

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, MAY 4, 2016

SESSION OF 2016

200TH OF THE GENERAL ASSEMBLY

No. 26

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER PRO TEMPORE (JOHN MAHER) PRESIDING

#### PRAYER

The SPEAKER pro tempore. The Chair will offer a brief prayer, and then we will proceed with reciting the Pledge of Allegiance.

O Heavenly Father, we are gathered to do important work for our communities, for our State, for our nation. Please help us to find a way to do this work that would make our mothers proud, and as we get to Mother's Day, please share Your goodness, shed Your light on all the mothers alive and who have gone on. So we pray. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Tuesday, May 3, 2016, will be postponed until printed.

#### COMMUNICATION FROM SPEAKER

##### SPEAKER PRO TEMPORE APPOINTED

The SPEAKER pro tempore. The Chair is in receipt of a communication from the Speaker of the House, which the clerk shall read.

The following communication was read:

House of Representatives  
Commonwealth of Pennsylvania  
Harrisburg

May 4, 2016

To: The Honorable House of Representatives

This is to advise you that pursuant to House Rule 1, I have appointed the Honorable John Maher to preside during the session of Wednesday, May 4th, 2016.

Sincerely,  
Mike Turzai  
The Speaker

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2028** By Representatives PICKETT, BAKER, D. COSTA, DeLUCA, EVERETT, MAJOR, MILNE, MURT, ROZZI, THOMAS, WATSON and YOUNGBLOOD

An Act providing for outpatient psychiatric oversight.

Referred to Committee on HEALTH, May 4, 2016.

**No. 2036** By Representatives JAMES, EVANKOVICH, REED, BOBACK, CAUSER, CORBIN, GROVE, A. HARRIS, PHILLIPS-HILL, KINSEY, KOTIK, MILLARD and SAYLOR

An Act amending the act of March 3, 1978 (P.L.6, No.3), known as the Steel Products Procurement Act, further providing for definitions.

Referred to Committee on STATE GOVERNMENT, May 4, 2016.

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

**HB 1290, PN 1721**

By Rep. GODSHALL

An Act amending Titles 53 (Municipalities Generally), 66 (Public Utilities) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in taxicabs and limousines in first class cities, further providing for definitions; in general provisions, further providing for definitions; in powers and duties, providing for financial responsibility of

transportation network companies; in contract carrier by motor vehicle and broker, further providing for declaration of policy and definitions; providing for transportation network service; and, in general provisions, further providing for definitions.

#### CONSUMER AFFAIRS.

**SB 984, PN 1753** (Amended) By Rep. GODSHALL

An Act amending Titles 53 (Municipalities Generally), 66 (Public Utilities) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in taxicabs and limousines in first class cities, further providing for definitions and for certificate of public convenience required; providing for transportation network companies; in general provisions, further providing for definitions; in powers and duties, providing for power of commission to confiscate, impound and sell vehicles; in contract carrier by motor vehicle and broker, further providing for declaration of policy and definitions; providing for motor carrier regulations and for transportation network service; and, in general provisions, further providing for definitions.

#### CONSUMER AFFAIRS.

### CONCURRENT REGULATORY REVIEW RESOLUTION NO. 1 REPORTED AS ORIGINATED IN ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE

The following resolution was read:

#### A CONCURRENT RESOLUTION

Disapproving the Environmental Protection Standards at Oil and Gas Well Sites Regulations submitted by the Environmental Quality Board.

WHEREAS, On February 3, 2016, the Environmental Quality Board approved "Environmental Protection Standards at Oil and Gas Well Sites" Regulations (DEP 7-484 and IRRC #3042), (Regulations); and

WHEREAS, On April 12, 2016, the Environmental Resources and Energy Committee of the House of Representatives, in accordance with section 5.1(j.2) of the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, voted to disapprove the Regulations; and

WHEREAS, On April 12, 2016, the Environmental Resources and Energy Committee of the Senate, in accordance with section 5.1 (j.2) of the Regulatory Review Act, voted to disapprove the Regulations; and

WHEREAS, On April 21, 2016, notwithstanding the disapprovals of the Senate and House of Representatives oversight committees, the Independent Regulatory Review Commission (IRRC) voted to approve the Regulations; and

WHEREAS, The Regulations violate section 1741.1-E of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, which requires regulations for conventional and unconventional wells under all State laws to be promulgated separately; and

WHEREAS, The Regulations disregard that the Pennsylvania Supreme Court enjoined 58 Pa.C.S. § 3215 (b) and (d) and enjoined 58 Pa.C.S. § 3215 (c) and (e) to the extent that they implement 58 Pa.C.S. § 3215 (b) and (d); and

WHEREAS, The Regulations have yet to comply with the Regulatory Review Act in several respects, including the sunshine requirements under section 5(a)(5) and the small business requirements under section 5(a)(10.1), (11), (12) and (12.1); and

WHEREAS, On April 22, 2016, the IRRC notified the Environmental Resources and Energy Committee of the House of Representatives that the IRRC had adopted an order, by a vote of three to two, approving the Regulations; therefore be it

RESOLVED (the Senate concurring), That the General Assembly disapprove the Regulations; and be it further

RESOLVED, That, in accordance with section 7(d) of the Regulatory Review Act, this resolution constitute a bar to promulgation of the Regulations.

### BILL SIGNED BY SPEAKER PRO TEMPORE

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

**SB 811, PN 870**

An Act providing for the capital budget for the fiscal year 2015-2016.

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

### BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 340 be removed from the tabled calendar and placed on the active calendar.

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

### BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 340 be removed from the active calendar and placed on the tabled calendar.

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

### CALENDAR

### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1339, PN 1821**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, providing for the offense of criminal surveillance.

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

### BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 1339 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 pro tempore. The Chair recognizes the majority leader, who moves that HB 1339 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.

**RESOLUTION**

Mr. REED called up **HR 502, PN 2208**, entitled:

A Resolution adopting a temporary rule of the House of Representatives relating solely to amendments to the General Appropriation Bill for the fiscal year 2015-2016, Senate Bill 1000 (2015).

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 502 be removed from the active calendar and placed on the tabled calendar.

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

**RESOLUTION REMOVED FROM TABLE**

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 502 be removed from the tabled calendar and placed on the active calendar.

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

**BILLS AND RESOLUTIONS PASSED OVER**

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

**ADJOURNMENT**

The SPEAKER pro tempore. The gentleman, Representative Mustio, of Allegheny County, moves that the House do now adjourn until Monday, May 16, 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 11:18 a.m., e.d.t., the House adjourned.