1788 to continue to stimulate investments in Philadelphia. Thank you.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1948, PN 3056**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in abortion, further providing for definitions and for medical consultation and judgment, repealing provisions related to spousal notice, further providing for the offense of abortion of unborn child of 24 or more weeks gestational age, providing for dismemberment abortion ban and further providing for reporting.

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

The SPEAKER. Representative Krueger-Braneky, for what purpose do you rise?

Ms. KRUEGER. Mr. Speaker, I would like permission to interrogate the maker of the bill.

The SPEAKER. There is no rule with respect to interrogation on second consideration. There is a precedent. Back in 2007 Representative Maher had inquired of then Speaker O'Brien whether on second interrogation could be done, and it was permitted. This is not standard practice with respect to action on second consideration.

Does the prime sponsor wish to stand for interrogation?

Representative Rapp has indicated she will stand for interrogation.

Representative—

Ms. RAPP. No, Mr. Speaker. Because the bill is on second, I will decline. I believe—

The SPEAKER. Representative Rapp is completely in the—No member needs to stand for interrogation. Representative Rapp has declined to stand for interrogation.

Ms. KRUEGER. Mr. Speaker?

The SPEAKER. For what does the member rise?

Ms. KRUEGER. May I interrogate the chairman of the Health Committee, please, on this bill?

The SPEAKER. Again, that is not standard practice and there is no precedent for interrogating. There is no precedent for interrogating anybody other than the prime sponsor on second consideration.

It is my understanding that the chairman of the Health Committee also has declined to stand for interrogation. In addition, there is no precedent for that.

Ms. KRUEGER. Okay.

The SPEAKER. Representative Dean, you are recognized for what point?

Representative Krueger-Braneky, state your point of order.

Ms. KRUEGER. Yes; I would like to speak on the bill.

The SPEAKER. There is precedent for speaking on the bill on second consideration, although it is not standard practice, but in 2007 Speaker O'Brien did permit a member to speak on second consideration.

You may proceed.

Ms. KRUEGER. Thank you, Mr. Speaker. I appreciate that.

Had I been able to ask my question today of the maker of the bill, I would have asked first whom the bill was shared with before it was made available to the members of this Assembly.

I started to receive e-mails from people who support the bill with the bill number named on Thursday afternoon, but I and my staff could not actually find the bill in the system until after 5 p.m. on Friday. I would like to understand how the bill was made available to special interest groups before the members of this General Assembly.

Mr. Speaker, I am new here. I know I was sworn in only 7 months ago, but I am perplexed by the speed by which this bill is moving through this chamber. The language was available at 5 p.m. on Friday. It was voted in the Health Committee less than 1 business day before we or the medical community or the public received the language of this bill.

In the Health Committee a motion was made to hold a public hearing on this bill so that patients and stakeholders, the medical community could weigh in. Unfortunately, that motion failed. I sat in the audience and I wondered why the committee was robbing the public and medical professionals on input on a bill that would be the most restrictive abortion ban in the country, worse than Texas, Mr. Speaker.

Yesterday I spoke with a high-risk OB/GYN (obstetrician/gynecologist) who lives in my district whose entire job is to support women who are carrying pregnancies that they want, and she started to share stories from her patients about the impact that this bill would have on their lives.

Mr. Speaker, I fear that this bill is dooming women to carry stillborn children, and I think that a bill this restrictive only deserves a public hearing.

Mr. Speaker, I hope that we will be able to create that opportunity before it is voted on final passage. I think we owe the people of Pennsylvania that right.

Thank you, Mr. Speaker.

The SPEAKER. For what purpose does Representative Dean rise?

Mrs. DEAN. I, too, would like to ask the gentlelady if she would stand for interrogation.

The SPEAKER. The gentlelady has already indicated that on second consideration she declines to stand for interrogation.

Mrs. DEAN. Thank you.

Then on the bill, Mr. Speaker.

The SPEAKER. As I said, there is not a rule that governs this but there is prior precedent. You may speak. It is not standard practice.

Mrs. DEAN. And really, my questions would have been directed toward process.

The first I learned of this legislation was last Friday when I got a call from my hospital president concerned about the bill, offered me the bill number. I, too, went on the system to try to find it; could not find it. By about 5 o'clock on Friday – and this would have been my series of questions, just the sunshining of this – by about 5 o'clock Friday I think I was able to access the language of this legislation.

