

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, APRIL 25, 2017

SESSION OF 2017

201ST OF THE GENERAL ASSEMBLY

No. 19

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

The SPEAKER. Our prayer today will be offered by Rev. Drew Stockstill of Christ Lutheran Church here in Harrisburg, Pennsylvania. He has been invited as a guest of Representative Patty Kim.

REV. DREW STOCKSTILL, Guest Chaplain of the House of Representatives, offered the following prayer:

I would like to thank Representative Patty Kim for the invitation to be here today with you. It is truly an honor. And thank you, Mr. Speaker, for your hospitality.

I bring you greetings from Christ Lutheran Church in the heart of Allison Hill, where we pray for you all every week and we hope you all feel it.

Will you pray with me:

Source of all life, redeemer and sustainer of all life, we are filled with gratitude that one as mighty as You is also full of mercy and abounding in steadfast love. We are filled with gratitude that we live out our lives before Your constant presence. We are filled with gratitude that You have seen fit to call even us into the awesome calling of leadership. We are filled with gratitude that the men and women You have lifted up in the Pennsylvania House, the aides and all of the staff who labor here, are each made in Your holy image and do not do the work of this place alone.

I pray You make wise the decisions of our leaders, that the laws they pass work only for the good of Your creation and all who fill it. You have said, O God, "How very good and pleasant it is when kindred live together in unity." May these gathered here feel Your presence which unites them together as leaders and binds them to the people You have called them to serve and to love. May they remember the suffering of those for whom they work, especially for children in struggling schools and hurting homes, for those who carry the weight of addiction, for those who are sick but have no place to turn, and in all of those faces, may they see You, O God.

As a people we are only as secure as our most vulnerable citizens, only as prosperous as our most despairing, only as powerful as the ones who have no voice and feel no hope, the ones whom Jesus called blessed. May it be so in all of our eyes.

May the representatives of Your people debate and vote with hearts filled with Your grace.

Gracious God, forgive us all of our sins, and help us to do the work laid out before us in response to Your grace. Strengthen these leaders to do what is hard when it is what is just, and what is compassionate, merciful, and pure, when it is what blesses and heals Your precious creations.

O God, You call us to be Your heart and Your hands for Your people. Bless and anoint the hearts and hands gathered here, for we are grateful for their calling and grateful that You never let them out of Your sight. Assure them that You know well that which they carry today – the silent longings of their hearts, You hear their prayers, You are with them in their suffering and in their joy. You love them. Transform us all by Your holy love into Your holy people that You have fashioned us to be.

It is in Your powerful name that we pray for this House of Representatives and for all the people of this Commonwealth. Amen and amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, April 24, 2017, will be postponed until printed.

COMMUNICATION FROM DEPARTMENT OF ENVIRONMENTAL PROTECTION

The SPEAKER. The Speaker acknowledges receipt of the Hazardous Sites Cleanup Fund Annual Report of August 2016 from the Pennsylvania Department of Environmental Protection.

(Copy of communication is on file with the Journal clerk.)

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 205, PN 1550 (Amended) By Rep. METCALFE

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, in preliminary provisions relating to retirement for school employees, further providing for definitions.

STATE GOVERNMENT.

HB 352, PN 364

By Rep. M. KELLER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, providing for ten year limitation, for mesne profits and for reimbursement and further providing for twenty-one year limitation.

URBAN AFFAIRS.

HB 454, PN 1549 (Amended)

By Rep. MUSTIO

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for definitions; and providing for pharmacy technician and pharmacy technician trainee registration, qualifications and supervision.

PROFESSIONAL LICENSURE.

HB 653, PN 692

By Rep. M. KELLER

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in real property, providing for real estate foreclosure of vacant and abandoned property and for sheriff's commission and credit or attorney fees.

URBAN AFFAIRS.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 284 By Representatives MOUL, KEEFER, SANKEY and GROVE

A Resolution urging the Congress of the United States to repeal the Environmental Protection Agency's MS4 program.

Referred to Committee on STATE GOVERNMENT, April 25, 2017.

No. 287 By Representatives BERNSTINE, METCALFE, SACCONI, BAKER, SOLOMON, BIZZARRO, DIGIROLAMO, RYAN, READSHAW, NELSON, KAUFFMAN, MILLARD, TOEPEL, V. BROWN, WARD, SAYLOR and GROVE

A Resolution condemning the Syrian government's chemical weapons attack on Khan Sheikhoun, Syria, and President Bashar al-Assad for Syria's ongoing and historical use of chemical weapons against the Syrian people; and urging the Congress of the United States to consider and approve an authorization for the use of military force to allow for additional military action in Syria for the purpose of deterring further use of chemical weapons in Syria and the world.

Referred to Committee on STATE GOVERNMENT, April 25, 2017.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1281 By Representatives M. QUINN, DUNBAR, MILLARD, BARBIN and SAYLOR

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in Pennsylvania Gaming Control Board, further

providing for slot machine license fee; in table games, further providing for award of certificate and for table game authorization fee; and, in miscellaneous provisions, further providing for appropriations and for repayments to State Gaming Fund.

Referred to Committee on GAMING OVERSIGHT, April 25, 2017.

No. 1282 By Representatives M. QUINN, DUNBAR and MILLARD

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in Pennsylvania Gaming Control Board, providing for auction of slot machine license; and, in licensees, further providing for Category 2 slot machine license and for number of slot machine licenses.

Referred to Committee on GAMING OVERSIGHT, April 25, 2017.

No. 1283 By Representatives SNYDER, DEAN, STURLA, NEUMAN, MILNE and PASHINSKI

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in unconventional gas well fee, further providing for definitions.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 25, 2017.

No. 1284 By Representatives PEIFER, PICKETT, DRISCOLL, DUNBAR, M. K. KELLER, OBERLANDER, DAVIS, O'NEILL, BAKER, GROVE, KAUFFMAN, R. BROWN, CAUSER, MILLARD, BLOOM, SANKEY, B. MILLER, PASHINSKI, HELM, D. COSTA, ZIMMERMAN, KEEFER and GILLEN

An Act providing for the Pennsylvania Business Permitting Portal within the Department of Community and Economic Development; and establishing the Pennsylvania Business Permitting Portal Advisory Board.

Referred to Committee on COMMERCE, April 25, 2017.

No. 1287 By Representative SCHLEGEL CULVER

An Act authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to the Warrior Run-Fort Freeland Heritage Society certain lands situate in Delaware Township, Northumberland County.

Referred to Committee on STATE GOVERNMENT, April 25, 2017.

SENATE BILL FOR CONCURRENCE

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

SB 260, PN 240

Referred to Committee on JUDICIARY, April 25, 2017.

LEAVES OF ABSENCE

The SPEAKER. The majority whip requests leaves of absence for Justin SIMMONS of Lehigh County for the day, Will TALLMAN of Adams County for the day, Kathy WATSON of Bucks County for the day, and Tim HENNESSEY of Chester County for the day. Without objection, those requests will be granted.

The minority whip requests leaves of absence for the following: Flo FABRIZIO of Erie County for the day, Dan McNEILL of Lehigh County for the day, Christopher RABB of Philadelphia County for the day, Paul COSTA of Allegheny County for the day, and Steve SAMUELSON of Northampton County for the day. Without objection, those will be granted.

MASTER ROLL CALL

The SPEAKER. We will proceed to vote on the master roll. Members, please proceed to vote.

The following roll call was recorded:

PRESENT—190

Baker	Ellis	Knowles	Quinn, M.
Barbin	Emrick	Kortz	Rader
Barrar	English	Krueger	Rapp
Benninghoff	Evankovich	Kulik	Ravenstahl
Bernstine	Evans	Lawrence	Readshaw
Bizzarro	Everett	Lewis	Reed
Bloom	Farry	Longietti	Reese
Boback	Fee	Mackenzie	Roae
Boyle	Fitzgerald	Madden	Roe
Bradford	Flynn	Maher	Roebuck
Briggs	Frankel	Maloney	Rothman
Brown, R.	Freeman	Markosek	Rozzi
Brown, V.	Fritz	Marshall	Ryan
Bullock	Gabler	Marsico	Saccone
Burns	Gainey	Masser	Sainato
Caltagirone	Galloway	Matzie	Sankey
Carroll	Gergely	McCarter	Santora
Causar	Gillen	McClinton	Saylor
Cephas	Gillespie	McGinnis	Schemel
Charlton	Godshall	Mehaffie	Schlossberg
Comitta	Goodman	Mentzer	Schweyer
Conklin	Greiner	Metcalfe	Sims
Cook	Grove	Metzgar	Snyder
Corbin	Haggerty	Miccarelli	Solomon
Corr	Hahn	Millard	Sonney
Costa, D.	Hanna	Miller, B.	Staats
Cox	Harkins	Miller, D.	Stephens
Cruz	Harper	Milne	Sturla
Culver	Harris, A.	Moul	Thomas
Cutler	Harris, J.	Mullery	Tobash
Daley	Heffley	Murt	Toepel
Davidson	Helm	Mustio	Toohil
Davis	Hickernell	Neilson	Topper
Dawkins	Hill	Nelson	Vazquez
Day	Irvin	Nesbit	Vitali
Dean	Jozwiak	Neuman	Walsh
Deasy	Kampf	O'Brien	Ward
DeLissio	Kaufner	O'Neill	Warner
Delozier	Kauffman	Oberlander	Warren
DeLuca	Kavulich	Ortitay	Wentling
Dermody	Keefer	Pashinski	Wheatley
Diamond	Keller, F.	Peifer	Wheeland
DiGirolo	Keller, M.K.	Petrarca	White
Donatucci	Keller, W.	Petri	Youngblood
Dowling	Kim	Pickett	Zimmerman

Driscoll	Kinsey	Pyle	
Dunbar	Kirkland	Quigley	Turzai,
Dush	Klunk	Quinn, C.	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—13

Christiana	James	Rabb	Tallman
Costa, P.	Mako	Samuelson	Taylor
Fabrizio	McNeill	Simmons	Watson
Hennessey			

LEAVES ADDED—6

Costa, P.	Gergely	Readshaw	Turzai
Dean	Mehaffie		

LEAVES CANCELED—5

Costa, P.	Samuelson	Tallman	Turzai
Mehaffie			

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

**BILLS REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED****HB 411, PN 1014**

By Rep. PETRI

An Act amending the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, further providing for definitions, for rules for licensing and operation and for penalty.

GAMING OVERSIGHT.**HB 491, PN 1566**

By Rep. PETRI

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in table games, further providing for local share assessment; and, in revenues, further providing for establishment of State Gaming Fund and net slot machine revenue distribution.

GAMING OVERSIGHT.**HB 519, PN 1552 (Amended)**

By Rep. PETRI

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, providing for sports wagering and for powers and duties of the Pennsylvania Gaming Control Board; imposing penalties; and providing for sports wagering tax and local fee assessment.

GAMING OVERSIGHT.**HB 782, PN 1553 (Amended)**

By Rep. PETRI

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in general provisions relating to gaming, further providing for definitions; and, in licensees, further providing for Category 3 slot machine license and providing for nongaming service providers.

GAMING OVERSIGHT.

HB 864, PN 970

By Rep. PETRI

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 legislative intent and for definitions; in games of chance, providing for airport 50/50 drawing; and, in enforcement, further providing for enforcement.

GAMING OVERSIGHT.

HB 865, PN 971

By Rep. PETRI

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, providing for fantasy contests.

GAMING OVERSIGHT.

The SPEAKER. We are going to hold off on the uncontested calendar for now.

HUMAN SERVICES COMMITTEE MEETING

The SPEAKER. Representative Gene DiGirolamo is recognized on unanimous consent.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Would I be in order at this time to make a committee announcement, a voting announcement for tomorrow morning?

The SPEAKER. Yes, you may, sir, please.

Mr. DiGIROLAMO. I would like to announce for the House Human Services Committee, we have a hearing scheduled tomorrow morning at 9:15 in G-50 Irvis Office Building. I would like to call that we are going to have a voting meeting at 9 o'clock before the hearing. We will be voting HB 1248. We have one bill, HB 1248, and that is the Human Services Committee tomorrow morning at 9 o'clock.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Chairman DiGirolamo. Thank you, sir.

There will be a Human Services Committee meeting tomorrow morning at 9 o'clock in room G-50, Irvis Office Building.

GUESTS INTRODUCED

The SPEAKER. Members, please take your seats. We are going to introduce a number of our guests here today.

Located to the left of the rostrum, we welcome Devon Keller and Nathan Abrisch. Please stand. They are shadowing Representative Kate Klunk today. Great to have you, young men. Thank you very much for being with us.

We have some guests here of the Montgomery County delegation. They are guests of Representatives Toepel, Harper, Mary Jo Daley, Representative Dean, and Representative DeLissio. I am going to announce these guests, if you will please stand. They attend Montgomery County Community College. They are shadowing these legislators for the day. We have Brianna Shields, Marlene Cooper, Savannah Lambert, Aviele Watts, Laura Warren, Kapriva Powell-Stewart, and Chardanay White. Thank you so much, young ladies, for being with us. It is great to have you here.

In the rear of the House, Representative Dave Maloney has some guests with us. They are students from Daniel Boone High School in Berks County who are attending American Cancer Society Day at the Capitol. As I say your name, please stand: Brett Berger, Isabella Pizzo, Quincey Johnston, and David Ahakinian. Thank you so much for being with us today.

Representative Jeff Pyle has guests in the rear of the House. Please stand as I say your name: Mary Jo Southworth and her daughter-in-law, Andrea Southworth, from Ford City. Welcome. Thanks so much for being with us today. Great to have you.

Representative Adam Ravenstahl has guests. They are in the rear of the House. Please stand as I announce your names: Brigitte Jackson; her son, Ian; and Andrea Zonneveld. If you could please stand. Great. Thank you so much for being with us today. Thank you.

In the well of the House, here are our guest pages. As guests of Representative Parke Wentling, we have Joseph Pflieger and Evan Cianci. Please stand. Thank you, young men.

A guest of Representative Delozier, Tulio Huggins. Tulio, thanks for being with us.

Representative Ryan brings us Stephen Wargo. Stephen, great to have you here.

Representative Zimmerman has a guest page, Natalie Eberly. Natalie. Her mom, Priscilla, is in the rear of the House. Mom, if you want to stand, please. Great. Thank you for being with us.

And Representative David Millard has a guest page, Taylor Kilmer. Taylor, thanks for being with us today.

You have got an exciting day ahead of you here. We have a lot on the agenda.

CUMBERLAND VALLEY HIGH SCHOOL BOYS WATER POLO TEAM PRESENTED

The SPEAKER. Now we are going to bring up Representative Greg Rothman, Representative Dawn Keefer, and Representative Steve Bloom. They are invited to the rostrum for the purpose of presenting a championship citation. I think this might be another team that beat one of my teams – oh my – but we are glad to have them here.

So Representative Greg Rothman is going to lead us off, I believe.

Members, if you will please take your seats. If you will please take your seats.

As with any of our champions, this is a special opportunity, and it is for us as well.

All members, please take your seats. If we could close the doors of the House temporarily.

Representative Rothman, the floor is yours.

Staff members, if you could, if you have to have a conversation, we would ask that you please take it off the House floor. We realize that work has to get done, but we would ask that you do it off the House floor.

Representative Rothman, please proceed.

Mr. ROTHMAN. Thank you, Mr. Speaker.

I am joined today by two of my colleagues, Representative Bloom and Representative Keefer. The three of us have the honor to represent Cumberland Valley High School and stand today to recognize an exceptional and remarkable group of men from Cumberland Valley High School.

This is the Cumberland Valley High School Water Polo Team and the current Pennsylvania State champion, which has back-to-back State championships, the Cumberland Valley Eagles.

The team beat Wilson High School by a score of 13 to 4 in the semifinals to make it to the championship game. Once in the championship, the team beat North Penn High School by a score of 12 to 5, which capped off a perfect season of 31 wins and 0 losses.

Coach Corey Pelow was voted the State "Coach of the Year." Crawford Smith was voted the Pennsylvania "Player of the Year" by the Coaches' Association.

And, Mr. Speaker, if I could take a moment to point out that Crawford Smith, later in June, this summer, will become a Midshipman and attend the U.S. Naval Academy. Crawford Smith. Having spent a little bit of time there, I told him, "You do realize you're not going to college if you're going to the Naval Academy."

Smith and one of his cocaptains, Kaelin Wolf, were voted as first-team All-State players, along with their teammates Isaac Cantrell and Jacob Deckman. And Jake Deckman will be going to Penn State University, where he will be swimming. The other team captain, Tyler Francis, was honored by being selected as a second-team All-State player, Pierce Sweeny was selected as a third-team All-State player, and Jack Dengler received an All-State honorable mention. This is truly an exceptional group of athletes.

Mr. Speaker, these young student athletes made their families proud, their school proud, and our community proud.

I ask my colleagues to join me in congratulating Coach Pelow and the Cumberland Valley High School Water Polo Team on their fantastic perfect season.

The SPEAKER. Representative Keefer? Representative Bloom?

The rest of the team is back in the left-hand corner. Please stand.

Outstanding season, 32 and 0. Thanks for joining us here today, and congratulations.

Please open the doors of the House. The team is headed off to the Senate.

CONNOR DOYLE PRESENTED

The SPEAKER. Representative Perry Warren is invited to the rostrum to present a citation to a champion.

Representative Warren is joined by Representative Galloway, and, sir, the floor is yours.

Members, I would ask you to please take your seats. Members, please take your seats. This champion came here from Bucks County today to see us, and I know his parents are here as well. Please take your seats.

We are going to wait until the water polo champions exit – I think they are going over to the Senate – before we start.

I would ask the Sergeants at Arms to temporarily close the doors. Members, please take your seats. All members, please take your seats.

Representative Warren, the floor is yours, sir.

Mr. WARREN. Thank you, Mr. Speaker.

I rise today, along with Representative Galloway, to honor Connor Doyle. Connor is a Lower Makefield Township resident and a senior at Pennsbury High School.

On March 17, at the PIAA Swimming Championships at Bucknell University, Connor won the Class AAA boys 200-yard individual medley at a time of 1:50.83. A day later Connor capped his brilliant high school career by finishing third in the 100-yard breaststroke.

Connor is not just a great champion but a great friend, and family friend, as well. He and my daughter, Rebecca, have competed on a club swim team together for 5 years, and in fact, Connor registered to vote in my living room.

Connor has been a top-notch swimmer for many years. He most recently finished fourth in the 200 individual medley at the Winter Junior Nationals in Columbus, Ohio, and he placed in the top 10 in the 400 IM, the 200 breast, and the 200 backstroke. He was invited to train at the Olympic Training Camp in Colorado Springs in 2015.

And not only does Connor succeed in the pool but in the classroom as well. He is an honor roll student and a member of the National Honor Society, the Spanish National Honor Society, and he has been named a USA Swimming Scholastic All-American in each of his four high school years. He will continue his swimming and his academic career at Virginia Tech University in the fall, where he plans to major in biochemistry.

My wife, Liz, and I spent many hours poolside with the Doyles. In fact, Liz is here in the chamber with the Doyles this afternoon, and I know that Connor would not have gotten to this point in his life without the love and support and the many early morning and late-night hours of his family. And it is my pleasure to welcome Connor's parents, Gregg and Nicole Doyle, and his aunt, Angela Rehak, to our chamber today.

Colleagues, please join me in congratulating your 2017 200 individual medley swimming champion, State champion, Connor Doyle, and his family on his entire outstanding high school swimming career. Thank you.

The SPEAKER. Connor, outstanding, and we wish you the best at Virginia Tech.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Will Tallman is on the House floor. Everybody wave. I saw him waving there, that is why. He should be placed back on the master roll.

MINERSVILLE AREA HIGH SCHOOL GIRLS BASKETBALL TEAM PRESENTED

The SPEAKER. Representative Neal Goodman is invited to the rostrum. We have a championship team for him to present a citation to.

Representative Goodman.

Members, please take your seats. Members, please take your seats. These young ladies have traveled from Schuylkill County. Representative Goodman, the floor is yours, sir.

Mr. GOODMAN. Thank you, Mr. Speaker.

Thank you for the opportunity to recognize the Minersville High School Girls Basketball Team, this year's PIAA State Class AA Girls Basketball Champions. Through hard work and dedication, the Battlin' Miners defeated Bishop McCort High School with a score of 63 to 49 to cap off an undefeated season of 31 wins and capture Minersville's first State girls basketball title. The journey to the State title really began 3 years ago.

Anyone who follows the game of basketball could tell that this team was developing into something special, and by the beginning of the 2016-17 season, they were ranked number one in the State.

Anyone who knows the type of pressure that comes from being the team to beat, the Minersville ladies kept their composure, and with the help of their coaches and six senior players, they turned in a season that can only be described as magical.

Minersville Area is a small school, oftentimes graduating less than 100 students, and if some of these girls look familiar to you, it is because some of them were here last year as the 2016 State champions in softball.

The Battlin' Miners know how to win State titles: This is the school's 11th State championship, which includes nine softball titles and one baseball title. They are the pride of Minersville and all of Schuylkill County.

I want to congratulate head coach Jared Homa and assistant coaches David Homa, Caitlin Murphy, John Drasdis, Shana Yourey, and Megan Melenchick for guiding this remarkable group of student athletes.

I also want to recognize the six seniors – Abby Schoffstall, Sarah Nawrocki, Emily Mealy, Adrienne Kroznuskie, Maura Bentz, and Kristen Lowe – who ended their careers by being part of a team that compiled a 111-and-6 record over 4 years.

Please join me in welcoming the Minersville Area 2016-17 State PIAA Class AA undefeated State champions. Thank you, Mr. Speaker.

The SPEAKER. That is 31 and 0 – not one loss. Congratulations, ladies.

I am remiss. The other teammates, where are you? Stand up, please, on the Minersville team. It is great to have you here. Well, I should have had you stand up. My fault. We are very, very honored to have you here.

MAXINE MALVAR PRESENTED

The SPEAKER. Representative Sainato of Lawrence County, Representative Wentling – covers four counties – Representative Bernstine, all the counties near the Ohio border. So they have some guests here that I am sure have traveled quite some distance. If they could come up to do the presentation, that would be great – Representative Sainato, Representative Wentling, Representative Bernstine. I think Representative Sainato is going to lead us off.

Members, please take your seats. Staff members, if there are any conversations, I would just appreciate if you could take it off the House floor.

Representative Sainato, the floor is yours, sir.

Mr. SAINATO. Thank you, Mr. Speaker.

It is a true honor to be here, and I have to say this: This is the third time since 2009 that Lawrence County has had the Pennsylvania Distinguished Young Woman, and that is, actually, I think very unprecedented to have three within 8 years, and each one of the young ladies that has come has truly represented Pennsylvania at the national level.

And I would like to commend, first, Rosanne Palladino, who coordinates the program in Lawrence County, who keeps giving us the quality of student that represents the State.

And today we have Maxine Malvar, a true talent, a young lady who started performing when I think she was about 7 or 8, and I remember her—

The SPEAKER. Representative Sainato, if you will just suspend for a second.

Mr. SAINATO. Sure.

The SPEAKER. Members, please take your seats.