I am puzzled by, and that is what I would have asked, the speed with which this is moving. Our House rules say that we should give – the committee chairs should give us at least, at a very minimum, 24 hours' notice of the date, time, and substance of the agenda. This was called from the floor on Monday, less than 24 business hours after it was finally loaded to the system. Advocates and others knew of the bill.

This bill, as we all know, if you have had a chance to read through it, is a very serious matter. It involves issues of constitutionality, of health care, of individual rights. It is a very

complex matter, a very serious matter that I know everybody in here takes very seriously.

So I would have asked, why are we moving with this speed? Why is it called from the floor? Why the limited sunshine?

I would have also asked what legal scholars and what medical experts were called upon to help draft this language. I want to know, were there peer-reviewed experts who were called in to make illegal, to make felonies, of medical procedures that right now are the state of medical practice?

So I am just puzzled, absolutely puzzled, by the speed with which this is moving, the failure of us to deliberate, and I think it is a mistake for us to work in this fashion on something so important to women across this Commonwealth.

MOTION TO POSTPONE

Mrs. DEAN. Mr. Speaker, I would like to make a motion.

The SPEAKER. Please state your motion.

Mrs. DEAN. Mr. Speaker, I move that we postpone the deliberation of this until the date certain, June 15, 2016.

The SPEAKER. The gentlelady has moved that the bill be postponed until June 15 of 2016?

Mrs. DEAN. Yes, sir.

On the question,

Will the House agree to the motion?

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

Representative Frankel, on the motion.

Representative Dean, you may proceed if you have more to state, but I am sorry, I just assumed you were done. You may proceed.

Mrs. DEAN. On the motion, thank you very much.

Again, I appreciate the gentlelady. I am sure she has worked very hard on this piece of legislation, but I think in fairness to all of us, for our effectiveness of deliberation, of understanding the impact, the legal and personal impact that this legislation would have on millions of Pennsylvanians, I think it is only fair that we have some 60 days. We have had no hearings. I do not believe it was referred to the subcommittee, any of the subcommittees. I think it is only fair that we pass this motion to postpone until June 15 so that we would have adequate time to have adequate hearings and fair deliberation, hear from experts and others on this.

Thank you, Mr. Speaker.

The SPEAKER. Representative Frankel, on the motion.

And I do apologize, but we only have the motion in front of us.

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise in support of this motion. The motion is entirely reasonable with respect to a piece of legislation that has such far-reaching implications for the women of the Commonwealth of Pennsylvania and their families.

It is only reasonable that we have a thorough deliberative process to look at something so complicated, so far reaching. It is part of our duty, our duty to deliberate, to do things carefully and transparently, and transparency is not part of this process. Nobody, nobody would believe that this is a transparent process when the bill's language is introduced on Friday afternoon and a

hearing off the floor is called Monday, less than 1 business day. That is not the way we should be doing business, that is not the way our constituents believe we should be doing business, and that is certainly not the way the women of Pennsylvania think we ought to be treating their reproductive rights.

The SPEAKER. Sir, please limit your comments to the motion. You are well beyond, well beyond.

Mr. FRANKEL. Thank you, Mr. Speaker.

I believe we ought to postpone and it makes enormous sense to me. We already have concerns of folks who want to weigh in, who want to have the ability to have input into this. We have heard from the Pennsylvania Medical Society, their opposition. We have opposition from the American College of Obstetricians and Gynecologists. We know that they have concerns and they ought to have the opportunity—

The SPEAKER. Representative Frankel, please suspend.

We are on the motion.

Mr. FRANKEL. This is the rationale for – that I am laying out for you to—

The SPEAKER. Sir, you are beyond—

Mr. FRANKEL. This is why we ought to postpone. People want to weigh in and stakeholders want to have a role. They want to be part of the process. They have been locked out, Mr. Speaker. Stakeholders—

The SPEAKER. You are beyond on the motion and you are ruled out of order. Other people want to speak on the motion.

Representative Santarsiero, you are called upon. Representative Santarsiero, you may proceed.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, as my colleague, the gentleman from Allegheny County was saying, there has been no opportunity for a deliberative discussion on this bill, and the reason why the gentlelady from Montgomery County rose to make this motion was to remedy that fact.