This young lady has traveled well over 4 hours to be with us today, well over 4 hours, and if we could just give her a few moments, because it is exciting what she has accomplished.

If everybody would please take their seats.

Representative Sainato, I apologize.

Mr. SAINATO. Thank you, Mr. Speaker.

As I was saying, Maxine has done so much in our community with the New Castle Playhouse Mini Stars, and she has done so much with the Kennedy School, and when you look, you will see she will be representing us, the State of Pennsylvania, at the nationals. So we are very proud of her.

I join my colleagues, Parke Wentling and Aaron Bernstine; we all share parts of Lawrence County. Maxine will be representing us as well as each and every one of you when she goes on to represent the State of Pennsylvania. So I would just like to say that we are very proud of her. We are very proud of the program in Lawrence County. We are very proud of each and every one of the young ladies who participated, and I am very happy to be able to participate.

I am going to call on my colleague, Parke Wentling, now to say a few words, and then we will be presenting the citation.

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

Mr. WENTLING. Mr. Speaker and members of the House, today Representatives Sainato, Bernstine, and I are more than happy to recognize a very talented woman from Lawrence County. Miss Maxine Malvar, who is from New Wilmington, which is in the 17th District, was named as the 2017 Pennsylvania Distinguished Young Woman. Her road to the title was undoubtedly challenging, yet she persevered, mesmerized the judges, and earned the right to be called our State's Distinguished Young Woman.

Though Maxine accomplished her goals by winning the competition, she has set more lofty goals and plans to go to college and become an attorney. In a room where a number of State Representatives are members of the bar, I think it is safe to say you have made a very smart career choice, Maxine.

I also think it is safe to say that we wish you nothing but the best as you embark on your next step in life, and know that we are already proud of your accomplishments.

So thank you very much, Mr. Speaker, and congratulations.

The SPEAKER. Thank you.

Congratulations, Maxine. Outstanding.

We are going to turn to the regular House calendar first for resolutions because we have some special guests.

Representative Kinsey, we are going to do that resolution right now.

STATEMENT BY MR. KINSEY

The SPEAKER. Representative Kinsey is first recognized on unanimous consent.

Mr. KINSEY. Thank you, Mr. Speaker.

Healthy change: it is the simple idea behind a nonprofit organization that has been a Philadelphia staple for 25 years. The Food Trust helps provide affordable, nutritious food to everyone no matter where they live. Over the years the people behind this generous organization have brought supermarkets to neighborhoods where one has never existed before. They have helped corner store owners introduce fresh produce, low-fat dairy, and whole grains to their customers, and taught young and old people to better appreciate healthy foods. These acts are what earned the Food Trust national recognition.

The Food Trust was ranked number two in a list of the top nonprofits in America working in the field of child nutrition and health. In fact, former First Lady Michelle Obama gave the Food Trust a shout-out during remarks on healthier initiatives for our children across the United States.

Most recently, Get HYPE Philly!, a pack of 10 organizations in Philadelphia and led by the Food Trust, received the inaugural "Health Means Business Healthy10" award from the United States Chamber of Commerce Foundation. Because of these accolades, Mr. Speaker, it is my honor and privilege to recognize the Food Trust to commemorate its 25th anniversary.

Mr. Speaker, I would like for the members of the chamber to help me in welcoming Yael Lehmann, the executive director of the Philadelphia Food Trust; John Weidman, the deputy executive director; Dwayne Wharton, director of external affairs; Kamaryn Norris, coordinator; Jordan Muse, associate; and Eugénie Elie, a Get HYPE Philly! fellow. Mr. Speaker, they are in the back, and if you could just stand and be recognized on the floor of the House. I want to thank them for being here with us this morning, Mr. Speaker.

The SPEAKER. Thank you, Representative Kinsey.

At this time we are going to be doing two resolutions back to back dealing with some distinguished guests.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. KINSEY called up **HR 279, PN 1523**, entitled:

A Resolution remembering the distinguished military service and widely respected citizenship of retired Air Force Major John L. Harrison, Jr., a decorated Tuskegee Airman and longtime resident of the City of Philadelphia's Society Hill neighborhood who died on March 22, 2017, at 96 years of age.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

Baker	Emrick	Kortz	Rader
Barbin	English	Krueger	Rapp
Barrar	Evankovich	Kulik	Ravenstahl
Benninghoff	Evans	Lawrence	Readshaw
Bernstine	Everett	Lewis	Reed
Bizzarro	Farry	Longietti	Reese
Bloom	Fee	Mackenzie	Roae
Boback	Fitzgerald	Madden	Roe
Boyle	Flynn	Maher	Roebuck
Bradford	Frankel	Maloney	Rothman
Briggs	Freeman	Markosek	Rozzi

Brown, R.	Fritz	Marshall	Ryan
Brown, V.	Gabler	Marsico	Saccone
Bullock	Gainey	Masser	Sainato
Burns	Galloway	Matzie	Sankey
Caltagirone	Gergely	McCarter	Santora
Carroll	Gillen	McClinton	Saylor
Causer	Gillespie	McGinnis	Schemel
Cephas	Godshall	Mehaffie	Schlossberg
Charlton	Goodman	Mentzer	Schweyer
Comitta	Greiner	Metcalfe	Sims
Conklin	Grove	Metzgar	Snyder
Cook	Haggerty	Miccarelli	Solomon
Corbin	Hahn	Millard	Sonney
Corr	Hanna	Miller, B.	Staats
Costa, D.	Harkins	Miller, D.	Stephens
Cox	Harper	Milne	Sturla
Cruz	Harris, A.	Moul	Tallman
Culver	Harris, J.	Mullery	Thomas
Cutler	Heffley	Murt	Tobash
Daley	Helm	Mustio	Toepel
Davidson	Hickernell	Neilson	Toohil
Davis	Hill	Nelson	Topper
Dawkins	Irvin	Nesbit	Vazquez
Day	Jozwiak	Neuman	Vitali
Dean	Kampf	O'Brien	Walsh
Deasy	Kaufer	O'Neill	Ward
DeLissio	Kauffman	Oberlander	Warner
Delozier	Kavulich	Ortitay	Warren
DeLuca	Keefer	Pashinski	Wentling
Dermody	Keller, F.	Peifer	Wheatley
Diamond	Keller, M.K.	Petrarca	Wheeland
DiGirolamo	Keller, W.	Petri	White
Donatucci	Kim	Pickett	Youngblood
Dowling	Kinsey	Pyle	Zimmerman
Driscoll	Kirkland	Quigley	
Dunbar	Klunk	Quinn, C.	Turzai,
Dush	Knowles	Quinn, M.	Speaker
Ellis			

NAYS—0

NOT VOTING—0

EXCUSED—12

Christiana	Hennessey	McNeill	Simmons
Costa, P.	James	Rabb	Taylor
Fabrizio	Mako	Samuelson	Watson

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

* * *

Mr. KINSEY called up **HR 280, PN 1524**, entitled:

A Resolution designating April 3, 2017, as "Tuskegee Airmen Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

Baker	Emrick	Kortz	Rader
Barbin	English	Krueger	Rapp
Barrar	Evankovich	Kulik	Ravenstahl
Benninghoff	Evans	Lawrence	Readshaw

Bernstine	Everett	Lewis	Reed
Bizzarro	Farry	Longiotti	Reese
Bloom	Fee	Mackenzie	Roae
Boback	Fitzgerald	Madden	Roe
Boyle	Flynn	Maher	Roebuck
Bradford	Frankel	Maloney	Rothman
Briggs	Freeman	Markosek	Rozzi
Brown, R.	Fritz	Marshall	Ryan
Brown, V.	Gabler	Marsico	Saccone
Bullock	Gainey	Masser	Sainato
Burns	Galloway	Matzie	Sankey
Caltagirone	Gergely	McCarter	Santora
Carroll	Gillen	McClinton	Saylor
Causser	Gillespie	McGinnis	Schemel
Cephas	Godshall	Mehaffie	Schlossberg
Charlton	Goodman	Mentzer	Schweyer
Comitta	Greiner	Metcalfe	Sims
Conklin	Grove	Metzgar	Snyder
Cook	Haggerty	Miccarelli	Solomon
Corbin	Hahn	Millard	Sonney
Corr	Hanna	Miller, B.	Staats
Costa, D.	Harkins	Miller, D.	Stephens
Cox	Harper	Milne	Sturla
Cruz	Harris, A.	Moul	Tallman
Culver	Harris, J.	Mullery	Thomas
Cutler	Heffley	Murt	Tobash
Daley	Helm	Mustio	Toepel
Davidson	Hickernell	Neilson	Toohil
Davis	Hill	Nelson	Topper
Dawkins	Irvin	Nesbit	Vazquez
Day	Jozwiak	Neuman	Vitali
Dean	Kampf	O'Brien	Walsh
Deasy	Kaufner	O'Neill	Ward
DeLissio	Kauffman	Oberlander	Warner
Delozier	Kavulich	Ortitay	Warren
DeLuca	Keefer	Pashinski	Wentling
Dermody	Keller, F.	Peifer	Wheatley
Diamond	Keller, M.K.	Petrarca	Wheeland
DiGirolamo	Keller, W.	Petri	White
Donatucci	Kim	Pickett	Youngblood
Dowling	Kinsey	Pyle	Zimmerman
Driscoll	Kirkland	Quigley	
Dunbar	Klunk	Quinn, C.	Turzai,
Dush	Knowles	Quinn, M.	Speaker
Ellis			

NAYS—0

NOT VOTING—0

EXCUSED—12

Christiana	Hennessey	McNeill	Simmons
Costa, P.	James	Rabb	Taylor
Fabrizio	Mako	Samuelson	Watson

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

STATEMENTS BY MR. KINSEY

The SPEAKER. Representative Kinsey is called upon with respect to HRs 279 and 280.

Members, we have some very, very distinguished guests here. I would ask everybody to please take their seats. Please take your seats.

Representative Kinsey, the floor is yours. It will be with respect to both HRs 279 and 280, as they are related.

Mr. KINSEY. Thank you, Mr. Speaker.

Mr. Speaker, I want to thank my colleagues for their vote on HR 279.

I also want to thank Representative Lewis and Representative Sainato for standing here with me in support of Tuskegee Airmen Day.

Mr. Speaker, if you look up the Tuskegee Airmen, you will find the motto "Giving History a Future."

Today we are honoring the first African-American military aviators in the United States Armed Forces. Their history is remarkable. They fought two wars at once – World War II, which was far from their home, and the war against segregation on their own home soil.

Mr. Speaker, their history speaks for itself. From 1941 to 1946, we had 994 pilots that graduated under the Tuskegee program, 15,000 sorties were flown between May of 1943 and June of 1945, 450 Tuskegee pilots were sent overseas, 150 Tuskegee pilots lost their lives, 66 Tuskegee pilots were killed in action, 32 Tuskegee pilots were taken as prisoners of war – and every bit of that history brings us to today.

It is hard to ignore the fact that the history of the Tuskegee Airmen is a very challenging but yet a very inspiring one. We stand to remember their service and the ideals they sacrificed for, and to offer our respect to them by honoring these brave men for all they have done for our country.

The Tuskegee Airmen and their 52 national chapters are still standing strong today with the work that is attached to their name – awarding young cadets with the opportunity to enter the Armed Forces, providing young scholars with the means to continue their education, and teaching our youth what it is like to take flight and inspiring them to someday create their own history.

Mr. Speaker, we are honored today to have with us one of the original Tuskegee Airmen. His name is Mr. Nathan Thomas. Mr. Nathan Thomas, will you please stand. Mr. Speaker, I want to thank Mr. Nathan Thomas for all that he has done.

And also, Mr. Speaker, I want to recognize the group that is with Mr. Nathan Thomas. He is joined by Mr. Melvin Payne, who is the president of the Greater Philadelphia chapter of the Tuskegee Airmen; and in fact, I am going to ask all of the members of the Philadelphia chapter of the Tuskegee Airmen to please stand and be recognized by the House of Representatives.

Thank you, Mr. Speaker. We want to thank these gentlemen and ladies for keeping the Tuskegee Airmen legacy alive.

The SPEAKER. We are going to proceed to HR 279.

Representative Kinsey, the floor is yours.

Mr. KINSEY. Thank you again, Mr. Speaker.

Mr. Speaker, just a second ago I talked about the legacy of the Tuskegee Airmen and all they have done for this country. Well, this resolution, Mr. Speaker, is honoring a Tuskegee Airman who is no longer with us today.

Mr. Speaker, we are remembering the distinguished military service and widely respected citizenship of retired Air Force Maj. John L. Harrison, Jr., a decorated Tuskegee Airman and a longtime resident of the city of Philadelphia, who passed away on March 22, 2017, at the age of 96.

Major Harrison was born in Kansas on December 14, 1920. He graduated from Omaha University in Nebraska. He specialized in flight training as a command pilot that began with a segregated military unit in Alabama, where he was one of the

original Tuskegee Airmen. In his service with the Air Force and its predecessor military branch, the Army Air Corps, Major Harrison bravely met the challenges of combat and the continuing challenges of discrimination. Major Harrison attained distinction as the first African-American pilot and flight commander to regularly fly transatlantic and transpacific flights for the United States Military Air Transport Service.

And whereas, following his retirement from the Air Force in 1963, Major Harrison was a Peace Corps Foreign Service Reserve officer stationed in East Africa.

Major Harrison later served as an official in the administrations of President Richard Nixon and Gov. Dick Thornburgh, and later became an executive with Girard Bank and Boeing Aircraft.

Major Harrison earned the Air Force Longevity Service Award with four oak leaf clusters, and with his fellow surviving Tuskegee Airmen, Major Harrison was awarded the Congressional Gold Medal in 2007.

Mr. Speaker, I want to thank the members of the House of Representatives for remembering the distinguished military service and widely respected citizenship of retired Air Force Maj. John L. Harrison, Jr., a decorated Tuskegee Airman and a longtime resident of the city of Philadelphia.

Thank you, Mr. Speaker.

The SPEAKER. We are going to close the doors of the House.

I wish I had had the opportunity to meet this outstanding individual.

We are going to have a moment of silence. If everybody could please stand, including our guests, as we remember the life of Air Force Maj. John L. Harrison, Jr.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of Maj. John L. Harrison.)

The SPEAKER. You may be seated.

Representative Kinsey, thank you very, very much.

Please open the doors of the House.

FILMING PERMISSION

The SPEAKER. Kelli Wasilauski is here to take photos with respect to use in a press release, and she has been given permission to be on the House floor.

RESOLUTION PURSUANT TO RULE 35

Ms. RAPP called up **HR 259, PN 1470**, entitled:

A Resolution honoring Jeannie Seely on her 50th anniversary of being a member of the Grand Ole Opry.

On the question,

Will the House adopt the resolution?

The SPEAKER. Representative Rapp, you may come up to the reader's rostrum.

Ms. RAPP. Thank you, Mr. Speaker.

It is truly an honor to stand before you today to honor a very accomplished fellow Pennsylvanian, Jeannie Seely.

"Along with many accolades including awards from Billboard, Cashbox and Record World, country music legend Jeannie Seely has achieved No. 1 songs as a solo artist, duet partner and songwriter. Early in her career, Jeannie's deeply moving vocals aptly earned her the nickname of 'Miss Country Soul.'

"Jeannie's recording of 'Don't Touch Me' not only topped the country music charts, but also earned her a Grammy Award for the 'Best Country Vocal Performance by a Female.' It is ranked at No. 97 in the book *Country Music's 500 Greatest Singles* published by the Country Music Foundation, and it's also included in *The Stories Behind Country Music's All-Time Greatest 100 Songs*.

"Born in Titusville, Pennsylvania, and raised on a farm outside of nearby Townville," in Crawford County, "Jeannie was singing on Meadville radio station WMGW at age 11. By 16 she was performing on TV station WICU in Erie. When she moved to Nashville upon the encouragement of friend Dottie West, Jeannie only had \$50 and a Ford Falcon to her name, but within a month Porter Wagoner hired her as the female singer for his road and television series.

"On September 16, 1967, Jeannie's biggest dream came true when she became the first Pennsylvania native to become a member of the world famous Grand Ole Opry." She is still the only Pennsylvania native to become an Opry member. "Jeannie subsequently became the first female to regularly host segments of the weekly Opry shows. She's also credited for wearing the first mini-skirt on the Opry stage, as well as for changing the image of female country performers.

"A BMI-awarded songwriter, Jeannie's songs have been recorded by Country Music Hall of Fame members Faron Young, Merle Haggard, Ray Price, Willie Nelson, Ernest Tubbs and Little Jimmy Dickens, as well as by many other artists including Norma Jean, Doyle Lawson, Lorrie Morgan, Connie Smith, Irma Thomas, Dottie West and Tex Williams.

"With Opry member Jack Greene, Jeannie recorded the hit 'Wish I Didn't Have To Miss You' which began a series of successful duet recordings – and launched one of the most popular road shows in country music history. For over a decade, Jack and Jeannie toured and performed together at venues that included New York's Madison Square Garden and London's Wembley Arena.

"Along with placing records on the Billboard country singles chart for 13 consecutive years, Jeannie also served as a radio disc jockey on her own Armed Forces Network Show, traveled on military tours throughout Europe and Asia, made numerous appearances on national television shows, published her own book of witticisms titled *Pieces of a Puzzled Mind* and starred in several...stage productions including *Always, Patsy Cline*.... Jeannie also appeared in Willie Nelson's *Honeysuckle Rose* movie and sang on the platinum soundtrack....

"Jeannie has been known throughout her career as an individualist, as well as for her infectious humor. Despite personal and career setbacks that range from a 1977 near-fatal auto accident to a devastating flood in 2010 in which she lost" almost everything, including "her home, car and personal belongings, Jeannie Seely has remained a survivor with her sense of humor intact.

"From her 1966 Top 10 Billboard album *The Seely Style* to her 2011 self-produced CD *Vintage Country*, Jeannie's recordings have spanned six decades and provided enjoyment to country music fans all around the world.

"In his book *Finding Her Voice: Women in Country Music*, music critic Robert K. Oermann writes, "With her chin-out, tough/tender, heart-of-gold manner, Jeannie Seely remains one of country's most completely modern female personalities."

And with talking to Jeannie, one of the things that she said to me is that of all the things she is most proud of, she is very proud of being a Pennsylvania citizen representing Pennsylvania, Titusville, and Townville at the Grand Ole Opry.

So, ladies and gentlemen, I would like to recognize Jeannie Seely, who is here today to my left. Jeannie, if you would please rise, on your 50th anniversary of being a member of the Grand Ole Opry. Gene Ward, Jeannie's husband, a retired Nashville attorney. Gene, if you would please rise. And in the back, here with Jeannie today, are Gus Arrendale, the owner of Springer Mountain Farms chicken in Baldwin, Georgia; Karen McIntyre, also a friend of Jeannie's; Ron Harman – if you would please stand, in the back of the House – who is Jeannie's media rep and also from Tionesta, Pennsylvania; and Jeannie's PR representative and professional photographer, Kelli Wasilauski. Kelli.

If you would please recognize Jeannie with a round of applause, I would truly appreciate it. Congratulations, Jeannie, from the House of Pennsylvania.

And my colleagues, if you would please support HR 259 in honor of Jeannie Seely. Thank you.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Rapp.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

Baker	Emrick	Kortz	Rader
Barbin	English	Krueger	Rapp
Barrar	Evankovich	Kulik	Ravenstahl
Benninghoff	Evans	Lawrence	Readshaw
Bernstine	Everett	Lewis	Reed
Bizzarro	Farry	Longiotti	Reese
Bloom	Fee	Mackenzie	Roae
Boback	Fitzgerald	Madden	Roe
Boyle	Flynn	Maher	Roebuck
Bradford	Frankel	Maloney	Rothman
Briggs	Freeman	Markosek	Rozzi
Brown, R.	Fritz	Marshall	Ryan
Brown, V.	Gabler	Marsico	Saccone
Bullock	Gainey	Masser	Sainato
Burns	Galloway	Matzie	Sankey
Caltagirone	Gergely	McCarter	Santora
Carroll	Gillen	McClinton	Saylor
Causer	Gillespie	McGinnis	Schemel
Cephas	Godshall	Mehaffie	Schlossberg
Charlton	Goodman	Mentzer	Schweyer
Comitta	Greiner	Metcalfe	Sims
Conklin	Grove	Metzgar	Snyder
Cook	Haggerty	Miccarelli	Solomon
Corbin	Hahn	Millard	Sonney
Corr	Hanna	Miller, B.	Staats
Costa, D.	Harkins	Miller, D.	Stephens
Cox	Harper	Milne	Sturla
Cruz	Harris, A.	Moul	Tallman
Culver	Harris, J.	Mullery	Thomas
Cutler	Heffley	Murt	Tobash
Daley	Helm	Mustio	Toepel
Davidson	Hickernell	Neilson	Toohil
Davis	Hill	Nelson	Topper
Dawkins	Irvin	Nesbit	Vazquez

Day	Jozwiak	Neuman	Vitali
Dean	Kampf	O'Brien	Walsh
Deasy	Kaufner	O'Neill	Ward
DeLissio	Kauffman	Oberlander	Warner
DeLozier	Kavulich	Ortitay	Warren
DeLuca	Keefer	Pashinski	Wentling
Dermody	Keller, F.	Peifer	Wheatley
Diamond	Keller, M.K.	Petrarca	Wheeland
DiGirolamo	Keller, W.	Petri	White
Donatucci	Kim	Pickett	Youngblood
Dowling	Kinsey	Pyle	Zimmerman
Driscoll	Kirkland	Quigley	
Dunbar	Klunk	Quinn, C.	Turzai,
Dush	Knowles	Quinn, M.	Speaker
Ellis			

NAYS—0

NOT VOTING—0

EXCUSED—12

Christiana	Hennessey	McNeill	Simmons
Costa, P.	James	Rabb	Taylor
Fabrizio	Mako	Samuelson	Watson

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. MURT called up **HR 200, PN 1209**, entitled:

A Resolution designating the month of May 2017 as "SPG47 Awareness Month" in Pennsylvania.

* * *

Mr. MURT called up **HR 201, PN 1210**, entitled:

A Resolution designating the month of May 2017 as "Yoga Awareness Month" in Pennsylvania.

* * *

Mr. MURT called up **HR 202, PN 1211**, entitled:

A Resolution designating the month of May 2017 as "Cancer Caregivers Recognition Month" in Pennsylvania and honoring the vital role caregivers play in the lives of cancer patients.

* * *

Mr. MACKENZIE called up **HR 235, PN 1342**, entitled:

A Resolution designating April 26, 2017, as "Pretzel Day" in Pennsylvania.

* * *

Mr. ZIMMERMAN called up **HR 242, PN 1349**, entitled:

A Resolution recognizing April 29, 2017, as "World Veterinary Day" in Pennsylvania.

* * *

Mr. EMRICK called up **HR 257, PN 1433**, entitled:

A Resolution designating the month of May 2017 as "Preeclampsia Awareness Month" in Pennsylvania.

* * *

Mrs. BULLOCK called up **HR 262, PN 1472**, entitled:

A Resolution recognizing the month of April 2017 as "Fair Housing Month" in Pennsylvania.

* * *

Mr. GILLEN called up **HR 264, PN 1479**, entitled:

A Resolution commemorating April 18, 2017, as "Doolittle Raiders Remembrance Day" in Pennsylvania.

* * *

Ms. HAHN called up **HR 266, PN 1481**, entitled:

A Resolution recognizing April 2017 as "Congenital Diaphragmatic Hernia Awareness Month" in Pennsylvania.

* * *

Mr. READSHAW called up **HR 274, PN 1519**, entitled:

A Resolution recognizing the week of April 9 through 15, 2017, as "National Library Week" in Pennsylvania.

* * *

Mr. KINSEY called up **HR 278, PN 1522**, entitled:

A Resolution designating the month of April 2017 as "Community Service Appreciation Month" in Pennsylvania.

* * *

Mr. SANTORA called up **HR 282, PN 1526**, entitled:

A Resolution designating the week of April 24 through 28, 2017, as "Every Kid Healthy Week" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The SPEAKER. Jeannie's Grammy Award-winning song was "Don't Touch Me" if you don't love me, and she won that in 1966.

Thank you so much for being with us today. Thank you.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Steve Samuelson is back on the House floor.

**CONSIDERATION OF
RESOLUTIONS PURSUANT TO RULE 35
CONTINUED**

The SPEAKER. We are going to vote the uncontested calendar now.

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

The following roll call was recorded:

YEAS—192

Baker	Emrick	Krueger	Rapp
Barbin	English	Kulik	Ravenstahl
Barrar	Evankovich	Lawrence	Readshaw
Benninghoff	Evans	Lewis	Reed
Bernstine	Everett	Longietti	Reese
Bizzarro	Farry	Mackenzie	Roae
Bloom	Fee	Madden	Roe
Boback	Fitzgerald	Maher	Roebuck
Boyle	Flynn	Maloney	Rothman
Bradford	Frankel	Markosek	Rozzi
Briggs	Freeman	Marshall	Ryan
Brown, R.	Fritz	Marsico	Saccione
Brown, V.	Gabler	Masser	Sainato
Bullock	Gainey	Matzie	Samuelson
Burns	Galloway	McCarter	Sankey
Caltagirone	Gergely	McClinton	Santora
Carroll	Gillen	McGinnis	Saylor
Causser	Gillespie	Mehaffie	Schemel
Cephas	Godshall	Mentzer	Schlossberg
Charlton	Goodman	Metcalfe	Schweyer
Comitta	Greiner	Metzgar	Sims
Conklin	Grove	Miccarelli	Snyder
Cook	Haggerty	Millard	Solomon
Corbin	Hahn	Miller, B.	Sonney
Corr	Hanna	Miller, D.	Staats
Costa, D.	Harkins	Milne	Stephens
Cox	Harper	Moul	Sturla
Cruz	Harris, A.	Mullery	Tallman
Culver	Harris, J.	Murt	Thomas
Cutler	Heffley	Mustio	Tobash
Daley	Helm	Neilson	Toepel
Davidson	Hickernell	Nelson	Toohil
Davis	Hill	Nesbit	Topper
Dawkins	Irvin	Neuman	Vazquez
Day	Jozwiak	O'Brien	Vitali
Dean	Kampf	O'Neill	Walsh
Deasy	Kaufner	Oberlander	Ward
DeLissio	Kauffman	Ortitay	Warner
Delozier	Kavulich	Pashinski	Warren
DeLuca	Keefer	Peifer	Wentling
Dermody	Keller, F.	Petrarca	Wheatley
Diamond	Keller, M.K.	Petri	Wheeland
DiGirolamo	Keller, W.	Pickett	White
Donatucci	Kim	Pyle	Youngblood
Dowling	Kinsey	Quigley	Zimmerman
Driscoll	Kirkland	Quinn, C.	
Dunbar	Klunk	Quinn, M.	
Dush	Knowles	Rader	Turzai, Speaker
Ellis	Kortz		

NAYS—0

NOT VOTING—0

EXCUSED—11

Christiana	Hennessey	McNeill	Taylor
Costa, P.	James	Rabb	Watson
Fabrizio	Mako	Simmons	

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

The SPEAKER. Members, we have quite a few of our colleagues that wish to speak on some of the uncontested resolutions. I am going to ask everybody to please come up front who is going to speak so we can be very efficient about it. We are going to start with Representative Zimmerman, followed by Representative Mackenzie, followed by Representative Bullock, followed by Representative Gillen, followed by Representative Santora, and closing will be Representative Murt.

So we are going to start with Representative Zimmerman, then Representative Mackenzie, Representative Bullock, Representative Gillen, Representative Santora, and Representative Murt.

STATEMENT BY MR. ZIMMERMAN

The SPEAKER. Representative Zimmerman, the floor is yours.

Mr. ZIMMERMAN. Thank you, Mr. Speaker.

"Recognizing April 29, 2017, as 'World Veterinary Day' here in Pennsylvania.

"WHEREAS, 'World Veterinary—

The SPEAKER. Please suspend, sir.

Members, please take your seats. Any conversations, please go off the House floor. Representative Zimmerman has guests with him today. I would like to clear the back row so he will be able to introduce those guests here shortly. Members, please take your seats.

Representative Zimmerman, you may proceed.

Mr. ZIMMERMAN. Thank you, Mr. Speaker.

"WHEREAS, 'World Veterinary Day' is globally celebrated to highlight and promote the different facets of work performed by veterinarians across the world and to raise awareness of their contribution to improve animal health and welfare and public health; and

"WHEREAS, 'World Veterinary Day' recognizes the vital role of veterinarians and acknowledges the high respect for veterinarians, their challenging work, long hours, educational investments, dedication and compassion; and

"WHEREAS, The World Veterinary Association and the World Organization for Animal Health proclaimed the theme of 2017 'World Veterinary Day' as 'Antimicrobial Resistance – From Awareness to Action'; and

"WHEREAS, All veterinary services and veterinary professionals play a key part in supporting the fight against antimicrobial resistance through their role in regulating and supervising the use of antimicrobials, offering professional advice to farmers and animal owners and collaborating with the human health sector; and

"WHEREAS, Pennsylvania is uniquely positioned to reduce the impact of antimicrobial resistance in animals and humans and to address the needs of its residents in preventing health care-associated infections in all health care settings because of the critical resources enjoyed in this Commonwealth, such as the Animal Health and Diagnostic Commission and the Pennsylvania Animal Diagnostic Laboratory System; and

"WHEREAS, Pennsylvania is home to American's first veterinary school, the University of Pennsylvania, School of Veterinary Medicine, established in Philadelphia in 1884, an institution that continues to be a preeminent leader in veterinary research and education; and

"WHEREAS, Pennsylvania is the birthplace of organized veterinary medicine; and

"WHEREAS, Veterinarians must continue to make advancements in disease control management, improve animal welfare and encourage and achieve a sustainable change in behavior toward responsible and prudent antimicrobial use; and

"WHEREAS, The focus of Pennsylvania's veterinary community is working with the Commonwealth and animal agriculture stakeholders to address antimicrobial resistance concerns and make necessary improvements; and

"WHEREAS, 'World Veterinary Day' was first organized in 2000 by the World Organization for Animal Health and the World Veterinary Association; therefore be it

"RESOLVED, That the House of Representatives recognize the role of the veterinary profession in improving the health and welfare of all animals in Pennsylvania, from companion animals to production animals to wildlife, and the profession's enhancement of public and environmental health throughout Pennsylvania; and be it further

"RESOLVED, That the House of Representatives recognize April 29, 2017, as 'World Veterinary Day' in Pennsylvania and join other states and countries in celebrating 'World Veterinary Day.'"

Thank you, Mr. Speaker.

GUESTS INTRODUCED

Mr. ZIMMERMAN. And I have some recognitions to make. Here on the House floor with me I am honored to have our State veterinarian, Dr. David Wolfgang. If you could all stand and just remain standing until I introduce all of you. He spent quite a few years at Penn State and has been our State veterinarian for a number of years. We just appreciate all your work here for Pennsylvania and the Department of Agriculture. Also joining me is Dr. Gary Van Dyke. He is from the eastern part of Lancaster County and has a practice, a private practice along with a partner, and he is also joined by his wife, Maureen. Also, Dr. Keith Zimmerman from the Columbia area, also has a private practice, working primarily with large animals. Dr. Nathan Kapp with the Gap Veterinary Associates. Glad to have him join us as well. Dr. Teri Coon with the AgVet group.

And also joining them is Allyson Anderson. Allyson is from Potter County. She is a veterinarian student at the University of Pennsylvania. And what is interesting is that Potter County has no veterinarians that actually live in Potter County, so if you need a veterinarian in Potter County, you really have to call them and they have to drive into Potter County. So we are glad to have Allyson as a vet student, and hopefully she will end up back in Potter County some day and be a veterinarian in that area. And as many of you know, that is Representative Marty Causer's district, our chairman of the Agriculture Committee.

So anyway, I appreciate all of you joining me, but in addition to the 6 that I have just introduced, up in the gallery there are over 20 veterinarians from across Pennsylvania that are here for the morning as well, so help me in welcoming each of these veterinarians.

The SPEAKER. Thank you, Representative Zimmerman.

STATEMENT BY MR. MACKENZIE

The SPEAKER. Representative Mackenzie is recognized to speak on HR 235.

Mr. MACKENZIE. Thank you, Mr. Speaker.

I also appreciate the members' affirmative vote on the resolutions which were passed, one of which included a resolution recognizing tomorrow, April 26, as Pennsylvania "Pretzel Day."

Pennsylvania is considered the birthplace of the United States pretzel industry. We currently produce nearly 80 percent of the nation's pretzels. Hard crispy and soft bread pretzels come in all shapes and sizes and flavors and coatings.

The soft pretzel originally was known as the bretzel, and it was first introduced by the Pennsylvania Dutch in southeastern Pennsylvania. Many great Pennsylvania pretzel bakers like Unique Pretzel Bakery of Berks County are still located here.

In fact, the hard pretzel was first created at Sturgis Bakery in Lititz in the 1850s to provide a more durable and marketable snack. Sturgis Bakery went on to become the first commercial hard pretzel bakery in the United States.

H.K. Anderson founded the Anderson Pretzel Bakery in 1888 in Lancaster, and it is still in operation today and calls itself the world's largest pretzel producer, making 65 tons of pretzels per day.

The first automatic hard pretzel twisting machine was introduced by the Reading Pretzel Machinery Company, located in Reading, in 1935. And the first pretzel museum opened in Philadelphia in 1993.

April 26 was originally declared "National Pretzel Day" by U.S. Representative Robert S. Walker of Lancaster County in 1983, and then again by former Gov. Ed Rendell here in Pennsylvania in 2003.

I would like to recognize some of the guests who are here today who brought this issue to my attention. Specifically, Patrick H. Foose brought the idea to me, and he is joined by Patrick M. Foose, Melinda Gordon, and Madison Bailey. All of them were already introduced, but I would like to recognize them again and recognize them; they are standing in the back there. So thank you, Patrick, for bringing this idea to my attention – a fantastic idea to recognize one of the great industries and foods that is here in Pennsylvania that we are very proud of.

Thank you again to Patrick, and thank you, Mr. Speaker, for your time today.

STATEMENT BY MRS. BULLOCK

The SPEAKER. Representative Donna Bullock is recognized on HR 262.

Mrs. BULLOCK. Thank you, Mr. Speaker.

This month marks the 49th anniversary of the Fair Housing Act, landmark legislation that became law on April 11, 1968. In short, the act makes it illegal to discriminate against renters or homebuyers based on their race, color, religion, sex, or national origin. Every year the United States Department of Housing and Urban Development and local housing agencies celebrate the anniversary of the act during the month of April, known as Fair Housing Month. This year's Fair Housing Month theme is "Fair Housing Equals Opportunity." This theme implies that access to

housing is access to opportunity – opportunities in employment, opportunities for education, opportunities for growth.

Where we live directly affects our educational and health outcomes and life opportunities, such as school, transportation, employment, medical services, retail, recreation, entertainment, and more. But it is this kind of access and opportunity that could not be more critical to the individuals who are in our Commonwealth with criminal records. These individuals who are experiencing housing discrimination often experience employment discrimination and are blocked out of educational opportunities and other social services, and this has a destabilizing effect that prevents these individuals and their families from growing, and also presents other challenges.

While the act does not specifically protect people with criminal records, HUD recently released guidelines last year that state that because minorities, especially Blacks and Latinos, face disproportionate rates of arrest and incarceration, blanket bans on tenants and homebuyers with a criminal history may constitute potential violations of the Fair Housing Act. For this reason I have also introduced legislation which mirrors the HUD guidance and provides clarity and guidance for landlords here in Pennsylvania.

Housing is a right of every American, but discriminatory housing policies and practices deny people the opportunity to fully experience and enjoy the so-called American dream. They are locked out of choosing their own and being responsible for their own home. The situation as I noted earlier is even worse for people of color who are much more likely than White families to live in impoverished and resource-poor neighborhoods. In fact, three times as many poor African-Americans and over twice as many poor Latinos live in resource-poor neighborhoods as compared to poor Whites. And African-Americans regardless of income are likely to live in a neighborhood that is poor in resources and otherwise for more than a decade, while only 10 percent of Whites do the same.

Despite the progress that has been made thanks to the Federal Fair Housing Act, from dismantling redlining practices of the past to correcting exclusionary zoning laws of today, more support is needed to achieve the elimination of housing discrimination in all its forms. Looking forward to improve housing practices, eliminate housing discrimination, promote residential and integration, and expand fair housing rights for all Pennsylvanians, I invite my fellow House members to support HR 262 and to declare this April as "Fair Housing Month" in Pennsylvania and ensure that we work together to provide safe, affordable, and comprehensive housing for all.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Bullock.

STATEMENT BY MR. GILLEN

The SPEAKER. Representative Mark Gillen is recognized to speak on HR 264.

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

I feel greatly privileged to be in the hall of the House with the Tuskegee Airmen who are with us. Many of those brave airmen have regularly come out to the World War II weekend at the Reading Regional Airport.

But I also want to acknowledge another brave group of aviators today. Seventy-five years ago this month, a call went out and the description of the mission was unspecified and the

aviators were told that it would be extremely hazardous. Once the secrecy was lifted, they realized that they were training to take B-25 Mitchell bombers off the deck of an aircraft carrier, the USS *Hornet*.

On April 18, 1942, 16 planes and 80 aviators departed on a mission that was indeed extremely hazardous, and before that mission was to be consummated, some of them had drowned, others were taken into captivity by the Japanese, some were executed, one was starved to death, and one flight crew actually landed in the Soviet Union. They were not done serving, because over the course of the next 15 months in various theaters of conflict, another dozen of those men lost their lives.

A few months ago in our legislative district, we recognized the 75th anniversary of Pearl Harbor, and indeed we had one known survivor of Pearl Harbor after those long 75 years passed. But it was not just a few months after that that we lost that survivor. On the 70th anniversary of Pearl Harbor, we had three Pearl Harbor survivors on the floor of the State House of Representatives, and within a couple of years, all of them had stepped out into eternity.

There were 80 aviators and I think it is appropriate to acknowledge all 80, though I will only mention a couple names this afternoon. Last year the 79th aviator, David Thatcher, passed on into eternity, in June of 2016. That remarkably leaves us with one Doolittle Raider that is left. Richard Cole, 101 years old, is the only surviving member of the Doolittle Raiders.

Ladies and gentlemen, these were the best and the brightest. They were volunteers who willingly took on what was described as an extremely hazardous mission. And once that celebrated mission was over, they never forgot country and valor and duty and honor as they continued to serve in the United States Armed Forces.

Remarkably, Richard Cole is 101 years old, and as I spoke with him a few years ago and he signed an autograph for one of my daughters, something that stood out in my mind during the course of that conversation – there has been a lot in Hollywood about swashbuckling and aberrant courage, but what I heard and I saw in this man's life, and I believe was embodied in all of the Doolittle Raiders, was that love for community and family and country blended with humility. There is one Raider left, and on this 75th anniversary, there is no guarantee that we will have a 76th anniversary with any of the Raiders yet alive.

We have a debt of gratitude today not only to the Tuskegee Airmen, but the Doolittle Raiders. And it behooves us to occasionally pause from the busyness of life and legislation to recognize that we are here today because of brave American men and women who have historically put their lives on the line and paid the ultimate sacrifice.

As I close, in the eighth century B.C. (before Christ), the ancient Jewish prophet Isaiah, speaking under inspiration of the Holy Spirit, said, "Who shall go for us?" And the retort and the answer came back from him, "Here, my Lord. Send me."

We are thankful that these men went out, risked their lives – some of them lost their lives – because of a place called America and a love for freedom.

Thank you, Mr. Speaker.

STATEMENT BY MR. MURT

The SPEAKER. Representative Tom Murt.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, I would like to speak in reference to HR 202. Mr. Speaker, the American Cancer Society estimates that this year alone more than 81,000 new cases of cancer will be diagnosed in the Commonwealth of Pennsylvania, and many of these patients will require support from family members who are critical to the health-care providers.

Mr. Speaker, known as lay caregivers, these unpaid caregivers are, in many cases, a husband or wife, a partner, or an adult child. For many who are single, close friends, coworkers, and neighbors fill in this role. These caregivers provide 80 percent of the home-care services – that is 80 percent, Mr. Speaker – which are often a complex array of tasks including physical, psychological, spiritual, and emotional support.

While caring for an individual with cancer can be extraordinarily stressful, many caregivers find satisfaction in providing care for a loved one struggling with cancer. Many cancer patients are deeply grateful to their caregivers for their love and dedication, their devotion, weathering the challenges and setbacks of cancer treatment, and sharing the triumphs with them.

That support does not end after treatment concludes, Mr. Speaker. This is why our caregivers need our help and support, and deserve it. It is also why I thank my colleagues for declaring May "Cancer Caregivers Recognition Month" in the Commonwealth of Pennsylvania.

REMARKS SUBMITTED FOR THE RECORD

Mr. MURT. Mr. Speaker, I would also like to submit comments for the record regarding HR 200. Thank you.

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

I want to thank my colleagues for supporting HR 200 to raise awareness of hereditary spastic paraplegia.

Hereditary spastic paraplegia is a group of degenerative genetic disorders that impact the spinal cord and is characterized by stiffness and progressive weakness of the affected person's legs. This illness can have many degrees of stiffness and weakness and often creates difficulties with walking. The onset of the disorder tends to be gradual, with the symptoms commonly becoming more severe over time. The person's age at the time of onset varies between families as well as among affected family members. It can start as early as infancy or when the person is in their eighties.

The reason HR 200 is so important is that by raising awareness of this disease we are improving access to treatment and medical research. Scientists have unraveled many of the riddles regarding the complicated biochemistry of this disease, including the genes impacted. This will enable investigators to further uncover the biochemical processes that cause nerve degeneration and identify and test therapy targets. An increased focus on this disease is timely and critical. There is indeed reason to hope for treatments and therapies in coming years that will restore significant function to people affected by this illness.

I thank you all for your support.

UNCONTESTED SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. GABLER called up **HR 286, PN 1548**, entitled:

A Resolution designating April 26, 2017, as "National Guard Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. It honors April 26, 2017, as National Guard Day in Pennsylvania.

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

The following roll call was recorded:

YEAS—192

Baker	Emrick	Krueger	Rapp
Barbin	English	Kulik	Ravenstahl
Barrar	Evankovich	Lawrence	Readshaw
Benninghoff	Evans	Lewis	Reed
Bernstine	Everett	Longietti	Reese
Bizzarro	Farry	Mackenzie	Roae
Bloom	Fee	Madden	Roe
Boback	Fitzgerald	Maher	Roebuck
Boyle	Flynn	Maloney	Rothman
Bradford	Frankel	Markosek	Rozzi
Briggs	Freeman	Marshall	Ryan
Brown, R.	Fritz	Marsico	Saccone
Brown, V.	Gabler	Masser	Sainato
Bullock	Gainey	Matzie	Samuelson
Burns	Galloway	McCarter	Sankey
Caltagirone	Gergely	McClinton	Santora
Carroll	Gillen	McGinnis	Saylor
Causser	Gillespie	Mehaffie	Schemel
Cephas	Godshall	Mentzer	Schlossberg
Charlton	Goodman	Metcalfe	Schweyer
Comitta	Greiner	Metzgar	Sims
Conklin	Grove	Miccarelli	Snyder
Cook	Haggerty	Millard	Solomon
Corbin	Hahn	Miller, B.	Sonney
Corr	Hanna	Miller, D.	Staats
Costa, D.	Harkins	Milne	Stephens
Cox	Harper	Moul	Sturla
Cruz	Harris, A.	Mullery	Tallman
Culver	Harris, J.	Murt	Thomas
Cutler	Heffley	Mustio	Tobash
Daley	Helm	Neilson	Toepel
Davidson	Hickernell	Nelson	Toohil
Davis	Hill	Nesbit	Topper
Dawkins	Irvin	Neuman	Vazquez
Day	Jozwiak	O'Brien	Vitali
Dean	Kampf	O'Neill	Walsh
Deasy	Kaufman	Oberlander	Ward
DeLissio	Kaufman	Ortitay	Warner
Delozier	Kavulich	Pashinski	Warren
DeLuca	Keefer	Peifer	Warren
Dermody	Keller, F.	Petrarca	Wentling
Diamond	Keller, M.K.	Petri	Wheatley
DiGirolo	Keller, W.	Pickett	White
Donatucci	Kim	Pyle	White
Dowling	Kinsey	Quigley	Youngblood
Driscoll	Kirkland	Quinn, C.	Zimmerman
Dunbar	Klunk	Quinn, M.	
Dush	Knowles	Rader	Turzai,
Ellis	Kortz		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—11

Christiana	Hennessey	McNeill	Taylor
Costa, P.	James	Rabb	Watson
Fabrizio	Mako	Simmons	

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

CALENDAR CONTINUED

RESOLUTIONS PURSUANT TO RULE 35

Mr. MATZIE called up **HR 253, PN 1429**, entitled:

A Resolution honoring the Community College of Beaver County on the 50th anniversary of its founding.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

Baker	Emrick	Krueger	Rapp
Barbin	English	Kulik	Ravenstahl
Barrar	Evankovich	Lawrence	Readshaw
Benninghoff	Evans	Lewis	Reed
Bernstine	Everett	Longietti	Reese
Bizzarro	Farry	Mackenzie	Roae
Bloom	Fee	Madden	Roe
Boback	Fitzgerald	Maher	Roebuck
Boyle	Flynn	Maloney	Rothman
Bradford	Frankel	Markosek	Rozzi
Briggs	Freeman	Marshall	Ryan
Brown, R.	Fritz	Marsico	Saccone
Brown, V.	Gabler	Masser	Sainato
Bullock	Gainey	Matzie	Samuelson
Burns	Galloway	McCarter	Sankey
Caltagirone	Gergely	McClinton	Santora
Carroll	Gillen	McGinnis	Saylor
Causser	Gillespie	Mehaffie	Schemel
Cephas	Godshall	Mentzer	Schlossberg
Charlton	Goodman	Metcalfe	Schweyer
Comitta	Greiner	Metzgar	Sims
Conklin	Grove	Miccarelli	Snyder
Cook	Haggerty	Millard	Solomon
Corbin	Hahn	Miller, B.	Sonney
Corr	Hanna	Miller, D.	Staats
Costa, D.	Harkins	Milne	Stephens
Cox	Harper	Moul	Sturla
Cruz	Harris, A.	Mullery	Tallman
Culver	Harris, J.	Murt	Thomas
Cutler	Heffley	Mustio	Tobash
Daley	Helm	Neilson	Toepel
Davidson	Hickernell	Nelson	Toohil
Davis	Hill	Nesbit	Topper
Dawkins	Irvin	Neuman	Vazquez
Day	Jozwiak	O'Brien	Vitali
Dean	Kampf	O'Neill	Walsh
Deasy	Kaufman	Oberlander	Ward
DeLissio	Kaufman	Ortitay	Warner
Delozier	Kavulich	Pashinski	Warren