Now, I do not know why, Mr. Speaker, there would be any argument, any argument against the very simple motion and the very simple idea of postponing consideration of this bill. Mr. Speaker, with all due respect, the fact of the matter is that if we proceed on a bill that could very easily jeopardize the health and safety of women in this State and push them back into dark alleys that existed—

Mr. CUTLER. Mr. Speaker?

Mr. SANTARSIERO. Mr. Speaker, I will not be silenced.

POINT OF ORDER

Mr. CUTLER. Point of order.

The SPEAKER. Representative Cutler, please proceed.

Mr. SANTARSIERO. We deserve a deliberative discussion on this bill—

Mr. CUTLER. Point of order, Mr. Speaker.

Mr. SANTARSIERO. —and we are not having it.

The SPEAKER. Representative Cutler, please state your inquiry.

Mr. CUTLER. Mr. Speaker, I believe the gentleman has wandered a little bit afield of the actual motion. According to rule 55, subsection (8), or I am sorry, just subsequent to subsection (8), it says, "Debate on the motion to postpone shall be confined to the question of the postponement and shall not include discussion of the main question," which will be more

appropriate on final consideration on Monday, where I am sure we will have a very robust discussion about the merits and the concerns that the gentleman has.

The SPEAKER. As the good gentleman has stated, let me repeat rule 55, privileged motions include a motion to postpone: "Debate on the motion to postpone shall be confined to the question of the postponement and shall not include discussion of the main question."

Mr. Santarsiero, you may proceed.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, the issue of the motion is inexorably tied to the underlying issue insofar as the following: We cannot consider this bill without further deliberation, without further comment, and without further opportunity for both the members and the public to understand the legislation that is in front of us, precisely because of the nature of the legislation in front of us.

So to be able to talk about this bill, and frankly, within the confines of the rule that has been quoted, we do have not only the right but an obligation to talk about the potential consequences should this move forward without adequate opportunity for both the members and the public to be involved in this debate.

Mr. Speaker, as both a husband and a father of a daughter, I will not be silenced on this issue. This body and the people of this Commonwealth deserve more time and a more public debate before we consign women back to the back alleys and jeopardize their health.

Vote "yes" on the motion.

The SPEAKER. Representative Mary Jo Daley, on the motion.

Ms. DALEY. Thank you, Mr. Speaker.

I rise today in support of Representative Dean's motion to postpone, and I do that based on my experience with the process followed regarding the notifications and bill-related materials provided to the House Health Committee, of which I am a member, for the meeting on April 4.

On March 29 I received my first e-mail notification of a House Health Committee meeting scheduled for Monday, April 4, 2016. The meeting would be held in G-50 Irvis at the call of the Chair. The meeting notice provided listed HB 479 as the legislation that we would vote on. As usual, the notification stated that our agenda will consist of the following legislation, as well as any other business that may come before the committee.

On Thursday, March 31, 2016, we received, the House Health Committee members received a full agenda listing HB 479 as the only bill. The attachment included an agenda, a bill summary and the language for HB 479.

On Friday, April 1, April 1 at 2:15 p.m., I received an e-mail notification from Chairman Baker's staff that HB 1948-Rapp would be added. There was no updated agenda, bill summary, or bill language attached to the e-mail. I then had an exchange of e-mails with Chair Baker's staff between 2:15 and about 3:30 p.m. My inquiries were based on the fact that HB 1948 was treated differently than the other bill on the April 4 agenda. Neither an updated agenda, bill summary, nor language had been provided along with the revised meeting notification. In addition to the fact that no language was provided, the bill was not available on LDPC (Legislative Data Processing Center) until at least after 3:30 p.m. on a Friday afternoon. We were told in a committee meeting, in the House Health Committee meeting, that the language had been in the works for years, so

why not provide it to the minority members of the House Health Committee in time before the committee meeting? Democratic staff for the House Health Committee sent their analysis out at 8:14 p.m. on Friday, April 1.

I raise the issue about what my experience was as a minority member of the committee about this bill, because I think – well, not because I think, because this is why I support Representative Dean's motion. Why treat a bill that would amend the Criminal Code with penalties of up to 7 years in jail for doctors who are providing a medically proven procedure and the safest care for their patients?

The SPEAKER. Representative Daley, the rule specifically states – and everything else up to this point was completely appropriate with respect to the motion to postpone – but the rule specifically states, page 46, rule 55, "Debate on the motion to postpone shall be confined to the question of the postponement and shall not include discussion of the main question."

Should the bill come before us, obviously your perspectives on the bill would be completely appropriate, but for the motion to postpone, discussion of the main question is not permitted.

Everything you have talked about with respect to notice, hearing, information is appropriate with respect to the motion to postpone, certainly. With respect to discussion of the merits, or the lack thereof, on the underlying bill, that would be if the bill is in front of us. What is in front of us right now is just the motion to postpone. I would just like you to please keep that under advisement as you conclude your remarks on the motion to postpone.

Ms. DALEY. I will do that. Thank you, Mr. Speaker.

The SPEAKER. You may proceed.

Ms. DALEY. Thank you.

As we have been analyzing this legislation, we learned that similar legislation has been struck down in other States as unconstitutional, and my concern is that we are pushing this bill through the process so quickly without adequate analysis and feedback from the medical community on the implications of HB 1948 and their ability to provide evidence-based health care for their patients.

Please vote to support the motion to postpone.

Thank you, Mr. Speaker.

The SPEAKER. Representative Mike O'Brien, on the motion to postpone, and then followed by Representative Schlossberg.

Vanessa, I apologize. Actually, Representative Brown, then Representative Schlossberg.

Representative O'Brien, the floor is yours.

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

When I was a boy, my mother used to say to me, "Michael, do you ask me to buy a cat in the bag?" Well, what we got here is we are being asked to buy a cat in the bag. Let us think about it. We have a major piece of legislation here amending Title 18. It should have gone to Judiciary. It did not. It went to Health.

Here we have a major piece of legislation. Should have had a hearing; should have had the benefit of discourse; should have had medical professionals from each side of a very passionate issue giving testimony on their research. Being a Title 18 bill, there should have been lawyers and jurists from each side of the question giving their opinion of it.

But there was that cat in the bag. So we go to a hearing, and as my colleagues have said before me, not posted on LDPC before 5 o'clock on Friday, called from the floor, vote put up, and there we were. There was that cat in that bag again.

Now, here we are. We are on the floor. We are in this great temple of American secularism where we debate, where we talk, where we throw around ideas. Yet the maker of the bill declines to stand for interrogation. There is that cat in the bag again. The chairman of the Health Committee declines to stand for interrogation, and once again, the cat in the bag makes an appearance.

Mr. Speaker, I ended my comments in the Health Committee simply saying, "Shame, shame on us, that we would take a topic so volatile, so important, and simply run it through."

Mr. Speaker, to my poor deceased mother, "Mom, I am not buying this cat in the bag."

The SPEAKER. Representative Vanessa Brown, on the motion to postpone.

Ms. V. BROWN. Thank you, Mr. Speaker.

I will be very brief. I just want to bring to the attention of the floor that in committee there was a vote, this was brought up, whether or not to postpone the bill for a hearing, and when we had the vote – I just want to share with everyone – the vote came up a tie. So there was a pause in the committee as to whether or not we would postpone this vote, and it was a tie.

So I am asking all of you to please take into consideration that even within our committee we had questions about whether or not we needed to postpone this, because the conversation became very emotional instead of being very authoritative and scientific, where we needed experts to come in and really advise us because we are not doctors, we are not lawyers, and we really needed somebody to come in and give us more information about this issue before we went further for a vote.

So I am asking everyone on the motion to please, please postpone this. Thank you.

The SPEAKER. Representative Schlossberg, on the motion to postpone.

Mr. SCHLOSSBERG. Thank you, Mr. Speaker.

Like my colleagues, I rise in support of the Dean motion. And what has been kind of interesting about this process as it has evolved is the real disconnect between the way we are moving this piece of legislation forward versus the way that the House typically moves slowly and, appropriately, deliberatively.