DeLuca	Keefer	Peifer	Wentling
Dermody	Keller, F.	Petrarca	Wheatley
Diamond	Keller, M.K.	Petri	Wheeland
DiGirolamo	Keller, W.	Pickett	White
Donatucci	Kim	Pyle	Youngblood
Dowling	Kinsey	Quigley	Zimmerman
Driscoll	Kirkland	Quinn, C.	
Dunbar	Klunk	Quinn, M.	Turzai,
Dush	Knowles	Rader	Speaker
Ellis	Kortz		

NAYS-0

NOT VOTING-0

EXCUSED-11

Christiana	Hennessey	McNeill	Taylor
Costa, P.	James	Rabb	Watson
Fabrizio	Mako	Simmons	

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

* * *

Mr. FARRY called up **HR 148, PN 1207**, entitled:

A Resolution recognizing the value of sheltered workshops in the lives of individuals with disabilities and acknowledging the providers who enable individuals with disabilities to live full and productive lives in our communities.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-192

Baker	Emrick	Krueger	Rapp
Barbin	English	Kulik	Ravenstahl
Barrar	Evankovich	Lawrence	Readshaw
Benninghoff	Evans	Lewis	Reed
Bernstine	Everett	Longietti	Reese
Bizzarro	Farry	Mackenzie	Roae
Bloom	Fee	Madden	Roe
Boback	Fitzgerald	Maher	Roebuck
Boyle	Flynn	Maloney	Rothman
Bradford	Frankel	Markosek	Rozzi
Briggs	Freeman	Marshall	Ryan
Brown, R.	Fritz	Marsico	Saccone
Brown, V.	Gabler	Masser	Sainato
Bullock	Gainey	Matzie	Samuelson
Burns	Galloway	McCarter	Sankey
Caltagirone	Gergely	McClinton	Santora
Carroll	Gillen	McGinnis	Saylor
Causar	Gillespie	Mehaffie	Schemel
Cephas	Godshall	Mentzer	Schlossberg
Charlton	Goodman	Metcalfe	Schweyer
Comitta	Greiner	Metzgar	Sims
Conklin	Grove	Miccarelli	Snyder
Cook	Haggerty	Millard	Solomon
Corbin	Hahn	Miller, B.	Sonney
Corr	Hanna	Miller, D.	Staats
Costa, D.	Harkins	Milne	Stephens
Cox	Harper	Moul	Sturla
Cruz	Harris, A.	Mullery	Tallman
Culver	Harris, J.	Murt	Thomas

Cutler	Heffley	Mustio	Tobash
Daley	Helm	Neilson	Toepel
Davidson	Hickernell	Nelson	Toohil
Davis	Hill	Nesbit	Topper
Dawkins	Irvin	Neuman	Vazquez
Day	Jozwiak	O'Brien	Vitali
Dean	Kampf	O'Neill	Walsh
Deasy	Kaufner	Oberlander	Ward
DeLissio	Kauffman	Ortitay	Warner
Delozier	Kavulich	Pashinski	Warren
DeLuca	Keefer	Peifer	Wentling
Dermody	Keller, F.	Petrarca	Wheatley
Diamond	Keller, M.K.	Petri	Wheeland
DiGirolamo	Keller, W.	Pickett	White
Donatucci	Kim	Pyle	Youngblood
Dowling	Kinsey	Quigley	Zimmerman
Driscoll	Kirkland	Quinn, C.	
Dunbar	Klunk	Quinn, M.	Turzai,
Dush	Knowles	Rader	Speaker
Ellis	Kortz		

NAYS-0

NOT VOTING-0

EXCUSED-11

Christiana	Hennessey	McNeill	Taylor
Costa, P.	James	Rabb	Watson
Fabrizio	Mako	Simmons	

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

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 399, PN 411**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in certification of teachers, further providing for evaluation of applications for certification.

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

* * *

The House proceeded to second consideration of **HB 1022, PN 1175**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in transfers of credits between institutions of higher education, further providing for definitions, for duties of public institutions of higher education and for transfer and articulation oversight committee.

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

* * *

The House proceeded to second consideration of **HB 290, PN 1478**, entitled:

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, in financial provisions, further providing for Underground Storage Tank Indemnification Board, for Underground Storage Tank Environmental Cleanup Program and for Underground Storage Tank Pollution Prevention Program.

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

* * *

The House proceeded to second consideration of **HB 168, PN 132**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in proprietary and official rights, further providing for wearing of uniforms and insignia.

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

GUESTS INTRODUCED

The SPEAKER. In the balcony, as guests of Representative Steve Samuelson, we have fourth grade students from Our Lady of Perpetual Help in Bethlehem Township. Please stand, fourth graders. Great to have you here. How are you doing, guys, ladies? Welcome.

ANNOUNCEMENT BY MR. PASHINSKI

The SPEAKER. Representative Neilson is called upon on unanimous consent – excuse me; Representative Pashinski is recognized on unanimous consent. Representative Pashinski. Wrong side, I did not see you. I apologize.

Mr. PASHINSKI. Mr. Speaker, there is no wrong side to this hall; we are one.

The SPEAKER. I did not mean wrong in the sense that— It is just not where I normally see you, my good friend.

Mr. PASHINSKI. I appreciate that, Mr. Speaker.

The SPEAKER. But the floor is yours, sir.

Mr. PASHINSKI. Thank you very much. This is just a little reminder that the Pennsylvania Fraternal Alliance is having a reception outside the Governor's Office. Everyone is welcome to come up and participate in the reception and to find out more about the 700,000 Pennsylvanians that are part of this great organization. This organization not only provides quality insurance policies, but they also engage in a tremendous, tremendous amount of community activities. It has been estimated they have contributed back over \$1.8 million to Pennsylvania.

So if you would, if you get a chance – and I thank the Speaker for this opportunity to give us a moment to be able to get yourself some food and bring it back so we can continue our business.

Thank you very much, Mr. Speaker, and it was a pleasure being on this side.

The SPEAKER. Thank you, Representative.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Chairman Saylor, of the Appropriations Committee, for a committee announcement.

Mr. SAYLOR. Thank you, Mr. Speaker.

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

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Members of the Appropriations Committee, please proceed to the majority caucus room at this time.

We are going to stand at ease. We are not going to be in recess, we are going to stand at ease while the Appropriations Committee meets.

Members, we are at ease. We are not in recess, we are at ease. When the Appropriations Committee comes back to the floor, we will begin taking votes again. Thank you.

We are in session, obviously.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 331, PN 355

By Rep. O'NEILL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for classes of income.

FINANCE.

HB 332, PN 356

By Rep. O'NEILL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for classes of income.

FINANCE.

HB 333, PN 357

By Rep. O'NEILL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for classes of income.

FINANCE.

HB 542, PN 1563 (Amended)

By Rep. O'NEILL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in tax for education, further providing for definitions and providing for notice requirements for remote sellers.

FINANCE.

BILLS REREPORTED FROM COMMITTEE

HB 438, PN 454

By Rep. SAYLOR

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; and, in licenses and regulations and liquor, alcohol and malt and brewed beverages, providing for spirit expanded permits.

APPROPRIATIONS.

HB 975, PN 1476

By Rep. SAYLOR

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; and, in licenses and regulations, liquor, alcohol and malt and brewed beverages, providing for wine wholesale license and for wine retail license.

APPROPRIATIONS.

HB 991, PN 1234

By Rep. SAYLOR

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; in Pennsylvania Liquor Control Board, further providing for general powers of board and for specific subjects on which board may adopt regulations; in Pennsylvania Liquor Stores, further providing for sales by Pennsylvania Liquor Stores; and providing for retail stores.

APPROPRIATIONS.

HB 1071, PN 1270

By Rep. SAYLOR

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in other subjects of taxation, prohibiting bans, fees, surcharges and taxes on recyclable plastic bags.

APPROPRIATIONS.

HB 1075, PN 1274

By Rep. SAYLOR

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; in licenses and regulations, liquor, alcohol and malt and brewed beverages, providing for wholesale permit and for wholesale licenses; and, in disposition of moneys collected under provisions of act, further providing for moneys paid into the State Stores Fund for use of the Commonwealth, providing for moneys paid into the State Stores Operating Fund for use of the board and establishing the State Stores Operating Fund.

APPROPRIATIONS.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 395, PN 407**, entitled:

An Act amending the act of October 27, 2014 (P.L.2911, No.191), known as the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act, further providing for requirements for prescribers.

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

Mrs. **KEEFER** offered the following amendment No. **A00940**:

Amend Bill, page 1, line 17, by inserting a bracket before "or"
Amend Bill, page 1, line 17, by inserting after "or"

],
Amend Bill, page 1, line 18, by inserting after "facility"
or is under the care of a hospice, as defined in section 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act

Amend Bill, page 2, lines 1 through 3; by striking out all of said lines and inserting

long as the patient remains;
(i) admitted to the licensed health care facility
[or remains];
(ii) in observation status in a licensed health care facility[.]; or
(iii) under the care of a hospice.

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

The **SPEAKER**. On the amendment, Representative DiGirolamo.

Representative DiGirolamo, if you will just hold for a second.

Representative Keefer. Waives off.
Representative DiGirolamo, sir, you may proceed.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

This is an agreed-to amendment. I would ask the members to vote "yes" on the amendment.

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

The following roll call was recorded:

YEAS—191

Baker	Emrick	Krueger	Rapp
Barbin	English	Kulik	Ravenstahl
Barrar	Evankovich	Lawrence	Readshaw
Benninghoff	Evans	Lewis	Reed
Bernstine	Everett	Longietti	Reese
Bizzarro	Farry	Mackenzie	Roae
Bloom	Fee	Madden	Roe
Boback	Fitzgerald	Maher	Roebuck
Boyle	Flynn	Maloney	Rothman
Bradford	Frankel	Markosek	Rozzi
Briggs	Freeman	Marshall	Ryan
Brown, R.	Fritz	Marsico	Saccone
Brown, V.	Gabler	Masser	Sainato
Bullock	Gainey	Matzie	Samuelson
Burns	Galloway	McCarter	Sankey
Caltagirone	Gergely	McClinton	Santora
Carroll	Gillen	McGinnis	Saylor
Causar	Gillespie	Mehaffie	Schemel
Cephas	Godshall	Mentzer	Schlossberg
Charlton	Goodman	Metcalfe	Schweyer
Comitta	Greiner	Metzgar	Sims
Conklin	Grove	Miccarelli	Snyder
Cook	Haggerty	Millard	Solomon
Corbin	Hahn	Miller, B.	Sonney
Corr	Hanna	Miller, D.	Staats
Costa, D.	Harkins	Milne	Stephens
Cox	Harper	Moul	Sturla
Cruz	Harris, A.	Mullery	Tallman
Culver	Harris, J.	Murt	Thomas
Cutler	Helm	Mustio	Tobash
Daley	Hickernell	Neilson	Toepel
Davidson	Hill	Nelson	Toohil
Davis	Irvin	Nesbit	Topper
Dawkins	Jozwiak	Neuman	Vazquez
Day	Kampf	O'Brien	Vitali
Dean	Kaufner	O'Neill	Walsh
Deasy	Kauffman	Oberlander	Ward
DeLissio	Kavulich	Ortitay	Warner
Delozier	Keefer	Pashinski	Warren
DeLuca	Keller, F.	Peifer	Wentling
Dermody	Keller, M.K.	Petrarca	Wheatley
Diamond	Keller, W.	Petri	Wheeland
DiGirolamo	Kim	Pickett	White

Donatucci	Kinsey	Pyle	Youngblood
Dowling	Kirkland	Quigley	Zimmerman
Driscoll	Klunk	Quinn, C.	
Dunbar	Knowles	Quinn, M.	Turzai,
Dush	Kortz	Rader	Speaker
Ellis			

NAYS-1

Heffley

NOT VOTING-0

EXCUSED-11

Christiana	Hennessey	McNeill	Taylor
Costa, P.	James	Rabb	Watson
Fabrizio	Mako	Simmons	

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

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 1238, PN 1465**, entitled:

An Act amending Titles 3 (Agriculture), 18 (Crimes and Offenses), 22 (Detectives and Private Police), 34 (Game) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in race horse industry reform, further providing for licenses for horse race meetings and for occupational licenses for individuals; in riot, disorderly conduct and related offenses, repealing provisions relating to offense of cruelty to animals, live animals as prizes prohibited, police animals and assault with a biological agent on animal, fowl or honey bees and providing for offenses relating to cruelty to animals; in humane society police officers, further providing for definitions, for appointment by nonprofit corporations, for qualifications for appointment, for suspension, revocation, limitation and restriction of appointment and restoration of appointment, for powers and authority and jurisdiction, for search warrants and for costs; in hunting and furtaking, further providing for destruction of dogs declared public nuisances; in budget and finance, further providing for municipal corporation portion of fines, etc; and making editorial changes.

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

The SPEAKER. We have three amendments on this bill.

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

Mr. **MARSICO** offered the following amendment
No. **A00766**:

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

licensed doctor of veterinary medicine
Amend Bill, page 28, lines 28 and 29, by striking out all of said lines

Amend Bill, page 35, line 4, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 35, line 8, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 35, line 19, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 35, line 29, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 36, line 2, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 36, line 13, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 36, line 22, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 36, line 27, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 36, line 29, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 37, line 1, by striking out "veterinarian's" and inserting
licensed doctor of veterinary medicine's
Amend Bill, page 37, line 15, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 37, line 25, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 37, line 27, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 38, line 6, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 38, line 17, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 38, line 23, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 38, line 25, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 39, line 5, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine
Amend Bill, page 46, line 14, by inserting after "veterinarians"
, technicians and assistants
Amend Bill, page 46, line 15, by striking out "veterinarian" and inserting
licensed doctor of veterinary medicine, certified veterinary technician or veterinary assistant

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

AMENDMENT PASSED OVER TEMPORARILY

The SPEAKER. We are going to just go over that amendment right now.

We are going to go to amendment 932.

We are going to go over amendment 766. I will be back to that.

We are going to go to amendment 932.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **KNOWLES** offered the following amendment No. **A00932**:

Amend Bill, page 25, lines 4 and 5, by striking out all of line 4 and "5558." in line 5 and inserting 5557.

Amend Bill, page 25, line 6, by striking out "5559." and inserting 5558.

Amend Bill, page 25, line 7, by striking out "5560." and inserting 5559.

Amend Bill, page 25, line 8, by striking out "5561." and inserting 5560.

Amend Bill, page 46, lines 23 through 30; page 47, lines 1 and 2; by striking out all of said lines on said pages

Amend Bill, page 47, line 3, by striking out "5558." and inserting 5557.

Amend Bill, page 47, line 11, by striking out "5559." and inserting 5558.

Amend Bill, page 47, line 14, by striking out "5560." and inserting 5559.

Amend Bill, page 47, line 20, by striking out "5561." and inserting 5560.

On the question,

Will the House agree to the amendment?

The SPEAKER. Representative Knowles, the floor is yours, sir, on the amendment.

Mr. **KNOWLES**. Thank you, Mr. Speaker.

Mr. Speaker, a Pennsylvania State trooper is required to take 27 weeks of training. A Philadelphia police officer who chooses to put his life on the line in the City of Brotherly Love has to take 30 weeks of intense training. It is a very similar situation in the city of Pittsburgh. A local police officer – that would be the officers that serve in our townships, in our boroughs – is required to take 18 weeks of training. And finally, our sheriff's department, the deputy sheriffs are required to take 760 hours of training; that works out to being just about the same as a local police officer.

Mr. Speaker, a humane society police officer is required to take 60 hours – that is 6-0 hours – of training. Mr. Speaker, without this amendment passing, we will be giving civil immunity to these humane society police officers. As you can tell, they have far less training. They have far less authority. They have far less experience. And this civil immunity will give them maximum insulation from liability for their actions.

Mr. Speaker, the reason why police officers and sheriff's departments have sovereign immunity is because they are

agents of the government. They work for the State, they work for the county, and they work in your local communities.

Mr. Speaker, animal control officers is what these folks are. They are not real cops. They are given a limited amount of authority. They are not real cops. They do not work for your local government. They do not work for the State. They do not work for the county. They are an arm of the SPCA (Society for the Prevention of Cruelty to Animals) or some animal rescue organization. They go through 60 hours – that is 6-0 hours – of training. After that training, Mr. Speaker, they pin a badge on them. They send them out into the community. And the problem is that some of them – now I am not saying all of them – but some of them think that they are Wyatt Earp, and they go out into the community and they just do what they want to do. We have all heard stories of rogue humane society police officers. We have all heard those stories. I had to deal with them when I was a mayor many years ago.

Mr. Speaker, if this amendment does not pass and if this civil immunity remains in place, it is going to cause havoc in your communities. It has your constituents and it has the farm community scared to death. They are scared to death about this element remaining in this bill.

Mr. Speaker, I had a friend that called me and he expressed his concern over this civil immunity, and here is what he said to me: "A humane police officer's dream come true." He said, "This civil immunity is a humane police officer's dream come true." Think about that. Think about that when you vote on this amendment.

Mr. Speaker, I think it is somewhat strange and somewhat ironic – I hear it on this floor and I see it out everywhere on TV, questioning the power and the rights of police officers. We need to be sure that they stay within their rights. We need to be certain that people's rights are protected. We hold our police, who have extensive training, we hold them very close in terms of being certain, being certain that they are respectful of people's rights. But suddenly, when animals are involved, when cats and dogs are involved, holding the humane society officers accountable, it just seems to go right out the window. It just seems to go right out the window.

Mr. Speaker, creating civil immunity for animal control officers is a bad idea. It is bad for your constituents. It is bad for the farming community. And I ask my colleagues to vote "yes" on the Knowles amendment.

Thank you very much, Mr. Speaker.

The SPEAKER. Representative Frank Farry.

Mr. **FARRY**. Thank you, Mr. Speaker.

I am going to ask for a "no" vote on the Knowles amendment. While the kind gentleman has had some bad experiences, and we heard in caucus in yesterday of some bad experiences that individuals across this Commonwealth have encountered with what were labeled as "rogue humane officers," the immunity protection does not affect that in one form or another. Quite frankly, there is language in this bill that allows for the removal of those rogue officers through a complaint to the district attorney's office, which is how I would suggest this issue be handled.

And I realize we have a very diverse Commonwealth, and in that diversity, I can speak to what we encounter in southeastern Pennsylvania. As of last year we had 12 enforcement officers and we are down to 10, and the reason we are down to 10 is because of financial reasons. The liability insurance for the

people that protect the southeast on this issue is \$300,000 annually. Their deductible is \$25,000. It is a significant financial impact. The immunity would provide them some financial relief so they continue doing the job that they do.

In your e-mail – you probably just got an e-mail from my office – PSATS (Pennsylvania State Association of Township Supervisors) has come out against this amendment. I believe Representative Stephens is going to be conveying the message that the F.O.P. (Fraternal Order of Police) has come out against this amendment. If, if this amendment is not included in the language and we do not provide relief to the people that are enforcing the laws that this chamber, that this chamber has empowered them to enforce, if we do not provide them this immunity and they go by the wayside, the responsibilities of enforcing these laws are going to fall on our local governments. There will be an additional cost to our local governments to enforce the laws that we have passed in this chamber and that we have delegated to these humane officers.

For that reason and many others I ask for a "no" vote on the Knowles amendment. Thank you.

The SPEAKER. Representative Doyle Heffley.

Mr. HEFFLEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this amendment and I would urge my colleagues for an affirmative vote.

I find it very interesting that when we talk about the costs of insurance for liability insurance that we have, you know, nonprofit organizations who can send lobbyists to lobby us from Washington, DC, but yet are going to complain about having to pay for liability insurance.

I think it is important that we protect the rights of our farmers. In the State of Pennsylvania, agriculture is one and two, number one industry. Anything that we put on agriculture restrictions raises food prices, and that is not something that we want to do.

And I would ask for an affirmative vote on this. I also find it interesting that we would want to take away this liability from these humane officers. I have never seen attorneys wanting to stand up and relieve liability from somebody. They seem to always want to be making sure people are liable.

So I would ask my colleagues for an affirmative vote.

LEAVE OF ABSENCE

The SPEAKER. Representative Marc GERGELY has requested to be placed on leave.

CONSIDERATION OF HB 1238 CONTINUED

The SPEAKER. Representative Marty Causer.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in strong support of the Knowles amendment. I think that folks should take a close look at this amendment because it deals with civil immunity. And as a former police officer, I have to respond to some of the comments that have been said earlier in that humane society officers are not police officers. In fact, they are not employed by local governments. They are not even government employees. Why would we give them civil immunity when they currently do not have civil immunity? If a humane society officer is

acting within the scope of their employment, they have nothing to worry about, but giving them civil immunity is just rewarding bad actors. And there is absolutely no reason to give humane society officers civil immunity.

So I think the bottom line is, we need to strongly support the Knowles amendment, and I ask for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. Representative Will Tallman.

Mr. TALLMAN. Thank you, Mr. Speaker.

Just to give some further examples of training that happens. Wildlife conservation officers actually spend 12 months in training, yet we are saying these humane officers are only going to require 60 hours.

So I would like to ask the maker of the bill, not the amendment, a question.

The SPEAKER. Representative Stephens, would you stand for interrogation on— Now, that is not standard, but he is willing to do it.

Mr. TALLMAN. Thank you, Mr. Speaker.

I have a lot of data on Virginia and their humane officers; very, very extensive course of study to become a humane officer for Virginia. I was wondering if you would be willing to postpone this bill so I could offer that as an amendment?

The SPEAKER. Please suspend.

Representative Tallman, I apologize. That is not really a subject for interrogation, but I will, I am going recognize some folks, if you wish to have a discussion with Representative Stephens. That would not really be subject to interrogation. So if you and Representative Stephens want to talk for a few seconds, that is fine, and I am going to recognize a group here.

Mr. TALLMAN. I am going to withdraw my interrogation request.

The SPEAKER. Okay. Thank you. You may proceed, sir.

Mr. TALLMAN. So Virginia has a very extensive training program for their humane officers; we do not here in the Commonwealth. And I just think it is as the Representative that has offered the amendment knows, our training for our humane officers is totally lacking when compared to other States.

And so one of the things that the argument is is that if you have ever been abused, you can sue. Well, I already know from an incident that happened in Adams County – and my colleague from Adams County, we both know this particular incident – the folks that were involved with this humane officer, they do not have the ability to sue. You have to require some money, and they do not have that ability to sue. So that argument is null and void, the fact that people do not sue. A lot of times you do not have that money to sue.