Take, for example, the very controversial and emotionally charged issue that we dealt with a couple of weeks ago with medical marijuana. I am a member of the Health Committee. We held three joint hearings throughout the State in conjunction with the Judiciary Committee. After the Senate passed their legislation, an ad hoc committee was formed comprised of members of both parties, which for months did work and extensive study about this particular piece of legislation. Even noncontroversial, easy, no-brainer bills take weeks or months to vet. And contrast that process with the way we are flying forward on this particular piece of legislation, legislation which has the potential to impact thousands of women and substantially change the nature of the doctor-patient relationship in Pennsylvania.

I would also remind my colleagues that it is possible to be pro-life, to be in favor of this legislation, and still want more time to get it right, because having more time will give us the opportunity to speak with doctors, experts, and advocates on both sides of the aisle to make sure that this piece of legislation is legal, is safe, and is for the benefit of all the parties involved.

The way we are moving forward with this legislation is much, much quicker than the way we have moved forward with any other piece of legislation throughout this session, and for that reason I urge a "yes" vote on the Dean motion.

Thank you, Mr. Speaker.

The SPEAKER. Representative Curtis Thomas, on the motion to postpone.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, we represent 203 districts across the Commonwealth of Pennsylvania, and, Mr. Speaker, I heard earlier today that it was extremely important for at least 200,000 of our constituents to have representation in this august body, and I heard someone say that it might have cost over \$250,000 in one county to ensure, to ensure that constituents of Pennsylvania were represented.

And, Mr. Speaker, that swearing-in today was a beautiful, beautiful, beautiful exercise in welcoming three new members, a member from your side and two members from this side; two men and a woman. They did not receive anything on Friday. They did not receive anything on Saturday. They did not get anything on Sunday. They did not get anything on Monday. They are now being asked to put up a vote on a very difficult issue that is going to affect over 60,000 people in their respective districts, and we cannot postpone so that they can at least read it, read what we are asking them to vote on, not comprehend, but just read, so that if one of the 60,000 people that they now represent asks them about HB 1948, they should at least be able to share with them about the contents of this bill.

I have been to Warren County. I have a lot of respect for Representative Rapp, and I know that if she was just sworn in today, we would not ask her to put up a vote on something that she has not even had a chance to read.

Postpone, Mr. Speaker. Postpone. Postpone. Postpone. Give these new members and the rest of us a chance to at least digest the bill.

Thank you, Mr. Speaker.

The SPEAKER. Yes, sir.

Does anybody else wish to— Representative Dean, on the motion to postpone.

Mrs. DEAN. Thank you, Mr. Speaker.

I appreciate the debate that we were able to have on this motion, and I just urge all of my members, all of the members to please consider a "yes" vote on this motion so that we can deliberatively collect stakeholders' feedback and experts on this grave issue of women's health, constitutional law, and criminal law.

Thanks very much. I ask for a "yes" vote.

The SPEAKER. Representative Cutler, on the motion to postpone, followed by Representative Rapp.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, respectfully, while I worked with the gentlelady on many other issues – I know that those in the General Assembly are familiar with those – this, unfortunately, is an opportunity where I will have to oppose her on this particular motion.

Regarding the timeline that has been laid out, I believe that some very important facts have been left out and I think it is important that the members, as well as the public, are well aware of those.

While the bill was filed at approximately 2 o'clock, the Democratic staff of the Health Committee in fact had the bill delivered to them at 11:32 on the 31st. So they had time to discuss it and prepare their analysis prior to the meeting. When you look at the opposition letters that came out, Planned Parenthood, who is obviously opposing the bill, sent out their letter, complete with details contained in the bill, so they obviously had access to the information, as to the reasons as to why they opposed it, and that was sent out on April 1.

In regards to the underlying issue, obviously there were over 100 cosponsors when it was introduced. So there already has been a very vigorous and internal discussion regarding that.

And, Mr. Speaker, when you look at other bills that were referred on the same day, whether it was HB 1907, which had 15 amendments, or the statute of limitations bill, which I know that many of my colleagues have concerns over and wish to have that issue addressed, also had 13 amendments drafted, they were referred at approximately the same time and they are currently all going through the process as well.

Mr. Speaker, when you look at the gentlelady's motion, it is projected to move to June 15. We, obviously, came out of a long and protracted budget discussion, and I expect— While I certainly hope that this year's resolves much quicker and we can find agreement across the aisle on that underlying issue, I do not believe that June 15 is the appropriate time to bring this bill back up and, therefore, would urge a "no" vote. Thank you.