I urge everyone in this chamber to support Representative Knowles' amendment. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

GUESTS INTRODUCED

The SPEAKER. Members, please take your seats. As guests of Representative Steve Samuelson, we have with us the fourth grade class from St. Anne School in Bethlehem. Please stand. It is great to have you here today. Everybody from St. Anne, pay attention to this debate. We are going to ask you how you would vote on it afterwards. I am teasing.

CONSIDERATION OF HB 1238 CONTINUED

The SPEAKER. We have a number of speakers left. Representative Dom Costa, followed by Representative Frank Ryan, followed by Representative Mike Tobash, and then we will go to the maker of the bill.

So Representative Dom Costa first, please.

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

I stand to oppose this amendment. I understand my colleague's point about the training, but I have used the animal control officers in the past. Their jurisdiction is limited to summary offenses. And we broke up a big dogfighting ring in the Allegheny County area with the cooperation of these animal police officers, and the whole step of the way, they worked hand in hand with the law enforcement officers – who, unfortunately, with all the training law enforcement does have, they are not experts in this field, and I think we need that expertise.

Going back to the training issue. They only have the authority, as we know – and this will not change their authority to issue summary offenses. Our parking authority officers in any city or your meter people in any city have the authority to issue a summary offense. They do not need to be equivalent to the police training that our officers get, because let us face it, our officers use use of force, deadly weapons, and things like that.

So again, for those reasons, I know the animal police have been an asset in Allegheny County, a tremendous asset to us, and it also frees officers up to do the people crimes, as we put it – not the more important, but the people crimes.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

Representative Frank Ryan, the floor is yours.

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

I would ask every member of this chamber to ask yourself what it would be like to try to defend yourself from an allegation that you have been accused of animal cruelty, if someone made a mistake in that allegation. If a police officer does it and all of a sudden you find out that that person has been trained, it is one thing, but if you have got someone with 60 hours of training, I defy you to try to clear your name regardless of the amount of money.

I have a responsibility to protect human beings and animals. I am an advocate for animals. A Boston terrier rescued me. His name was Duke and he just passed away a little while ago. He was horribly abused. I said to the Humane Society that I would be happy to sponsor a bill that would specify the training, as is done in Virginia, to provide for the education and the experience for someone who is a humane officer, but we are not there yet.

We owe it to the citizens of this Commonwealth and to every animal lover to protect those animal lovers from someone who makes a mistake, so that we leave it to the defense. I have heard the comment today that we are concerned about a \$300,000 legal bill or insurance bill for the humane officers. What about the thousands of legal dollars of expenses for someone who has got to defend themselves against this allegation?

I rise in support of the amendment, and I would tell you that as an animal lover, I am absolutely concerned that if this amendment is not passed, I could not in good conscience vote for a bill that subjects our citizens of the Commonwealth to a law that is run amok. It is about time we represent and fix the

problem that came about with Libre's Law, but let us not create another problem in the same mix.

Thank you, Mr. Speaker.

The SPEAKER. Representative Mike Tobash.

Mr. TOBASH. Thank you, Mr. Speaker.

I rise in support of the Knowles amendment, 00932. I have got a letter here in my hand from the Pennsylvania Farm Bureau. Agriculture is the number one industry in the Commonwealth of Pennsylvania and we certainly have been supporting this effort by the maker of the bill. But the Pennsylvania Farm Bureau has got concerns about the civil immunity section of this bill, and they are in favor of the Knowles amendment.

So look, we have got people that are charged with providing food to the Commonwealth and the citizens of Pennsylvania and it is important that we set up a playing field that they can continue to do their good work. So I am going to follow the Farm Bureau's lead on this and vote in favor of the Knowles amendment.

Thank you, Mr. Speaker.

The SPEAKER. Representative Todd Stephens.

Mr. STEPHENS. Thank you, Mr. Speaker.

Mr. Speaker, I will confess, when I embarked upon the mission of putting this bill together, I did not have a whole lot of knowledge about humane police officers or how they worked, or frankly, how they became to be humane police officers, and obviously, I have come to learn a great deal, and there has been a lot of misinformation that unfortunately has been disseminated here that I just feel compelled to correct.

The first and I think most important aspect of this entire bill that we will hopefully consider tomorrow on final passage is that under current law and under this bill, normal agricultural operations are exempt from the cruelty code. Let me say that again. Normal agricultural operations. Farming. If you are engaged in normal agricultural operations, you are exempt from the cruelty code. Exempt.

This issue about humane police officers wreaking havoc on farms is, frankly, just not borne out by the evidence. I have asked for examples from the Farm Bureau of lawsuits brought by farmers against humane police officers for the conduct that they are concerned about and they cannot provide me with any examples. None. I have heard about how this immunity will cause these humane police officers to act recklessly, and again, wreak havoc, or I believe run "amok" was the word I kept hearing yesterday in caucus. You know this chamber supported an agritourism immunity provision. I do not recall and still do not see today these agritourism operations running amok or wreaking havoc on communities because we supported immunity provisions.

The underlying bill includes immunity for veterinarians. Again, I did not hear any complaints or concerns that veterinarians will run amok or wreak havoc in our communities. This chamber has supported immunity provisions or limits on liability on nursing homes. I have not heard anyone complain that our nursing homes are now running amok or wreaking havoc in our communities.

Interestingly, unfortunately, the gentleman from Carbon County I am sure misspoke when he said that there are organizations that employ humane police officers that have lobbyists here from DC. That is just not true. It is just, frankly, not true, and I am happy to walk through that with the gentleman from Carbon and explain to him why that is not the

case. But again, these humane police officers work for nonprofit organizations based in our communities. They work for nonprofits. Guess what, everybody? The board members for that nonprofit, they enjoy immunity. Volunteers for those nonprofits, they enjoy immunity.

Our humane police officers are only entitled to enforce a small part of the Crimes Code; as a matter of fact, one section of the Crimes Code, and that is the animal cruelty section. So you are right. Do they need 18 weeks of training on one narrow section of the Crimes Code? I do not think so. The fact of the matter is, they get training in areas where our police officers do not. Our police officers do not get extensive training on the types of things that are required of our humane police officers, like animal husbandry practices constituting normal agricultural operations, practices accepted in the agricultural industry in the raising, keeping, and production of agricultural animals; characteristics of agricultural animals likely evidencing care that is in violation of the animal cruelty laws. These are all things that our police officers do not receive extensive training in, and as a matter of fact, that is why you probably just received an e-mail from the F.O.P. The F.O.P. opposes this amendment, and the reason is very simple: The men and women of our law enforcement community need to be focused on the more serious violations of law, the more serious illegal conduct in our communities. The reason the F.O.P. opposes an amendment like this is because they understand the need for people specialized in the care of animals, and again, at the lowest levels, the lowest levels of crimes.

So for instance, do you want your State Police or your local police officer fielding calls about the neighbor's dog that is barking too much or the hoarder that has 39 cats in her basement? Is that what you want your State Police focusing their time and energy on? Or should we have humane police officers that are specialized in that area that can find a home for those cats and deal with those situations? The fact of the matter is, all the arguments about this immunity running amok and wreaking havoc are just misplaced. We only have 133 humane police officers throughout the entire Commonwealth of Pennsylvania. There are actually six counties with none.

Mr. Speaker, could I have some order, please?

Mr. Speaker, may I have some order? I cannot hear.

The SPEAKER. Members, please take your seats. We have some additional speakers who have signed on.

Mr. STEPHENS. I am not done.

The SPEAKER. Representative, just suspend.

Members, please take your seats. Any conversations I would appreciate if everybody could take off the House floor.

Representative Stephens, you may conclude.

Mr. STEPHENS. Thank you.

So we only have 133 humane police officers across the entire Commonwealth. There are actually six counties with none. So Armstrong County, Bedford County, Butler County, Forest County, Fulton County, and Venango County have no humane police officers. So any concerns about people running amok or wreaking havoc on communities in those six counties – completely unfounded. These humane police officers save us roughly \$8.6 million a year because our local municipal police departments do not have to employ the animal control officers that would fill the role if we did not have humane police officers.

In the end, Mr. Speaker, there is a balance in this bill. There is some oversight necessary for humane police officers, there is no question about it, and this bill, the underlying bill provides that. It gives the district attorney unprecedented authority over humane police officers. It gives them the ability to weigh in at their appointment, it gives them the ability to step in to seek their removal, and most importantly, it gives the judge the discretion to deny their application out of the gate.

For those reasons, Mr. Speaker, I would urge the members to oppose the Knowles amendment, stand with the F.O.P., and stand with our township supervisors and our local governments who would be forced to bear the cost if we did not have humane police officers in Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Representative Cris Dush.

Mr. DUSH. Thank you, Mr. Speaker.

I would like to know if the maker of the bill would actually indulge me for just one quick question, please. I have been trying to find the answer to this.

The SPEAKER. Yes, the good gentleman has indicated he will stand for interrogation, and you may proceed.

Mr. DUSH. Thank you, Mr. Speaker.

The question I have is – I have been trying to find it in the bill – is there any training in the bill as it stands for these humane officers on the Fourth Amendment and the rights of privacy of the individuals protecting against unlawful search and seizure, and if so, how many hours?

Mr. STEPHENS. Yes, as a matter of fact, the curriculum is detailed in current statute, so we do not change it, but the existing curriculum would remain. The existing curriculum does require – it specifies exactly what areas the humane police officers must be trained in and the number of hours and the proper execution of search warrants, the proper search and seizure practices, as well as the Pennsylvania Rules of Criminal Procedure and the Pennsylvania cruelty to animals laws, as well as care and treatment of animals. They are all included within the current curriculum for humane police officers.

Mr. DUSH. How many hours of training do they get on that?

Mr. STEPHENS. It is a total of 60 hours of training, and then, again, the district attorney, under the bill, will have an opportunity to review their qualifications, and under current law, under current law – and this is really important, because this is something that I know is very important to many of our members – under current law, a judge has no discretion. Under current law, if you do your 60 hours of training you must be admitted as a humane police officer. We changed that. We changed that from the judge "shall" appoint you to the judge "may" appoint you, and so now you not only have the D.A. with the ability to intervene, you also have a judge with the discretion to go ahead and determine whether or not it is appropriate for you to be a humane police officer, which is unlike existing law.

Mr. DUSH. Thank you.

The SPEAKER. Representative Curtis Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I wanted to just rise and allow the record to reflect my support for the last speaker's comments on how important it is to support our local communities and our local municipalities. I like that, and I just wanted the record to reflect that.

Thank you, Mr. Speaker.

The SPEAKER. Yes, sir.

Representative Jerry Knowles, for the second time.

Mr. KNOWLES. Thank you, Mr. Speaker.

Mr. Speaker, I think it is important to note, and I think it may have been said earlier, that the Farm Bureau supports this amendment. The Farm Bureau has said that if this amendment passes, they will not oppose the bill. If this amendment fails, they will be strongly opposed to the bill.

Mr. Speaker, I want you to think about something. We can really come out of this thing as a winner. We can come out of this as a winner if we want to compromise. If we pass this amendment and if we pass the bill, neither the Farm Bureau or the animal control people will be tickled pink, but I can tell you that they will be satisfied, and they should be satisfied. If we remove the civil immunity portion, if that is removed, that will satisfy the farming community. And really, if this is all about the animals, if this is all about the animals, everything in terms of the meaningful components of the legislation will still be in the bill. So neither side will be happy, but both sides should be satisfied.

Mr. Speaker, I ask you all to think long and hard about this vote and I ask you to stand by the hardworking farmers, people who go out and work very hard in their fields every day. They support this amendment. I ask you to support the farmers and I ask you to support the people that you represent in your communities that are afraid that they are going to have a rogue animal control officer show up at their door.

So, Mr. Speaker, in closing, I thank you for the debate, I thank you all for your consideration on this amendment, and I ask for your vote on amendment 00932.

Thank you, Mr. Speaker.

The SPEAKER. Representative John Maher.

Mr. MAHER. Thank you, Mr. Speaker.

It was my privilege for many years to serve as chairman of the Committee on Agriculture, and I put our number one industry at the top of my list of things that are important. But I think we have got a little misunderstanding here. The cruelty law exempts farm operations. It does not touch farm operations. Consequently, humane officers, if they are interfering with the farm, they are not acting in their capacity as a humane officer because it is not in their jurisdiction. It would be much like a city of Pittsburgh cop trying to arrest somebody in Philadelphia. It does not apply. If he is there as a private citizen, then he has got his own civil citizen's arrest exposure. This amendment, we have got a bargain here. The bargain is, we have free humane officers instead of having to pay for them, as is the case in many States. The new part of the bargain is, we are going to make sure that any humane officer is qualified by asking the district attorney and a judge to use their judgment.

To be concerned about whether this immunity applies to farms that are not part of this bill just does not really make a lot of sense to me, and for that reason I am going to oppose this amendment. And I hope, and I stand for agriculture, but just saying "farm" does not make it about farms. This is not about farms and let us leave farms out of the conversation because they are out of the bill. They are not covered by this law. So let it be, as the Beatles would say, let it be.

The SPEAKER. Representative Barry Jozwiak.

Mr. JOZWIAK. Thank you, Mr. Speaker.

I am hearing the debate and I am hearing about all the training that these humane officers are supposed to get. The question that I have is, where do they get this training and who

trains them? They cannot go to the MPOETC (Municipal Police Officers Education and Training Commission) school, that is a 6-month school. They are not going to do that. So my question is, if they are going to get this training, where do they get this training? I do not think it is just readily available.

The next thing I heard was what is a normal farm operation? They are supposed to be exempt from that.

Also I hear that the humane officer can only operate in the county that he is approved by the court. So my question is, how long is approval for? Is it for life? Is it for a year? Is it for an incident? There is no explanation on that.

So I am saying this: You can have a humane officer, but I do not think you can have immunity. So I am in favor of the Knowles amendment, and I vote "yes" and I would ask all of you to vote "yes" for Knowles.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—65

Barrar	Fee	Mackenzie	Reese
Benninghoff	Fritz	Maloney	Roae
Bloom	Gabler	Marshall	Rothman
Brown, R.	Gillen	McGinnis	Ryan
Causar	Grove	Metcalfe	Saccone
Cook	Hahn	Millard	Sankey
Cox	Heffley	Miller, B.	Saylor
Culver	Helm	Moul	Schemel
Day	Hickernell	Mustio	Tallman
Diamond	Irvin	Nelson	Tobash
Dowling	Jozwiak	Oberlander	Toohil
Dunbar	Keefer	Peifer	Walsh
Dush	Keller, F.	Pickett	Ward
Emrick	Keller, M.K.	Pyle	Warner
English	Knowles	Rader	Wentling
Evankovich	Lawrence	Rapp	Zimmerman
Everett			

NAYS—126

Baker	DiGirolamo	Kortz	Quinn, M.
Barbin	Donatucci	Krueger	Ravenstahl
Bernstine	Driscoll	Kulik	Readshaw
Bizzarro	Ellis	Lewis	Reed
Boback	Evans	Longietti	Roae
Boyle	Farry	Madden	Roebuck
Bradford	Fitzgerald	Maher	Rozzi
Briggs	Flynn	Markosek	Sainato
Brown, V.	Frankel	Marsico	Samuelson
Bullock	Freeman	Masser	Santora
Burns	Gainey	Matzie	Schlossberg
Caltagirone	Galloway	McCarter	Schweyer
Carroll	Gillespie	McClinton	Sims
Cephas	Godshall	Mehaffie	Snyder
Charlton	Goodman	Mentzer	Solomon
Comitta	Greiner	Metzgar	Sonney
Conklin	Haggerty	Miccarelli	Staats
Corbin	Hanna	Miller, D.	Stephens
Corr	Harkins	Milne	Sturla
Costa, D.	Harper	Mullery	Thomas
Cruz	Harris, A.	Murt	Toepel
Cutler	Harris, J.	Neilson	Topper
Daley	Hill	Nesbit	Vazquez
Davidson	Kampf	Neuman	Vitali
Davis	Kaufman	O'Brien	Warren
Dawkins	Kavulich	O'Neill	Wheatley
Dean		Ortity	Wheeland

Deasy	Keller, W.	Pashinski	White
DeLissio	Kim	Petrarca	Youngblood
Delozier	Kinsey	Petri	
DeLuca	Kirkland	Quigley	Turzai,
Dermody	Klunk	Quinn, C.	Speaker

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

CONSIDERATION OF
AMENDMENT 00766 CONTINUED

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

The clerk read the following amendment No. **A00766**:

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

licensed doctor of veterinary medicine

Amend Bill, page 28, lines 28 and 29, by striking out all of said lines

Amend Bill, page 35, line 4, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 35, line 8, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 35, line 19, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 35, line 29, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 36, line 2, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 36, line 13, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 36, line 22, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 36, line 27, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 36, line 29, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 37, line 1, by striking out "veterinarian's" and inserting

licensed doctor of veterinary medicine's

Amend Bill, page 37, line 15, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 37, line 25, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 37, line 27, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 38, line 6, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 38, line 17, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 38, line 23, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 38, line 25, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 39, line 5, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine

Amend Bill, page 46, line 14, by inserting after "veterinarians"

, technicians and assistants

Amend Bill, page 46, line 15, by striking out "veterinarian" and inserting

licensed doctor of veterinary medicine, certified veterinary technician or veterinary assistant

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

The SPEAKER. On the amendment, Representative Marsico. Mr. MARSICO. Thank you, Mr. Speaker.

This is a much less controversial amendment. It is a technical amendment and clarifies the term "veterinarian" in the bill. It replaces the general word "veterinarian" in the bill with the more precise term "licensed doctor of veterinary medicine" where that is appropriate.

So I would ask for an affirmative vote. I understand it is agreed to. Thank you.

The SPEAKER. Representative Stephens, on the amendment.

Mr. STEPHENS. This is an agreed-to amendment, Mr. Speaker. Thank you.

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

The following roll call was recorded:

YEAS—191

Baker	Emrick	Krueger	Rapp
Barbin	English	Kulik	Ravenstahl
Barrar	Evankovich	Lawrence	Readshaw
Benninghoff	Evans	Lewis	Reed
Bernstine	Everett	Longietti	Reese
Bizzarro	Farry	Mackenzie	Roae
Bloom	Fee	Madden	Roe
Boback	Fitzgerald	Maher	Roebuck
Boyle	Flynn	Maloney	Rothman
Bradford	Frankel	Markosek	Rozzi
Briggs	Freeman	Marshall	Ryan
Brown, R.	Fritz	Marsico	Sacccone
Brown, V.	Gabler	Masser	Sainato
Bullock	Gainey	Matzie	Samuelson
Burns	Galloway	McCarter	Sankey
Caltagirone	Gillen	McClinton	Santora
Carroll	Gillespie	McGinnis	Saylor
Causar	Godshall	Mehaffie	Schemel
Cephas	Goodman	Mentzer	Schlossberg

Charlton	Greiner	Metcalf	Schweyer
Comitta	Grove	Metzgar	Sims
Conklin	Haggerty	Miccarelli	Snyder
Cook	Hahn	Millard	Solomon
Corbin	Hanna	Miller, B.	Sonney
Corr	Harkins	Miller, D.	Staats
Costa, D.	Harper	Milne	Stephens
Cox	Harris, A.	Moul	Sturla
Cruz	Harris, J.	Mullery	Tallman
Culver	Heffley	Murt	Thomas
Cutler	Helm	Mustio	Tobash
Daley	Hickernell	Neilson	Toepel
Davidson	Hill	Nelson	Toohil
Davis	Irvin	Nesbit	Topper
Dawkins	Jozwiak	Neuman	Vazquez
Day	Kampf	O'Brien	Vitali
Dean	Kaufner	O'Neill	Walsh
Deasy	Kauffman	Oberlander	Ward
DeLissio	Kavulich	Ortitay	Warner
Delozier	Keefer	Pashinski	Warren
DeLuca	Keller, F.	Peifer	Wentling
Dermody	Keller, M.K.	Petrarca	Wheatley
Diamond	Keller, W.	Petri	Wheeland
DiGirolamo	Kim	Pickett	White
Donatucci	Kinsey	Pyle	Youngblood
Dowling	Kirkland	Quigley	Zimmerman
Driscoll	Klunk	Quinn, C.	
Dunbar	Knowles	Quinn, M.	Turzai,
Dush	Kortz	Rader	Speaker
Ellis			

NAYS—0

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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. **MARSICO** offered the following amendment No. **A00931**:

Amend Bill, page 38, line 18, by striking out "Declawing" and inserting
Dewclawing

On the question,

Will the House agree to the amendment?

The **SPEAKER**. On the amendment, Representative Marsico. Mr. **MARSICO**. Thank you, Mr. Speaker.

This is an agreed-to technical amendment which corrects a misspelling in the section where "declawing" should read "dewclawing." It is purely a technical correction. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—191

Baker	Emrick	Krueger	Rapp
Barbin	English	Kulik	Ravenstahl
Barrar	Evankovich	Lawrence	Readshaw
Benninghoff	Evans	Lewis	Reed
Bernstine	Everett	Longietti	Reese
Bizzarro	Farry	Mackenzie	Roae
Bloom	Fee	Madden	Roe
Boback	Fitzgerald	Maher	Roebuck
Boyle	Flynn	Maloney	Rothman
Bradford	Frankel	Markosek	Rozzi
Briggs	Freeman	Marshall	Ryan
Brown, R.	Fritz	Marsico	Saccone
Brown, V.	Gabler	Masser	Sainato
Bullock	Gainey	Matzie	Samuelson
Burns	Galloway	McCarter	Sankey
Caltagirone	Gillen	McClinton	Santora
Carroll	Gillespie	McGinnis	Saylor
Causer	Godshall	Mehaffie	Schemel
Cephas	Goodman	Mentzer	Schlossberg
Charlton	Greiner	Metcalf	Schweyer
Comitta	Grove	Metzgar	Sims
Conklin	Haggerty	Miccarelli	Snyder
Cook	Hahn	Millard	Solomon
Corbin	Hanna	Miller, B.	Sonney
Corr	Harkins	Miller, D.	Staats
Costa, D.	Harper	Milne	Stephens
Cox	Harris, A.	Moul	Sturla
Cruz	Harris, J.	Mullery	Tallman
Culver	Heffley	Murt	Thomas
Cutler	Helm	Mustio	Tobash
Daley	Hickernell	Neilson	Toepel
Davidson	Hill	Nelson	Toohil
Davis	Irvin	Nesbit	Topper
Dawkins	Jozwiak	Neuman	Vazquez
Day	Kampf	O'Brien	Vitali
Dean	Kaufner	O'Neill	Walsh
Deasy	Kauffman	Oberlander	Ward
DeLissio	Kavulich	Ortitay	Warner
Delozier	Keefer	Pashinski	Warren
DeLuca	Keller, F.	Peifer	Wentling
Dermody	Keller, M.K.	Petrarca	Wheatley
Diamond	Keller, W.	Petri	Wheeland
DiGirolamo	Kim	Pickett	White
Donatucci	Kinsey	Pyle	Youngblood
Dowling	Kirkland	Quigley	Zimmerman
Driscoll	Klunk	Quinn, C.	
Dunbar	Knowles	Quinn, M.	Turzai,
Dush	Kortz	Rader	Speaker
Ellis			

NAYS—0

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

GUESTS INTRODUCED

The SPEAKER. Located to the left of the rostrum, the Chair welcomes students from the McCourt School of Public Policy at Georgetown University, and they are joined by our good friend, former colleague, and their adjunct professor, Representative Chris Ross. Please everybody give Chris a round of applause.