The SPEAKER. Representative Rapp and then Representative Frankel.

Ms. RAPP. Thank you, Mr. Speaker.

As a prime sponsor of the bill, I also request a "no" vote to postpone.

As many of you know, we have been looking at this legislation for over a year. We put out the cosponsorship back in November. There were many members on both sides of the aisle, over 100 cosponsors on this bill. There were members on the other side of the aisle who had draft pieces of the legislation.

Yes, the bill was introduced on Thursday and we have it before us today on second. The opposition to the bill had plenty of time to offer amendments. As the whip stated, there were other bills that were introduced at the same time in front of the members today for votes. They have included amendments in those bills. The opposition had plenty of time to come up with amendments, and certainly you will have plenty of time on Monday to debate the facts of the bill.

So again, as a sponsor of the bill, and as many other members have stated, yes, it does affect many lives, but the lives that it affects the most are the lives of the unborn children. So I ask for a "no" on postponement.

The SPEAKER. Representative, I do direct that all commentary should not be on the merits or lack thereof on the bill as made clear in rule 55.

Representative Dan Frankel, you are recognized on the motion to postpone.

Mr. FRANKEL. Mr. Speaker, I did not intend to speak again, but I need to at least correct some of these points.

In moving to postpone, the fact that a cosponsorship memo came out in November, but language was not on the floor or available to members until Thursday or Friday, I mean whatever – something so far reaching as this needs more than a few days of airing, particularly when you have 1 or 2 business days to deal with it. The fact that there was no hearing, no ability to talk

about this legislation with the stakeholders who want to weigh in and give their medical, professional advice, and we want to shut our ears to that. That is what the sponsors of this bill – they do not want to hear about the medical community. I mean, the chairman of the Health Committee talked about on medical marijuana that we are not doctors, we are not medical experts, we are not scientists. Well, that applies here as well. And at least we had the opportunity under medical marijuana to talk to those experts, and now we are being locked out, the experts are being locked out.

We need a hearing. This needs to be postponed today. Vote "yes" to postpone to do your duty as legislators for the families and women in the State of Pennsylvania. Thank you.

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

Representative Reed, on the motion to postpone.

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

Look, there are a lot of very difficult issues that we are confronted with as legislators. There are financial issues, there are budgetary issues, there are programmatic issues, there are issues of public policy that are difficult to discuss. Anytime we discuss issues of a social nature, they are not only factual with the discussion, but those discussions oftentimes become very emotional. We need to understand that, we need to recognize that, and we need to respect the fact that two different people can hold two very different opinions and still we can have a discussion on public policy and we can move forward with it.

We have had the opportunity through the amendment process. There were no amendments filed. So it is obvious that folks want to have a discussion on this bill as it was introduced, as it was presented to this General Assembly. We are having a full discussion on the merits of postponing that particular proposal today. We are going to have an even more full discussion on Monday when we have this discussion on third consideration. We are going through the constitutional process of considering legislation as laid out through the Constitution.

Now, Mr. Speaker, you can vote "yes," you can vote "no" on the particular proposal, but this public policy item, just like any other one that is important to individuals or collective groups of this General Assembly, deserves to have their day in court.

So I would ask that the members of this body vote "no" on postponing this legislation. We can come back on Monday and have a full and thorough debate. That can be Monday, that can be Tuesday, that can be Wednesday, as long as it takes, for each and every member of this body to be heard on their opinions on the facts and the merits of this legislation, but let us continue with that process and let us vote "no" on this motion to postpone.

Thank you, Mr. Speaker.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Patty Kim is back on the House floor and should be placed on the master roll.

MOTION TO POSTPONE CONTINUED

The SPEAKER. All those in favor of the motion to postpone will be voting "aye"; all those opposed to the motion to postpone – and it is to a date certain; it is to June 15, 2016 – will be voting "nay."

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

The following roll call was recorded:

YEAS—73

| | | | |
|-------------|------------|------------|-------------|
| Acosta | Dermody | Kim | Petri |
| Artis | Donatucci | Kinsey | Readshaw |
| Bizzarro | Driscoll | Kirkland | Roebuck |
| Boyle | English | Krueger | Ross |
| Bradford | Evans | Markosek | Rozzi |
| Briggs | Fabrizio | Matzie | Samuelson |
| Brown, V. | Farina | McCarter | Santarsiero |
| Caltagirone | Farry | McNeill | Santora |
| Carroll | Flynn | Miccarelli | Savage |
| Conklin | Frankel | Miller, D. | Schlossberg |
| Costa, D. | Freeman | Milne | Schreiber |
| Costa, P. | Gainey | Mullery | Schweyer |
| Cruz | Galloway | Murt | Sims |
| Daley, M. | Gergely | Neilson | Stephens |
| Davidson | Goodman | Neuman | Sturla |
| Davis | Harkins | O'Brien | Thomas |
| Dean | Harris, J. | O'Neill | Vitali |
| DeLissio | Keller, W. | Pashinski | Youngblood |

NAYS—114

| | | | |
|-------------|--------------|------------|-----------|
| Adolph | Gillespie | Lewis | Regan |
| Baker | Gingrich | Longietti | Roae |
| Barbin | Godshall | Mackenzie | Rothman |
| Barrar | Greiner | Maher | Saccone |
| Benninghoff | Grove | Mahoney | Sainato |
| Bloom | Hahn | Major | Sankey |
| Boback | Hanna | Maloney | Saylor |
| Brown, R. | Harhai | Marshall | Schemel |
| Burns | Harhart | Marsico | Simmons |
| Causer | Harper | Masser | Sonney |
| Christiana | Harris, A. | Mentzer | Staats |
| Corbin | Heffley | Metcalfe | Tallman |
| Cox | Helm | Metzgar | Taylor |
| Culver | Hennessey | Millard | Tobash |
| Cutler | Hickernell | Miller, B. | Toepel |
| Day | Hill | Nelson | Toohil |
| Deasy | Irvin | Nesbit | Topper |
| Delozier | James | Oberlander | Truitt |
| Diamond | Jozwiak | Ortitay | Vereb |
| Dunbar | Kampf | Parker, D. | Ward |
| Dush | Kaufer | Payne | Warner |
| Ellis | Kauffman | Peifer | Watson |
| Emrick | Kavulich | Petrarca | Wentling |
| Evankovich | Keller, F. | Pickett | Wheeland |
| Everett | Keller, M.K. | Quigley | White |
| Fee | Killion | Rader | Zimmerman |
| Gabler | Klunk | Rapp | |
| Gibbons | Knowles | Reed | |
| Gillen | Lawrence | Reese | |

NOT VOTING—1

Kotik

EXCUSED—15

| | | | |
|-----------|------------|--------|------------|
| Bullock | DiGirolamo | Moul | Ravenstahl |
| Cohen | Kortz | Mustio | Snyder |
| Daley, P. | McClinton | Pyle | Wheatley |
| Dawkins | McGinnis | Quinn | |

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?
Bill was agreed to.

The SPEAKER. We will now move to housekeeping, and there will be no further votes.

COMMITTEE APPOINTMENT

The SPEAKER. The minority leader has indicated that Representative Jaret Gibbons has been appointed the minority chairperson of the Tourism and Recreational Development Committee.

REMARKS SUBMITTED FOR THE RECORD

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

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

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring John Valentine Bilcik.

Whereas, John Valentine Bilcik earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. John is a member of Troop 29.

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

* * *

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

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Travis Alexander Green.

Whereas, Travis Alexander Green earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Travis is a member of Troop 19.

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

* * *

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

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Drew R. Luniewski.

Whereas, Drew R. Luniewski earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Drew is a member of Troop 29.

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

* * *

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

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Andrew William Reardon.

Whereas, Andrew William Reardon earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Andrew is a member of Troop 19.

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

* * *

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

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Luke William Tynan.

Whereas, Luke William Tynan earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Luke is a member of Troop 19.

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

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1907 and HB 1948 be recommitted to the Committee on Appropriations.

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 479;
HB 498;
HB 1739;
HB 1947; and
SB 290.

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

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 307, PN 1138**, entitled:

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

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 307 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 307 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 Dan Miller moves that the House be adjourned until Monday, April 11, 2016, at 1 p.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 5:42 p.m., e.d.t., the House adjourned.