Representative Ross has with him these students: Bryan Baird, Mariam Ghavalyn, Shane McCarthy, Michael Ridings, Victoria Rosenboom, Hanna Schurman, and Takayuki Shirai. Thank you so much, each and every one of you, for being with us today. It is an honor. Thank you.

RESOLUTION

Mr. BAKER called up **HR 27, PN 941**, entitled:

A Resolution encouraging the medical community of this Commonwealth to help raise awareness of unethical organ transplant practices in China.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

Baker	Emrick	Krueger	Rapp
Barbin	English	Kulik	Ravenstahl
Barrar	Evankovich	Lawrence	Readshaw
Benninghoff	Evans	Lewis	Reed
Bernstine	Everett	Longietti	Reese
Bizzarro	Farry	Mackenzie	Roae
Bloom	Fee	Madden	Roe
Boback	Fitzgerald	Maher	Roebuck
Boyle	Flynn	Maloney	Rothman
Bradford	Frankel	Markosek	Rozzi
Briggs	Freeman	Marshall	Ryan
Brown, R.	Fritz	Marsico	Saccone
Brown, V.	Gabler	Masser	Sainato
Bullock	Gainey	Matzie	Samuelson
Burns	Galloway	McCarter	Sankey
Caltagirone	Gillen	McClinton	Santora
Carroll	Gillespie	McGinnis	Saylor
Causar	Godshall	Mehaffie	Schemel
Cephas	Goodman	Mentzer	Schlossberg
Charlton	Greiner	Metcalfe	Schweyer
Comitta	Grove	Metzgar	Sims
Conklin	Haggerty	Miccarelli	Snyder
Cook	Hahn	Millard	Solomon
Corbin	Hanna	Miller, B.	Sonney
Corr	Harkins	Miller, D.	Staats
Costa, D.	Harper	Milne	Stephens
Cox	Harris, A.	Moul	Sturla
Cruz	Harris, J.	Mullery	Tallman
Culver	Heffley	Murt	Thomas
Cutler	Helm	Mustio	Tobash
Daley	Hickernell	Neilson	Toepel
Davidson	Hill	Nelson	Toohil
Davis	Irvin	Nesbit	Topper
Dawkins	Jozwiak	Neuman	Vazquez
Day	Kampf	O'Brien	Vitali
Dean	Kaufers	O'Neill	Walsh

Deasy	Kauffman	Oberlander	Ward
DeLissio	Kavulich	Ortity	Warner
Delozier	Keefer	Pashinski	Warren
DeLuca	Keller, F.	Peifer	Wentling
Dermody	Keller, M.K.	Petrarca	Wheatley
Diamond	Keller, W.	Petri	Wheeland
DiGirolamo	Kim	Pickett	White
Donatucci	Kinsey	Pyle	Youngblood
Dowling	Kirkland	Quigley	Zimmerman
Driscoll	Klunk	Quinn, C.	
Dunbar	Knowles	Quinn, M.	Turzai,
Dush	Kortz	Rader	Speaker
Ellis			

NAYS—0

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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 671, PN 717**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for limitation on the regulation of firearms and ammunition.

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

The SPEAKER. There are a number of amendments that are offered. We are going to go by order of the number on the amendment.

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

Mr. **THOMAS** offered the following amendment
No. **A00773**:

Amend Bill, page 1, line 8, by inserting after "amended"
and the section is amended by adding a subsection
Amend Bill, page 2, line 9, by striking out "60" and inserting
180
Amend Bill, page 2, by inserting between lines 19 and 20
(a.4) Notice to file action.—The written notice of intent to file
action as provided in subsection (a.3) must provide in detail a written
explanation specifying the provision by which the person is affected
and how the person is adversely affected by the provision.

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

The SPEAKER. Members, please take your seats.
On the amendment, Representative Curtis Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, the amendment is pretty straightforward. It asks for 180 days' notice of intent to file suit and requires that the adverse impact be disclosed in the notice of intent to file suit. So it is straightforward. We are asking for 180 days.

The SPEAKER. Representative Mark Keller, on the amendment, sir.

Mr. M. KELLER. Thank you, Mr. Speaker.

Mr. Speaker, originally when the bill was written, we had written for 30 days. I was approached that that may not be quite long enough so we extended it to 60 days. Having past been a public official at the municipal level, I know that 60 days is more than a sufficient amount of time for a municipality to have notice.

I would appreciate the members not supporting this amendment. Thank you.

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

The following roll call was recorded:

YEAS—51

Boyle	Dawkins	Keller, W.	Samuelson
Bradford	Dean	Kim	Schlossberg
Briggs	Deasy	Kinsey	Schweyer
Brown, V.	DeLissio	Kirkland	Sims
Bullock	Dermoddy	Krueger	Solomon
Caltagirone	Donatucci	Madden	Sturla
Cephas	Driscoll	Matzie	Thomas
Comitta	Fitzgerald	McCarter	Vazquez
Conklin	Frankel	McClinton	Vitali
Cruz	Freeman	Miller, D.	Warren
Daley	Gainey	O'Brien	Wheatley
Davidson	Galloway	Ravenstahl	Youngblood
Davis	Harris, J.	Roebuck	

NAYS—140

Baker	Flynn	Maher	Rader
Barbin	Fritz	Maloney	Rapp
Barrar	Gabler	Markosek	Readshaw
Benninghoff	Gillen	Marshall	Reed
Bernstine	Gillespie	Marsico	Reese
Bizzarro	Godshall	Masser	Roae
Bloom	Goodman	McGinnis	Roe
Boback	Greiner	Mehaffie	Rothman
Brown, R.	Grove	Mentzer	Rozzi
Burns	Haggerty	Metcalfe	Ryan
Carroll	Hahn	Metzgar	Saccone
Causer	Hanna	Miccarelli	Sainato
Charlton	Harkins	Millard	Sankey
Cook	Harper	Miller, B.	Santora
Corbin	Harris, A.	Milne	Saylor
Corr	Heffley	Moul	Schemel
Costa, D.	Helm	Mullery	Snyder
Cox	Hickernell	Murt	Sonney
Culver	Hill	Mustio	Staats
Cutler	Irvin	Neilson	Stephens
Day	Jozwiak	Nelson	Tallman
DeLozier	Kampf	Nesbit	Tobash
DeLuca	Kaufer	Neuman	Toepel
Diamond	Kauffman	O'Neill	Toohil
DiGirolando	Kavulich	Oberlander	Topper
Dowling	Keefer	Ortitay	Walsh
Dunbar	Keller, F.	Pashinski	Ward
Dush	Keller, M.K.	Peifer	Warner
Ellis	Klunk	Petrarca	Wentling
Emrick	Knowles	Petri	Wheeland
English	Kortz	Pickett	White

Evankovich	Kulik	Pyle	Zimmerman
Evans	Lawrence	Quigley	
Everett	Lewis	Quinn, C.	Turzai,
Farry	Longiotti	Quinn, M.	Speaker
Fee	Mackenzie		

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

Mr. THOMAS offered the following amendment
No. A00774:

Amend Bill, page 1, line 8, by inserting after "amended" and the section is amended by adding a subsection
Amend Bill, page 2, line 9, by striking out "60" and inserting 120
Amend Bill, page 2, by inserting between lines 19 and 20
(a.4) Notice to file action.—The written notice of intent to file action as provided in subsection (a.3) must provide in detail a written explanation specifying the provision by which the person is adversely affected and how the person is adversely affected by the provision.

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

The SPEAKER. On the amendment, Representative Curtis Thomas is recognized.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I have heard these concerns about the need to respect local municipalities. I have heard the concerns about it is necessary to get it right, balance interests. Mr. Speaker, there is no effort in 774 to change the paradigm in this amendment. All it is asking is for 120 days.

Now, when you consider what goes on at the local level and how tough it can be in dealing with some of these complex issues, Mr. Speaker, I think there is something fundamentally wrong for us to be sitting here dictating to our local communities what they should be doing and should not be doing. I think that this is an assault on local control, it is an assault on everyday people in our local communities, and, Mr. Speaker, I started to open up with asking for an inquiry of the maker of this bill. But, Mr. Speaker, I know that there has been no conversation with my mayor, my police commissioner, my council president, my PICA (Pennsylvania Intergovernmental Cooperation Authority) board, my ward leaders, my committee people, and my precinct captains. Mr. Speaker, I did not ask the question because I know Miss Hattie has not been conferred with about whether or not this is an appropriate assault, an appropriate thing to be doing to our local communities.

Now, Mr. Speaker, I saw the last vote. I was surprised. I wish I had known it earlier when I put up some of the other votes for folks that I did not know then that they were waiting to slap me. But, Mr. Speaker, I saw the votes and I remember the votes, and all I am asking is, give our local communities 120 days. I am also asking that the adverse effect, because this kind of adversarial relationship has serious consequences, if people should be aware of the consequences when there is a notice filed of intent to sue.

Mr. Speaker, this bill is extending rights to folks who have never had these kinds of rights. I started this, opened up the conversation with asking my friend – because I think I heard last night that the President will be here this Saturday – is this for him? But I did not ask that. I know my friend is trying to do the right thing and operating on the right motivation.

But, Mr. Speaker, let us consider our communities, and I hope I see more than 55 votes up there on this amendment.

The SPEAKER. Representative Mark Keller, on the amendment, sir.

Mr. M. KELLER. Thank you, Mr. Speaker.

As I stated in the last amendment, the same reason, I would appreciate a "no" vote.

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

The following roll call was recorded:

YEAS—54

Boyle	Dawkins	Keller, W.	Roebuck
Bradford	Dean	Kim	Samuelson
Briggs	Deasy	Kinsey	Schlossberg
Brown, V.	DeLissio	Kirkland	Schweyer
Bullock	Dermody	Krueger	Sims
Caltagirone	Donatucci	Madden	Solomon
Carroll	Driscoll	Matzie	Sturla
Cephas	Evans	McCarter	Thomas
Comitta	Fitzgerald	McClinton	Vazquez
Conklin	Frankel	Miller, D.	Vitali
Cruz	Freeman	Neilson	Warren
Daley	Gainey	O'Brien	Wheatley
Davidson	Galloway	Ravenstahl	Youngblood
Davis	Harris, J.		

NAYS—137

Baker	Fritz	Maher	Rapp
Barbin	Gabler	Maloney	Readshaw
Barrar	Gillen	Markosek	Reed
Benninghoff	Gillespie	Marshall	Reese
Bernstine	Godshall	Marsico	Roae
Bizzarro	Goodman	Masser	Roe
Bloom	Greiner	McGinnis	Rothman
Boback	Grove	Mehaffie	Rozzi
Brown, R.	Haggerty	Mentzer	Ryan
Burns	Hahn	Metcalfe	Saccone
Causser	Hanna	Metzgar	Sainato
Charlton	Harkins	Miccarelli	Sankey
Cook	Harper	Millard	Santora
Corbin	Harris, A.	Miller, B.	Saylor
Corr	Heffley	Milne	Schemel
Costa, D.	Helm	Moul	Snyder
Cox	Hickernell	Mullery	Sonney
Culver	Hill	Murt	Staats
Cutler	Irvin	Mustio	Stephens
Day	Jozwiak	Nelson	Tallman
Delozier	Kampf	Nesbit	Tobash
DeLuca	Kaufer	Neuman	Toepel

Diamond	Kauffman	O'Neill	Toohil
DiGirolamo	Kavulich	Oberlander	Topper
Dowling	Keefer	Ortitay	Walsh
Dunbar	Keller, F.	Pashinski	Ward
Dush	Keller, M.K.	Peifer	Warner
Ellis	Klunk	Petrarca	Wentling
Emrick	Knowles	Petri	Wheeland
English	Kortz	Pickett	White
Evankovich	Kulik	Pyle	Zimmerman
Everett	Lawrence	Quigley	
Farry	Lewis	Quinn, C.	Turzai,
Fee	Longiotti	Quinn, M.	Speaker
Flynn	Mackenzie	Rader	

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

GUESTS INTRODUCED

The SPEAKER. Members, we have a special guest to introduce today, a guest of Representative Frank Farry and Representative Kate Harper. We have with us Merrill Reese and his wife Cindy, and as many of you know, Merrill is the voice of the Philadelphia Eagles. Merrill, would you please stand? Cindy, it is so great to have you here with Merrill. We are very appreciative.

I saw our good friend, Senator Tomlinson, was on the House floor, too, and Senator, how are you? You may not remember – I think you were a House member, right, Senator? Good to have you here, sir. Thank you so much.

And, Merrill, thank you. Cindy, thank you.

At this time we will continue with the amendments.

THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING

CONSIDERATION OF HB 671 CONTINUED

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

Mr. THOMAS offered the following amendment
No. A00775:

Amend Bill, page 1, line 8, by inserting after "amended" and the section is amended by adding a subsection
Amend Bill, page 2, line 9, by striking out "60" and inserting 90
Amend Bill, page 2, by inserting between lines 19 and 20
(a.4) Notice to file action.—The written notice of intent to file action as provided in subsection (a.3) must provide in detail a written explanation specifying the provision by which the person is adversely affected and how the person is adversely affected by the provision.

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

The SPEAKER pro tempore. On that question, the gentleman, Mr. Thomas, is recognized.

Mr. THOMAS. Mr. Speaker, may I interrogate the author of the bill?

The SPEAKER pro tempore. The gentleman has agreed and he will agree, Mr. Thomas, but before us is your amendment. But he has agreed to a brief period of interrogation.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, do you believe that any extension of time for the notice to file suit is necessary?

Mr. M. KELLER. Thank you, Mr. Speaker.

Yes, that is why I have 60 days in there for that.

Mr. THOMAS. And you believe the 60 days is a sufficient amount of time?

Mr. M. KELLER. Absolutely. As a past municipal supervisor, I firsthand know that it does not take long to change things if need be, and I will finish out with the fact that it should not take long at all to take something off the books that is actually illegal.

Thank you, Mr. Speaker.

Mr. THOMAS. Mr. Speaker, have you had a chance to talk with the people in Philadelphia County, a mayor, police commissioner—

The SPEAKER pro tempore. Mr. Thomas, the Chair has been advised that the line of questioning is rather inappropriate, as before us is your amendment, not the bill. Obviously, it is your prerogative to have these kinds of interrogations on final passage, but we would hope that you would maintain your comments to your amendment as before the House.

Mr. THOMAS. Well, Mr. Speaker, I think that the author of the bill is as respectful of the House and the speaker as I am of him. I have several amendments here. I might not need to delay the resolution of this if the speaker can tell me whether he has any belief that any conversations should be taken on extending the 60-day notice, or should we just go through it?

The SPEAKER pro tempore. Mr. Thomas, the Chair has been advised by the Parliamentarian that it is an inappropriate question to inquire as to whom he may or may not have had conversations with, and again, we are encouraging you to remain true to the discussion of what is before the House, and that is your amendment.

Mr. THOMAS. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Thank you, sir.

Mr. THOMAS. Let me thank the speaker for responding to the brief interrogation.

Before the House is amendment 775, and 775 would require a 90-day notice of intent to file suit, 3 months. And we ask that in that notice, that the adverse impact, the adverse, the unintended and intended consequences of this action, will be enclosed in the notice. At a minimum, I think that our voters, and more importantly, our local officials, need to have some input in this decisionmaking.

So, Mr. Speaker, I ask the people of this House, on both the right and left, D and R, if you believe in the people that voted you in the county that you represent, then vote "yes" on the Thomas amendment. If you do not really care about the people that you represent and the counties that you represent, then vote "no."

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Pyle, on the Thomas amendment.

Mr. PYLE. Thank you, Mr. Speaker. I am waiving off.

However, I think we need to look at the last statement that was made. To assume that any of my honored colleagues on this floor do not care about the people they represent is a misnomer and highly erroneous.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Thomas, for the second time.

Mr. THOMAS. Thank you, Mr. Speaker.

Representative Pyle is correct. I believe that you do care about the people that you represent and the counties that you represent, and so I look for a "yes" vote on the Thomas amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Mark Keller, on the amendment.

Mr. M. KELLER. Thank you, Mr. Speaker.

This, again, is not an agreed-to amendment, as was stated in the past. I would appreciate a "no" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—53

Boyle	Dean	Keller, W.	Roebuck
Bradford	Deasy	Kim	Samuelson
Briggs	DeLissio	Kinsey	Schlossberg
Brown, V.	Dermody	Kirkland	Schweyer
Bullock	Donatucci	Krueger	Sims
Caltagirone	Driscoll	Madden	Solomon
Cephas	Evans	Matzie	Sturla
Comitta	Fitzgerald	McCarter	Thomas
Conklin	Frankel	McClinton	Vazquez
Cruz	Freeman	Miller, D.	Vitali
Daley	Gainey	Neilson	Warren
Davidson	Galloway	O'Brien	Wheatley
Davis	Harris, J.	Ravenstahl	Youngblood
Dawkins			

NAYS—138

Baker	Flynn	Mackenzie	Rader
Barbin	Fritz	Maher	Rapp
Barrar	Gabler	Maloney	Readshaw
Benninghoff	Gillen	Markosek	Reed
Bernstine	Gillespie	Marshall	Reese
Bizzarro	Godshall	Marsico	Roae
Bloom	Goodman	Masser	Roe
Boback	Greiner	McGinnis	Rothman
Brown, R.	Grove	Mehaffie	Rozzi
Burns	Haggerty	Mentzer	Ryan
Carroll	Hahn	Metcalfe	Saccone
Causar	Hanna	Metzgar	Sainato
Charlton	Harkins	Miccarelli	Sankey
Cook	Harper	Millard	Santora
Corbin	Harris, A.	Miller, B.	Saylor
Corr	Heffley	Milne	Schemel
Costa, D.	Helm	Moul	Snyder
Cox	Hickernell	Mullery	Sonney

Culver	Hill	Murt	Staats
Cutler	Irvin	Mustio	Stephens
Day	Jozwiak	Nelson	Tallman
DeLozier	Kampf	Nesbit	Tobash
DeLuca	Kaufer	Neuman	Toepel
Diamond	Kauffman	O'Neill	Toohil
DiGirolamo	Kavulich	Oberlander	Topper
Dowling	Keefer	Ortitay	Walsh
Dunbar	Keller, F.	Pashinski	Ward
Dush	Keller, M.K.	Peifer	Warner
Ellis	Klunk	Petrarca	Wentling
Emrick	Knowles	Petri	Wheeland
English	Kortz	Pickett	White
Evankovich	Kulik	Pyle	Zimmerman
Everett	Lawrence	Quigley	
Farry	Lewis	Quinn, C.	Turzai,
Fee	Longietti	Quinn, M.	Speaker

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

Mr. **THOMAS** offered the following amendment
No. **A00777**:

Amend Bill, page 1, line 8, by inserting after "amended"
and the section is amended by adding a subsection
Amend Bill, page 2, by inserting between lines 19 and 20
(a.4) Notice to file action.—The written notice of intent to file
action as provided in subsection (a.3) must provide in detail a written
explanation specifying the provision by which the person is adversely
affected and how the person is adversely affected by the provision.

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

The SPEAKER pro tempore. On that question, the gentleman, Mr. Thomas, is recognized.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, it might be unnecessary to entertain this amendment if the speaker – do not clap yet; wait a minute – if the speaker, I thought I heard him say earlier that he has extended the notice from 30 to 60 days. Is that correct?

The SPEAKER pro tempore. Are you requesting a brief period of interrogation for the record?

Mr. THOMAS. Yes.

The SPEAKER pro tempore. Mr. Keller has agreed.

Mr. THOMAS. Mr. Speaker, is it my understanding that you have extended the notice of time to file suit from 30 days to 60 days?

Mr. M. KELLER. Mr. Speaker, as per the last writing of the bill in last session, it was for 30 days. We extended it to 60 days because of the fact that I was contacted by local individuals that 60 days would work better, and being a local official myself,

I know that the advertising requirements that are required would give them the adequate time to do that.

Mr. THOMAS. Mr. Speaker, does that change also require that adverse impact be included in the notice?

Mr. M. KELLER. Mr. Speaker, I am not sure what you are questioning there.

Mr. THOMAS. Whether or not the notice would include the economic, social, and other consequences arising out of a lawsuit. For example—

Mr. M. KELLER. All it requires is that you notify the municipality of the illegal ordinance that exists.

Mr. THOMAS. Okay, and I guess what my amendment is asking, and maybe you support that, the municipality and/or the county should know the economic consequences arising out of its desire to defend.

Mr. M. KELLER. It is all right in the bill itself. Thank you.

Mr. THOMAS. It is in the bill?

AMENDMENT WITHDRAWN

Mr. THOMAS. Mr. Speaker, then I will withdraw this amendment—

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. THOMAS. —and I will be back on the other amendments.

The SPEAKER pro tempore. And he has withdrawn amendment 777.

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

Mr. **THOMAS** offered the following amendment
No. **A00778**:

Amend Bill, page 2, line 8, by inserting a bracket before
"Reasonable"
Amend Bill, page 2, line 8, by inserting after "expenses"
] Expenses
Amend Bill, page 2, line 11, by inserting a bracket before
"reasonable"
Amend Bill, page 2, line 11, by inserting a bracket after
"reasonable"
Amend Bill, page 2, by inserting between lines 25 and 26
"Expenses." The term includes, but is not limited to, attorney
fees, expert witness fees, court costs and compensation for loss of
income.

Amend Bill, page 3, line 11, by inserting a bracket before
""Reasonable"

Amend Bill, page 3, line 13, by inserting a bracket after
"income."

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

The SPEAKER pro tempore. On that question, the gentleman, Mr. Thomas, is recognized.

Mr. Thomas, are you withdrawing amendment 778 as well?

Mr. THOMAS. No.

The SPEAKER pro tempore. Mr. Thomas, you are recognized on 778.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, 778 defines what reasonable expenses can be awarded by the court. Reimbursable expenses oftentimes will include attorney's fees, expert fees, court costs, and loss of income. That is not spelled out in the bill, and so what my amendment does is to lay that out clearly so municipalities, counties, and voters would know what is going on in this bill.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Mark Keller, on the amendment.

Mr. M. KELLER. Thank you, Mr. Speaker.

Nobody should vote against the word "reasonable." Please vote "no" on this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—42

Boyle	Davis	Kim	Roebuck
Bradford	Dawkins	Kinsey	Schlossberg
Briggs	DeLissio	Kirkland	Sims
Brown, V.	Dermodoy	Krueger	Solomon
Bullock	Donatucci	Madden	Sturla
Caltagirone	Driscoll	McCarter	Thomas
Cephas	Fitzgerald	McClinton	Vazquez
Comitta	Gainey	Miller, D.	Vitali
Cruz	Galloway	Neilson	Wheatley
Daley	Harris, J.	O'Brien	Youngblood
Davidson	Keller, W.		

NAYS—149

Baker	Fee	Mackenzie	Ravenstahl
Barbin	Flynn	Maher	Readshaw
Barrar	Frankel	Maloney	Reed
Benninghoff	Freeman	Markosek	Reese
Bernstine	Fritz	Marshall	Roae
Bizzarro	Gabler	Marsico	Roe
Bloom	Gillen	Masser	Rothman
Boback	Gillespie	Matzie	Rozzi
Brown, R.	Godshall	McGinnis	Ryan
Burns	Goodman	Mehaffie	Saccone
Carroll	Greiner	Mentzer	Sainato
Causar	Grove	Metcalfe	Samuelson
Charlton	Haggerty	Metzgar	Sankey
Conklin	Hahn	Miccarelli	Santora
Cook	Hanna	Millard	Saylor
Corbin	Harkins	Miller, B.	Schemel
Corr	Harper	Milne	Schweyer
Costa, D.	Harris, A.	Moul	Snyder
Cox	Heffley	Mullery	Sonney
Culver	Helm	Murt	Staats
Cutler	Hickernell	Mustio	Stephens
Day	Hill	Nelson	Tallman
Dean	Irvin	Nesbit	Tobash
Deasy	Jozwiak	Neuman	Toepel
Delozier	Kampf	O'Neill	Toohil
DeLuca	Kaufner	Oberlander	Topper
Diamond	Kauffman	Ortitay	Walsh
DiGirolamo	Kavulich	Pashinski	Ward
Dowling	Keefer	Peifer	Warner
Dunbar	Keller, F.	Petrarca	Warren
Dush	Keller, M.K.	Petri	Wentling
Ellis	Klunk	Pickett	Wheeland
Emrick	Knowles	Pyle	White
English	Kortz	Quigley	Zimmerman

Evankovich	Kulik	Quinn, C.	
Evans	Lawrence	Quinn, M.	Turzai,
Everett	Lewis	Rader	Speaker
Farry	Longiatti	Rapp	

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

Mr. THOMAS offered the following amendment
No. A00780:

Amend Bill, page 1, line 8, by inserting after "amended" and the section is amended by adding a subsection
Amend Bill, page 2, by inserting between lines 19 and 20
(a.4) Applicability.—This section shall not apply to a city of the first class.

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

The SPEAKER pro tempore. On that question, the gentleman, Mr. Thomas, is recognized.

Mr. THOMAS. Thank you, Mr. Speaker.

This amendment would exempt cities of the first class.

Mr. Speaker, I have multiple amendments that I filed to this bill, and I would ask just one of you, just one of you to come to my district or come to some of the neighborhoods in Pennsylvania where babies 3 and 4 years old are dying, where neighborhoods and municipalities are struggling with economic and other issues in trying to make our community a safe community.

Mr. Speaker, this whole notion about everybody having guns. I had three young men gunned down at 3 o'clock in the afternoon in front of a parochial school 2 weeks ago, and I know that if my police commissioner, my mayor, my city council, and the people from Philadelphia in this delegation, whether they be white, black, yellow, or green, if they had an opportunity to do something about the proliferation and lawlessness associated with guns in Philadelphia, those three men would be alive today.

So, Mr. Speaker, I keep coming to you because it is unfortunate. It was preemption that destroyed local municipalities' ability to do something about the lawlessness in their communities. Do you remember the uniform firearms law? The uniform firearms law was introduced by the General Assembly — introduced, supported, and taken away from communities like York, Pennsylvania; Harrisburg; Erie, Pennsylvania; Chester, Pennsylvania; and Philadelphia, Pennsylvania that were trying to get a handle on the lawlessness that existed.

Mr. Speaker, the problem that our communities are confronting today is not just the existence, the ability of kids to get guns quicker than they can get a book to read. Also, the lawlessness associated with the mindset of a child with a .350 automatic gun.

Mr. Speaker, all this amendment does is ask that we give Philadelphia a chance. This year as compared to last year has witnessed to almost 100 more homicides and shootings than they did last year. I sat some young people down and I talked to them and I asked them, "What is the problem?" You know what they said to me? They said, "Mr. Thomas, we can go get a gun any place we want to get one, and you, through your TVs, through your radios, through your advertisements, say to us that any time somebody does something to me, that I can pull a gun and kill them, that I can solve any problem I want with a gun in my hand." That is what they said to me.

Mr. Speaker, we have the ability to put some brakes on this and we can start in the city of brotherly love and sisterly affection. Exempt Philadelphia County from the application of this harsh proposal contained in this bill. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Mark Keller, on the amendment.

Mr. M. KELLER. Thank you, Mr. Speaker.

The scope of the preemption under section 6120 of the Uniform Firearms Act should be uniform regardless of the location of the municipality, as the Pennsylvania Supreme Court said in the *Ortiz* decision. I would encourage a "no" vote on this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Thomas, on his amendment for the second time.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I just want to make sure the record is clear. There are 1.6 million people in Philadelphia County, close to 1.6 million people in Philadelphia County. In the maker's county, there might only be 50,000 people. In another county, there might only be 40,000 people – Mr. Speaker, population and different circumstances in Philadelphia County. The nation has acknowledged that the third highest poverty in America is in Philadelphia County. The maker of this bill did not have that challenge in his county, so we cannot have uniform policies when we have different circumstances.

It is important that we look at the unique circumstances associated with our diverse communities that make up this great State. Mr. Speaker, exempt cities of the first class. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—50

Boyle	Dean	Kim	Samuelson
Bradford	DeLissio	Kinsey	Schlossberg
Briggs	Dermoddy	Kirkland	Schweyer
Brown, V.	Donatucci	Krueger	Sims
Bullock	Driscoll	Madden	Solomon
Caltagirone	Evans	McCarter	Sturla

Cephas	Fitzgerald	McClinton	Thomas
Comitta	Frankel	Neilson	Vazquez
Cruz	Freeman	O'Brien	Vitali
Daley	Gainey	Pashinski	Warren
Davidson	Galloway	Ravenstahl	Wheatley
Davis	Harris, J.	Roebuck	Youngblood
Dawkins	Keller, W.		

NAYS—141

Baker	Fee	Mackenzie	Rader
Barbin	Flynn	Maher	Rapp
Barrar	Fritz	Maloney	Readshaw
Benninghoff	Gabler	Markosek	Reed
Bernstine	Gillen	Marshall	Reese
Bizzarro	Gillespie	Marsico	Roae
Bloom	Godshall	Masser	Roe
Boback	Goodman	Matzie	Rothman
Brown, R.	Greiner	McGinnis	Rozzi
Burns	Grove	Mehaffie	Ryan
Carroll	Haggerty	Mentzer	Saccone
Causer	Hahn	Metcalfe	Sainato
Charlton	Hanna	Metzgar	Sankey
Conklin	Harkins	Miccarelli	Santora
Cook	Harper	Millard	Saylor
Corbin	Harris, A.	Miller, B.	Schemel
Corr	Heffley	Miller, D.	Snyder
Costa, D.	Helm	Milne	Sonney
Cox	Hickernell	Moul	Staats
Culver	Hill	Mullery	Stephens
Cutler	Irvin	Murt	Tallman
Day	Jozwiak	Mustio	Tobash
Deasy	Kampf	Nelson	Toepel
Delozier	Kaufner	Nesbit	Toohil
DeLuca	Kauffman	Neuman	Topper
Diamond	Kavulich	O'Neill	Walsh
DiGirolamo	Keefer	Oberlander	Ward
Dowling	Keller, F.	Ortitay	Warner
Dunbar	Keller, M.K.	Peifer	Wentling
Dush	Klunk	Petrarca	Wheeland
Ellis	Knowles	Petri	White
Emrick	Kortz	Pickett	Zimmerman
English	Kulik	Pyle	
Evankovich	Lawrence	Quigley	Turzai,
Everett	Lewis	Quinn, C.	Speaker
Farry	Longiatti	Quinn, M.	

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

Mr. **THOMAS** offered the following amendment
No. **A00781**:

Amend Bill, page 3, line 6, by inserting a bracket before "(3)"
Amend Bill, page 3, line 7, by inserting a bracket after "(2)."

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

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, on this amendment, I do not rise as a lawmaker; I am rising on behalf of 12.6 million people in Pennsylvania, minus 203 in the House. And, Mr. Speaker, the people are asking why should the National Rifle Association be granted legal standing to sue a municipality or one of our counties, because all this bill is about is empowering, empowering the National Rifle Association to have legal standing to move against our communities, if they take steps to make our communities safe.

Mr. Speaker, so on behalf of the people, we are asking, where does the National Rifle Association get that kind of juice in this House? Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Mark Keller, on the amendment.

Mr. M. KELLER. Thank you, Mr. Speaker.

This is no different than that kind of a membership standing used by labor unions under the Wage Payment and Collection Law to sue on behalf of their members, and it is no different than the kind of association standing used by environmental groups to sue for environmental protections. Lawful gun owners are entitled to the same protection.

I would encourage a "no" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Thomas, for the second time on the amendment.

Mr. THOMAS. Mr. Speaker, if I do not get one vote, I will not sit down and be silent on what is going on here this afternoon.

Mr. Speaker, there are court documents where the NRA has said that they have come and requested to become a membership organization in this bill so that they can sue our communities, our municipalities, and our counties. That is on record. So we are not talking about Thomas ABC nonprofit. We are not talking about the sanctuary cities to save people. We are not talking about Berean Presbyterian Church. We are talking about the National Rifle Association, N-R-A.

And then when you look at the carnage in my community, sometimes I wonder whether there is an NRA or a national ruthless association. Now, I know folks do not like that, but when I look at the carnage in my community and across the Commonwealth— You get upset all you want. I really do not give a—

Mr. Speaker, vote "yes" on amendment 781.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Cutler, on the amendment.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, in regards to the issue surrounding the gentleman's amendment regarding membership and organizations, I think it would be wise to look at other areas of the law where we provide similar rights. While the prime sponsor of the bill offered some, I would like to read from other sections of our law as well as some case law that I know that we are all familiar with. In terms of the civil remedies and penalties under the labor law, it says that "Any employee, group of employees, labor or organization or party to whom any type of wages are payable may..." institute actions provided under this act.

Furthermore, after Act 13, regarding the natural gas regulation, was decided, the *Robinson Township* case, that case clearly said that environmental associations had standing to challenge constitutionality of an act which set out a statutory framework for regulation of the oil and gas operations on behalf of its members. Individual members of associations "...are Pennsylvania residents and/or owners of property and business interests in municipalities and zoning districts that either already host or are likely to host..." such activity. Deeper in the case, it says, "Under Pennsylvania law, an association has standing as representative of its members to bring a cause of action even in the absence of injury to itself, if the association alleges that at least one of its members is suffering immediate or threatened injury as a result of the action challenged."

Mr. Speaker, this is a courtesy that we apply to other organizations. I do not believe we should single out any single organization and we should extend that same courtesy to all organizations if we are going to allow any membership organization to have standing in the law. Our law should be consistent, which is really the underlying cause of this entire bill, the fact that we have to have uniformity of our laws across the Commonwealth.

I would urge a "no" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—52

Boyle	Dean	Keller, W.	Roebuck
Bradford	DeLissio	Kim	Samuelson
Briggs	Dermody	Kinsey	Schlossberg
Brown, V.	Donatucci	Kirkland	Schweyer
Bullock	Driscoll	Krueger	Sims
Caltagirone	Evans	Madden	Solomon
Cephas	Fitzgerald	McCarter	Sturla
Comitta	Frankel	McClinton	Thomas
Cruz	Freeman	Miller, D.	Vazquez
Daley	Gainey	Neilson	Vitali
Davidson	Galloway	O'Brien	Warren
Davis	Harkins	Pashinski	Wheatley
Dawkins	Harris, J.	Ravenstahl	Youngblood

NAYS—139

Baker	Fee	Mackenzie	Rader
Barbin	Flynn	Maher	Rapp
Barrar	Fritz	Maloney	Readshaw
Benninghoff	Gabler	Markosek	Reed
Bernstine	Gillen	Marshall	Reese
Bizzarro	Gillespie	Marsico	Roae
Bloom	Godshall	Masser	Roe
Boback	Goodman	Matzie	Rothman
Brown, R.	Greiner	McGinnis	Rozzi
Burns	Grove	Mehaffie	Ryan
Carroll	Haggerty	Mentzer	Saccone
Causar	Hahn	Metcalfe	Sainato
Charlton	Hanna	Metzgar	Sankey
Conklin	Harper	Miccarelli	Santora
Cook	Harris, A.	Millard	Saylor
Corbin	Heffley	Miller, B.	Schemel
Corr	Helm	Milne	Snyder
Costa, D.	Hickernell	Moul	Sonney
Cox	Hill	Mullery	Staats
Culver	Irvin	Murt	Stephens

Cutler	Jozwiak	Mustio	Tallman
Day	Kampf	Nelson	Tobash
Deasy	Kaufner	Nesbit	Toepel
DeLozier	Kauffman	Neuman	Toohil
DeLuca	Kavulich	O'Neill	Topper
Diamond	Keefer	Oberlander	Walsh
DiGirolamo	Keller, F.	Ortitay	Ward
Dowling	Keller, M.K.	Peifer	Warner
Dunbar	Klunk	Petrarca	Wentling
Dush	Knowles	Petri	Wheeland
Ellis	Kortz	Pickett	White
Emrick	Kulik	Pyle	Zimmerman
English	Lawrence	Quigley	
Evankovich	Lewis	Quinn, C.	Turzai,
Everett	Longietti	Quinn, M.	Speaker
Farry			

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

Mr. **THOMAS** offered the following amendment
No. **A00785**:

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(a.2) Relief.—[A]

(1) Except as provided in paragraph (2), a person adversely affected by an ordinance,

Amend Bill, page 2, by inserting between lines 7 and 8

(2) Paragraph (1) does not apply to a challenge of a prohibition of the purchase of a firearm by a person who has received mental health treatment on an inpatient or outpatient basis.

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

The **SPEAKER** pro tempore. On that question, the gentleman, Mr. Thomas, is recognized.

Mr. **THOMAS**. Thank you, Mr. Speaker.

Mr. Speaker, I believe that this is the last of my amendments, and so I feel a little indifferent. All eight, or at least seven, amendments have been rejected by everybody over there and some of them over here, and I just think that those people need to know, they need to know that this is not one of those issues where you can hide. You either are here or you are there. Like my mama used to say, "Don't give me a whole lot of conversation. It is either right, wrong, left, or right. Either you are here or you are there." And so far tonight, those on this side did not think municipalities needed 180 days' notice of filing a suit, they do not need 120 days, they do not need 90 days, they do not even need 60 days.

Reasonable expenses should not be spelled out; municipalities should be slapped with untold expenses without any specificity; cities of the first class, we only have one in the Commonwealth of Pennsylvania, one close to \$1.6 million, home of the NFL (National Football League) draft, home of the Pope in 2015, the Democratic National Committee — all of that in Philadelphia County and we do not believe that the unique circumstances of Philadelphia County require exemption, that this bill requires inclusion of Philadelphia County.

And it is important that people know that I was told that this should be rejected, that Philadelphia should not be exempted because of this need for uniformity. It was that uniformity doctrine that led to the Pennsylvania uniform firearms law that took away from the city of Pittsburgh; York, Pennsylvania; Chester, Pennsylvania; Erie, Pennsylvania; Harrisburg; and Philadelphia County the ability to get a handle on illegal guns and the lawlessness associated with it.

Mr. Speaker, you ask any member from those counties, and they will tell you this is not about the Second Amendment. Mr. Speaker, block captains, precinct captains, people of Pennsylvania, you need to know that this is not about the Second Amendment. This is about, as Dr. King used to say, selfish madness over selfless care. This is about selfish interests. It is not that which is important for the masses, because the people that we are talking about that we need to get a handle on with respect to guns, 90 percent of them could not walk into a store and buy a gun legally, and if they could get one, they could not get past the background check because of their age, and more often than not, their social circumstances. Mr. Speaker, this is not about the Second Amendment.

And to the National Rifle Association, I say to you, you are entitled to defend the Second Amendment when it is under attack, but on this day, in this legislative body, the Second Amendment is not under attack. If anything is under attack, it is your selfish optics, where you believe that if we open this door, then the whole door is going to open. Well, I can tell you on behalf of this Rep, I am not interested in disrupting the Second Amendment. I am interested in saving babies and human beings. I stand for mankind, humankind.

Mr. Speaker, I know, I know that if we let Philadelphia, Harrisburg, Erie, Pittsburgh— There were cops that were killed in Pittsburgh, whose lives could have been saved if Pittsburgh City Council was allowed to do what they were doing—

THE SPEAKER (MIKE TURZAI) PRESIDING

The **SPEAKER**. Sir, the good gentleman—
Mr. **THOMAS**. Okay. Let me get back.

The **SPEAKER**. No; I apologize. It is just that on the amendment itself, which deals with the mental health issue—

Mr. **THOMAS**. Thank you. Thank you, Mr. Speaker.

The **SPEAKER**. On the bill itself, you will be able to—

Mr. **THOMAS**. Okay.

Mr. Speaker, I came here ready to go to work today because I am tired of looking at the madness that is going on in my community. I cannot keep telling my people, "I care about what happens to you," and I sit here and allow this kind of stuff to go without me going crazy.

But on amendment 785, this amendment would not allow the application of this policy in situations where there is mental illness associated with either inpatient or outpatient. And so, Mr. Speaker, we are asking that in cases of mental illness, that the application of this bill becomes nonapplicable.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Mark Keller, on the amendment, sir.

Mr. M. KELLER. Thank you, Mr. Speaker.

We are trying to make things uniform, and the amendment is already addressed with Federal and State law that provides the information that is needed. I would encourage a "no" vote.

The SPEAKER. Representative Thomas, for the second time.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, my office talked to the Pennsylvania State Police. There is still an effort under way to try and integrate our background check system with the FBI and with the mental health community, but we have not solidified that yet. There is a lot of work to be done; especially, I mean, just take the situation where, in Montgomery County, Norristown has decided that all of its civil and criminal patients that live in Butler County need to go back to Butler County and cannot stay in Montgomery County.

So, Mr. Speaker, there is a lot of work to be done, and until we get that done, let us take the opportunity to set the record straight right here. Until we get it worked out, remove the application of this bill to the issue of mental illness until we do get the uniformity that you so desire.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—46

Boyle	Driscoll	Madden	Schlossberg
Brown, V.	Evans	Matzie	Schweyer
Bullock	Fitzgerald	McCarter	Sims
Caltagirone	Freeman	McClinton	Solomon
Cephas	Gainey	Miller, D.	Sturla
Cruz	Galloway	Neilson	Thomas
Davidson	Harkins	O'Brien	Vazquez
Davis	Harris, J.	Pashinski	Vitali
Dawkins	Keller, W.	Ravenstahl	Warren
DeLissio	Kim	Roebuck	Wheatley
Dermody	Kinsey	Samuelson	Youngblood
Donatucci	Kirkland		

NAYS—145

Baker	English	Kulik	Quinn, M.
Barbin	Evankovich	Lawrence	Rader
Barrar	Everett	Lewis	Rapp
Benninghoff	Farry	Longietti	Readshaw
Bernstine	Fee	Mackenzie	Reed
Bizzarro	Flynn	Maher	Reese
Bloom	Frankel	Maloney	Roae
Boback	Fritz	Markosek	Roe
Bradford	Gabler	Marshall	Rothman
Briggs	Gillen	Marsico	Rozzi
Brown, R.	Gillespie	Masser	Ryan
Burns	Godshall	McGinnis	Saccone
Carroll	Goodman	Mehaffie	Sainato
Causar	Greiner	Mentzer	Sankey
Charlton	Grove	Metcalfe	Santora
Comitta	Haggerty	Metzgar	Saylor
Conklin	Hahn	Miccarelli	Schemel

Cook	Hanna	Millard	Snyder
Corbin	Harper	Miller, B.	Sonney
Corr	Harris, A.	Milne	Staats
Costa, D.	Heffley	Moul	Stephens
Cox	Helm	Mullery	Tallman
Culver	Hickernell	Murt	Tobash
Cutler	Hill	Mustio	Toepel
Daley	Irvin	Nelson	Toohil
Day	Jozwiak	Nesbit	Topper
Dean	Kampf	Neuman	Walsh
Deasy	Kaufner	O'Neill	Ward
Delozier	Kauffman	Oberlander	Warner
DeLuca	Kavulich	Ortitay	Wentling
Diamond	Keefer	Peifer	Wheeland
DiGirolamo	Keller, F.	Petrarca	White
Dowling	Keller, M.K.	Petri	Zimmerman
Dunbar	Klunk	Pickett	
Dush	Knowles	Pyle	Turzai,
Ellis	Kortz	Quigley	Speaker
Emrick	Krueger	Quinn, C.	

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

On the question recurring,

Will the House agree to the bill on second consideration?

The SPEAKER. Representative Pyle has withdrawn amendment 786, and now Representative Frankel calls up amendment 810.

Mr. FRANKEL. Mr. Speaker?

The SPEAKER. Yes, sir.

Mr. FRANKEL. I will be withdrawing most of my amendments.

The SPEAKER. Yes, sir.

Mr. FRANKEL. I am just going to offer one of my amendments.

The SPEAKER. That is fine. Representative Frankel, which one do you wish to offer, sir?

Mr. FRANKEL. Amendment 00863.

The SPEAKER. Okay. We will now call up amendment 00863 that Representative Frankel has sponsored.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. FRANKEL offered the following amendment No. **A00863**:

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(a.2) Relief.—[A]

(1) Except as set forth in paragraph (2), a person adversely affected by an ordinance,

Amend Bill, page 2, by inserting between lines 7 and 8

(2) Paragraph (1) does not apply to a challenge of a prohibition which is:

(i) endorsed by a majority vote of a collective

bargaining agency representing the police in the municipality:
 (ii) necessary to enhance public safety; or
 (iii) necessary to combat domestic acts of terrorism.

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

The SPEAKER. On the amendment, Representative Frankel.
 Mr. FRANKEL. Thank you, Mr. Speaker.

You know, when we are discussing the issue of uniformity across Pennsylvania, there is certainly not uniformity with respect to the risks that we have in different communities across our State. Certainly there is not uniformity between rural and suburban and urban areas in terms of the risks of domestic terrorism and public safety issues, and this amendment seeks to give some flexibility to local governments to deal with those exposures.

This amendment exempts a local ordinance from a challenge under the provisions of HB 671 if the ordinance meets any of these three criteria: one, it is endorsed by a majority of a collective-bargaining agency representing police in the municipality; two, it is necessary to enhance public safety; or three, it is necessary to combat domestic acts of terrorism. I believe that a municipality should have protection when passing ordinances that will keep our communities safe, especially when those ordinances are supported by police or aimed at combatting domestic terrorism.

I ask for your support for this amendment. Thank you.

The SPEAKER. Thank you, sir.
 Representative Mark Keller, on the amendment.
 Mr. M. KELLER. Thank you, Mr. Speaker.

The scope of preemption under section 6120 of the Uniform Firearms Act should be uniform, as I said in the past.

Moreover, it is unclear what "enhance public safety" or "domestic acts of terrorism" even mean.

I would encourage a "no" vote. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—52

Boyle	Dean	Keller, W.	Roebuck
Bradford	DeLissio	Kim	Samuelson
Briggs	Dermody	Kinsey	Schlossberg
Brown, V.	Donatucci	Kirkland	Schweyer
Bullock	Driscoll	Krueger	Sims
Caltagirone	Evans	Madden	Solomon
Cephas	Fitzgerald	McCarter	Sturla
Comitta	Frankel	McClinton	Thomas
Cruz	Freeman	Miller, D.	Vazquez
Daley	Gainey	Neilson	Vitali
Davidson	Galloway	O'Brien	Warren
Davis	Harkins	Pashinski	Wheatley
Dawkins	Harris, J.	Ravenstahl	Youngblood

NAYS—139

Baker	Fee	Mackenzie	Rader
Barbin	Flynn	Maher	Rapp
Barrar	Fritz	Maloney	Readshaw
Benninghoff	Gabler	Markosek	Reed

Bernstine	Gillen	Marshall	Reese
Bizzarro	Gillespie	Marsico	Roae
Bloom	Godshall	Masser	Roe
Boback	Goodman	Matzie	Rothman
Brown, R.	Greiner	McGinnis	Rozzi
Burns	Grove	Mehaffie	Ryan
Carroll	Haggerty	Mentzer	Saccone
Causser	Hahn	Metcalfe	Sainato
Charlton	Hanna	Metzgar	Sankey
Conklin	Harper	Miccarelli	Santora
Cook	Harris, A.	Millard	Saylor
Corbin	Heffley	Miller, B.	Schemel
Corr	Helm	Milne	Snyder
Costa, D.	Hickernell	Moul	Sonney
Cox	Hill	Mullery	Staats
Culver	Irvin	Murt	Stephens
Cutler	Jozwiak	Mustio	Tallman
Day	Kampf	Nelson	Tobash
Deasy	Kaufner	Nesbit	Toepel
Delozier	Kauffman	Neuman	Toohil
DeLuca	Kavulich	O'Neill	Topper
Diamond	Keefer	Oberlander	Walsh
DiGirolamo	Keller, F.	Ortitay	Ward
Dowling	Keller, M.K.	Peifer	Warner
Dunbar	Klunk	Petrarca	Wentling
Dush	Knowles	Petri	Wheeland
Ellis	Kortz	Pickett	White
Emrick	Kulik	Pyle	Zimmerman
English	Lawrence	Quigley	
Evankovich	Lewis	Quinn, C.	Turzai,
Everett	Longietti	Quinn, M.	Speaker
Farry			

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

The SPEAKER. It is my understanding that amendments 810, 865, 868, and 871 have been withdrawn.

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

Ms. DALEY offered the following amendment No. **A00811**:

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(a.2) Relief.—[A]

(1) Except as set forth in paragraph (2), a person adversely affected by an ordinance,

Amend Bill, page 2, by inserting between lines 7 and 8

(2) Paragraph (1) does not apply to a challenge of a prohibition of the use of force upon or toward the person of another with a firearm if the actor either:

- (i) knows that the actor can avoid the necessity of using the force with complete safety by retreating; or
- (ii) the actor was instructed by a peace officer or public safety dispatcher to not pursue another person.

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

The SPEAKER. Representative Daley, on the amendment.
Ms. DALEY. Thank you, Mr. Speaker.

I rise to offer amendment A00811. This amendment would exempt local ordinances that prohibit the use of force if there is an opportunity for retreat or if the person was told that they were not to pursue.

I am offering this amendment because I believe that de-escalation is always the safest way to end a hostile situation, and by exempting ordinances that require their residents to take the nonviolent approach will result in fewer shootings and less tragedy.

So I ask my colleagues to support this amendment.
Thank you, Mr. Speaker.

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

Mr. M. KELLER. Thank you, Mr. Speaker.

Mr. Speaker, State law already provides clear guidance under the self-defense law and the Castle Doctrine for when citizens have a duty to retreat.

I would encourage a "no" vote. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—51

Boyle	Dean	Kim	Samuelson
Bradford	DeLissio	Kinsey	Schlossberg
Briggs	Dermodly	Kirkland	Schweyer
Brown, V.	Donatucci	Krueger	Sims
Bullock	Driscoll	Madden	Solomon
Caltagirone	Evans	Markosek	Sturla
Cephas	Fitzgerald	McCarter	Thomas
Comitta	Frankel	McClinton	Vazquez
Cruz	Freeman	Miller, D.	Vitali
Daley	Gainey	Neilson	Warren
Davidson	Galloway	O'Brien	Wheatley
Davis	Harris, J.	Pashinski	Youngblood
Dawkins	Keller, W.	Roebuck	

NAYS—140

Baker	Fee	Mackenzie	Rapp
Barbin	Flynn	Maher	Ravenstahl
Barrar	Fritz	Maloney	Readshaw
Benninghoff	Gabler	Marshall	Reed
Bernstine	Gillen	Marsico	Reese
Bizzarro	Gillespie	Masser	Roae
Bloom	Godshall	Matzie	Roe
Boback	Goodman	McGinnis	Rothman
Brown, R.	Greiner	Mehaffie	Rozzi
Burns	Grove	Mentzer	Ryan
Carroll	Haggerty	Metcalfe	Saccone
Causar	Hahn	Metzgar	Sainato
Charlton	Hanna	Miccarelli	Sankey
Conklin	Harkins	Millard	Santora
Cook	Harper	Miller, B.	Saylor
Corbin	Harris, A.	Milne	Schemel
Corr	Heffley	Moul	Snyder
Costa, D.	Helm	Mullery	Sonney
Cox	Hickernell	Murt	Staats
Culver	Hill	Mustio	Stephens
Cutler	Irvin	Nelson	Tallman
Day	Jozwiak	Nesbit	Tobash

Deasy	Kampf	Neuman	Toepel
Delozier	Kaufner	O'Neill	Toohil
DeLuca	Kauffman	Oberlander	Topper
Diamond	Kavulich	Ortitay	Walsh
DiGirolamo	Keefer	Peifer	Ward
Dowling	Keller, F.	Petrarca	Warner
Dunbar	Keller, M.K.	Petri	Wentling
Dush	Klunk	Pickett	Wheeland
Ellis	Knowles	Pyle	White
Emrick	Kortz	Quigley	Zimmerman
English	Kulik	Quinn, C.	
Evankovich	Lawrence	Quinn, M.	Turzai,
Everett	Lewis	Rader	Speaker
Farry	Longietti		

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

Mr. **McCARTER** offered the following amendment
No. **A00812**:

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(a.2) Relief.—[A]

(1) Except as set forth in paragraph (2), a person adversely affected by an ordinance,

Amend Bill, page 2, by inserting between lines 7 and 8

(2) Paragraph (1) does not apply to a challenge of a prohibition of the possession of a firearm by an individual convicted of an offense under section 2706 (relating to terroristic threats) or 2715 (relating to threat to use weapons of mass destruction).

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

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

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

I rise to offer amendment A00812, a commonsense amendment that would exempt ordinances that add terroristic threats and threats to use weapons of mass destruction as disqualifying offenses for firearm ownership. Serious threats such as these are indicators of people who wish to commit acts of violence. It is common sense to allow townships to pass ordinances that protect their residents from those who make verbal intentions of physical violence known. This violence can turn deadly, potentially on a large scale when there is a firearm involved.

I ask my colleagues to support this commonsense amendment.

The SPEAKER. Representative Mark Keller.

Mr. M. KELLER. Thank you, Mr. Speaker.

I just want to state that we are trying to be uniform with this piece of legislation. Moreover, Federal and State law already provides who is prohibited from possessing a firearm due to criminal convictions.

Thank you, Mr. Speaker.

The SPEAKER. Representative McCarter.

Mr. McCARTER. Thank you, Mr. Speaker.

Would the maker of the motion please stand for interrogation?

The SPEAKER. Sir, it is on the amendment, though. If you want to interrogate on the bill, you would be able to do that on third.

Mr. McCARTER. Okay.

The SPEAKER. It is your amendment.

Mr. McCARTER. All right.

On second then, Mr. Speaker.

The SPEAKER. You may speak.

Mr. McCARTER. Thank you.

Mr. Speaker, I am not aware, unfortunately, of any laws that actually prohibit, however, once someone has served a sentence for those crimes that would prohibit them from having the opportunity from purchasing a weapon in Pennsylvania. And that being the case, I think that this is a very commonsense measure that we should in fact include in this particular bill. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—51

Boyle	Dean	Kim	Roebuck
Bradford	DeLissio	Kinsey	Samuelson
Briggs	Dermody	Kirkland	Schlossberg
Brown, V.	Donatucci	Krueger	Schweyer
Bullock	Driscoll	Madden	Sims
Caltagirone	Evans	Markosek	Solomon
Cephas	Fitzgerald	McCarter	Sturla
Comitta	Frankel	McClinton	Vazquez
Cruz	Freeman	Miller, D.	Vitali
Daley	Gainey	Neilson	Warren
Davidson	Galloway	O'Brien	Wheatley
Davis	Harris, J.	Pashinski	Youngblood
Dawkins	Keller, W.	Ravenstahl	

NAYS—139

Baker	Fee	Longiotti	Rader
Barbin	Flynn	Mackenzie	Rapp
Barrar	Fritz	Maher	Readshaw
Benninghoff	Gabler	Maloney	Reed
Bernstine	Gillen	Marshall	Reese
Bizzarro	Gillespie	Marsico	Roae
Bloom	Godshall	Masser	Roe
Boback	Goodman	Matzie	Rothman
Brown, R.	Greiner	McGinnis	Rozzi
Burns	Grove	Mehaffie	Ryan
Carroll	Haggerty	Mentzer	Saccone
Causser	Hahn	Metcalfe	Sainato
Charlton	Hanna	Metzgar	Sankey
Conklin	Harkins	Miccarelli	Santora
Cook	Harper	Millard	Saylor
Corbin	Harris, A.	Miller, B.	Schemel
Corr	Heffley	Milne	Snyder
Costa, D.	Helm	Moul	Sonney
Cox	Hickernell	Mullery	Staats

Culver	Hill	Murt	Stephens
Cutler	Irvin	Mustio	Tallman
Day	Jozwiak	Nelson	Tobash
Deasy	Kampf	Nesbit	Toepel
Delozier	Kaufer	Neuman	Toohil
DeLuca	Kauffman	O'Neill	Topper
Diamond	Kavulich	Oberlander	Walsh
DiGirolamo	Keefe	Ortitay	Ward
Dowling	Keller, F.	Peifer	Warner
Dunbar	Keller, M.K.	Petrarca	Wentling
Dush	Klunk	Petri	Wheeland
Ellis	Knowles	Pickett	White
Emrick	Kortz	Pyle	Zimmerman
English	Kulik	Quigley	
Evankovich	Lawrence	Quinn, C.	Turzai,
Everett	Lewis	Quinn, M.	Speaker
Farry			

NOT VOTING—1

Thomas

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

On the question recurring,

Will the House agree to the bill on second consideration?

The SPEAKER. For what does the gentleman, Representative Thomas, rise?

Mr. THOMAS. You know, I helped him out now because I was raising questions before we took the vote.

And, Mr. Speaker, maybe you can clarify this.

To the best of my knowledge, there are no exception principles contained in the Pennsylvania uniform firearms law. Is that correct or not?

The SPEAKER. Sir, it is not a parliamentary inquiry, but what I can do is, if one of the staff members with respect to this issue could see the good gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Ms. **McCLINTON** offered the following amendment No. **A00813**:

Amend Bill, page 2, line 7, by inserting after "court."

This subsection shall not apply to school districts.

On the question,

Will the House agree to the amendment?

The SPEAKER. Representative McClinton, the floor is yours for remarks on amendment 813.

Ms. **McCLINTON**. Thank you, Mr. Speaker.

I rise to offer amendment A00813. This is a commonsense amendment to this bill. It would exempt school districts from general application of the language in this bill. School districts should and need to have the freedom to decide how to best

protect all of our children and our educators who would be affected.

I am asking all of my colleagues to support this amendment.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

Representative Mark Keller, on the amendment, sir.

Mr. M. KELLER. Thank you, Mr. Speaker.

The bill already does not apply to school districts, so this amendment is unnecessary. The term "municipality," which is used in the bill, is defined in a way that it does not include any school district within the Commonwealth.

Thank you. I would encourage a "no" vote. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—52

Boyle	Dean	Keller, W.	Roebuck
Bradford	DeLissio	Kim	Samuelson
Briggs	Dermody	Kinsey	Schlossberg
Brown, V.	Donatucci	Kirkland	Schweyer
Bullock	Driscoll	Krueger	Sims
Caltagirone	Evans	Madden	Solomon
Cephas	Fitzgerald	McCarter	Sturla
Comitta	Frankel	McClintock	Thomas
Cruz	Freeman	Miller, D.	Vazquez
Daley	Gainey	Neilson	Vitali
Davidson	Galloway	O'Brien	Warren
Davis	Harkins	Pashinski	Wheatley
Dawkins	Harris, J.	Ravenstahl	Youngblood

NAYS—139

Baker	Fee	Mackenzie	Rader
Barbin	Flynn	Maher	Rapp
Barrar	Fritz	Maloney	Readshaw
Benninghoff	Gabler	Markosek	Reed
Bernstine	Gillen	Marshall	Reese
Bizzarro	Gillespie	Marsico	Roe
Bloom	Godshall	Masser	Roe
Boback	Goodman	Matzie	Rothman
Brown, R.	Greiner	McGinnis	Rozzi
Burns	Grove	Mehaffie	Ryan
Carroll	Haggerty	Mentzer	Saccone
Causar	Hahn	Metcalfe	Sainato
Charlton	Hanna	Metzgar	Sankey
Conklin	Harper	Miccarelli	Santora
Cook	Harris, A.	Millard	Saylor
Corbin	Heffley	Miller, B.	Schemel
Corr	Helm	Milne	Snyder
Costa, D.	Hickernell	Moul	Sonney
Cox	Hill	Mullery	Staats
Culver	Irvin	Murt	Stephens
Cutler	Jozwiak	Mustio	Tallman
Day	Kampf	Nelson	Tobash
Deasy	Kaufer	Nesbit	Toepel
Delozier	Kauffman	Neuman	Toohil
DeLuca	Kavulich	O'Neill	Topper
Diamond	Keefer	Oberlander	Walsh
DiGirolamo	Keller, F.	Ortitay	Ward
Dowling	Keller, M.K.	Peifer	Warner
Dunbar	Klunk	Petrarca	Wentling
Dush	Knowles	Petri	Wheeland
Ellis	Kortz	Pickett	White
Emrick	Kulik	Pyle	Zimmerman
English	Lawrence	Quigley	
Evankovich	Lewis	Quinn, C.	Turzai,
Everett	Longietti	Quinn, M.	Speaker
Farry			

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **O'BRIEN** offered the following amendment
No. **A00815**:

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(a.2) Relief.—[A]

(1) Except as set forth in paragraph (2), a person adversely affected by an ordinance,

Amend Bill, page 2, by inserting between lines 7 and 8

(2) Paragraph (1) does not apply to a challenge of a requirement that, if reasonable efforts of law enforcement fail to identify the lawful owner of a confiscated or recovered firearm within 120 days after law enforcement comes into possession of the firearm or if the lawful owner of the firearm is identified but otherwise prohibited from possessing the firearm:

(i) law enforcement shall destroy the firearm immediately; or

(ii) if the firearm is evidence in an ongoing investigation or in a criminal prosecution or civil litigation, law enforcement shall destroy the firearm when:

(A) the investigation is complete; or

(B) a court of competent jurisdiction issues an order authorizing the destruction of the firearm.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, Representative O'Brien. Mr. O'BRIEN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is not about Black Hawk helicopters descending in the middle of the night and taking your guns. This is simply a housekeeping amendment.

The question becomes, if the police have confiscated weapons, what do they do with them? After making every attempt over the course of 120 days to find the rightful owner of it, they have the right to destroy the weapons, unless it is being used in a criminal prosecution and if the court deems otherwise.

So it is simply a housekeeping bill, and I would ask for an affirmative vote.

The SPEAKER. Representative Mark Keller, on the amendment, please.

Mr. M. KELLER. Thank you, Mr. Speaker.

Under the Uniform Firearms Act, what we are trying to do is be uniform throughout regardless of the intent of the specific regulation.

I would encourage a "no" vote. Thank you.

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

The following roll call was recorded:

YEAS—58

Boyle	Dean	Kim	Ravenstahl
Bradford	Deasy	Kinsey	Roebuck
Briggs	DeLissio	Kirkland	Samuelson
Brown, V.	Dermody	Krueger	Schlossberg
Bullock	Donatucci	Kulik	Schweyer
Caltagirone	Driscoll	Madden	Sims
Carroll	Evans	Markosek	Solomon
Cephas	Fitzgerald	Matzie	Sturla
Comitta	Frankel	McCarter	Thomas
Costa, D.	Freeman	McClinton	Vazquez
Cruz	Gainey	Miller, D.	Vitali
Daley	Galloway	Neilson	Warren
Davidson	Harris, J.	O'Brien	Wheatley
Davis	Kavulich	Pashinski	Youngblood
Dawkins	Keller, W.		

NAYS—133

Baker	Flynn	Maher	Readshaw
Barbin	Fritz	Maloney	Reed
Barrar	Gabler	Marshall	Reese
Benninghoff	Gillen	Marsico	Roae
Bernstine	Gillespie	Masser	Roe
Bizzarro	Godshall	McGinnis	Rothman
Bloom	Goodman	Mehaffie	Rozzi
Boback	Greiner	Mentzer	Ryan
Brown, R.	Grove	Metcalfe	Saccone
Burns	Haggerty	Metzgar	Sainato
Causar	Hahn	Miccarelli	Sankey
Charlton	Hanna	Millard	Santora
Conklin	Harkins	Miller, B.	Saylor
Cook	Harper	Milne	Schemel
Corbin	Harris, A.	Moul	Snyder
Corr	Heffley	Mullery	Sonney
Cox	Helm	Murt	Staats
Culver	Hickernell	Mustio	Stevens
Cutler	Hill	Nelson	Tallman
Day	Irvin	Nesbit	Tobash
Delozier	Jozwiak	Neuman	Toepel
DeLuca	Kampf	O'Neill	Toohil
Diamond	Kaufner	Oberlander	Topper
DiGirolamo	Kauffman	Ortitay	Walsh
Dowling	Keefer	Peifer	Ward
Dunbar	Keller, F.	Petrarca	Warner
Dush	Keller, M.K.	Petri	Wentling
Ellis	Klunk	Pickett	Wheeland
Emrick	Knowles	Pyle	White
English	Kortz	Quigley	Zimmerman
Evankovich	Lawrence	Quinn, C.	
Everett	Lewis	Quinn, M.	Turzai,
Farry	Longietti	Rader	Speaker
Fee	Mackenzie	Rapp	

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

Ms. **DONATUCCI** offered the following amendment
No. **A00816**:

Amend Bill, page 1, line 8, by inserting after "amended" and the section is amended by adding a subsection
Amend Bill, page 2, line 1, by inserting a bracket before "A"
Amend Bill, page 2, line 1, by inserting after "Relief.—A"] Except as set forth in subsection (a.4), a
Amend Bill, page 2, line 8, by striking out "If" and inserting Except as set forth in subsection (a.4), if
Amend Bill, page 2, by inserting between lines 19 and 20 (a.4) Nonapplicability.—Subsections (a.2) and (a.3) shall not apply to a city of the first class or a municipality within a county which borders a city of the first class.

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

The SPEAKER. Representative Donatucci, the floor is yours.
Ms. DONATUCCI. Thank you, Mr. Speaker.

I rise to offer amendment A00816. This amendment exempts from the bill a city of the first class and municipalities in any county bordering a city of the first class. Not only will this amendment allow Philadelphia to enact firearm regulations that make sense for their residents and their circumstances, but it will also safeguard residents of surrounding counties and reduce the chances that gun violence occurring in those counties will affect Philadelphia.

I ask my colleagues for their support of this amendment.
Thank you, Mr. Speaker.

The SPEAKER. Representative Mark Keller, on the amendment, please.

Mr. M. KELLER. Thank you, Mr. Speaker.

As was stated earlier, the scope of preemption under section 6120 of the Uniform Firearms Act should be uniform regardless of the location of the municipality. This was already brought down in the Pennsylvania Supreme Court in the *Ortiz* decision.

I would encourage a "no" vote. Thank you.

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

The following roll call was recorded:

YEAS—51

Boyle	Dean	Kim	Samuelson
Bradford	DeLissio	Kinsey	Schlossberg
Briggs	Dermody	Kirkland	Schweyer
Brown, V.	Donatucci	Krueger	Sims
Bullock	Driscoll	Madden	Solomon
Caltagirone	Evans	McCarter	Sturla
Cephas	Fitzgerald	McClinton	Thomas
Comitta	Frankel	Miller, D.	Vazquez
Cruz	Freeman	Neilson	Vitali
Daley	Gainey	O'Brien	Warren
Davidson	Galloway	Pashinski	Wheatley
Davis	Harris, J.	Ravenstahl	Youngblood
Dawkins	Keller, W.	Roebuck	

NAYS—140

Baker	Fee	Mackenzie	Rader
Barbin	Flynn	Maher	Rapp
Barrar	Fritz	Maloney	Readshaw
Benninghoff	Gabler	Markosek	Reed
Bernstine	Gillen	Marshall	Reese
Bizzarro	Gillespie	Marsico	Roae
Bloom	Godshall	Masser	Roe
Boback	Goodman	Matzie	Rothman
Brown, R.	Greiner	McGinnis	Rozzi
Burns	Grove	Mehaffie	Ryan
Carroll	Haggerty	Mentzer	Saccone
Causar	Hahn	Metcalfe	Sainato
Charlton	Hanna	Metzgar	Sankey
Conklin	Harkins	Miccarelli	Santora
Cook	Harper	Millard	Saylor
Corbin	Harris, A.	Miller, B.	Schemel
Corr	Heffley	Milne	Snyder
Costa, D.	Helm	Moul	Sonney
Cox	Hickernell	Mullery	Staats
Culver	Hill	Murt	Stephens
Cutler	Irvin	Mustio	Tallman
Day	Jozwiak	Nelson	Tobash
Deasy	Kampf	Nesbit	Toepel
Delozier	Kaufner	Neuman	Toohil
DeLuca	Kauffman	O'Neill	Topper
Diamond	Kavulich	Oberlander	Walsh
DiGirolamo	Keefer	Ortitay	Ward
Dowling	Keller, F.	Peifer	Warner
Dunbar	Keller, M.K.	Petrarca	Wentling
Dush	Klunk	Petri	Wheeland
Ellis	Knowles	Pickett	White
Emrick	Kortz	Pyle	Zimmerman
English	Kulik	Quigley	
Evankovich	Lawrence	Quinn, C.	Turzai,
Everett	Lewis	Quinn, M.	Speaker
Farry	Longietti		

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

The SPEAKER. Representative Rabb has withdrawn amendment 817.

Representative Perry Warren offers amendment 824.
Representative Warren.

Mr. WARREN. Thank you, Mr. Speaker.
I respectfully withdraw amendment 824.

The SPEAKER. Thank you, sir.

It is my understanding that amendments 826 and 828 have been withdrawn by Representative Briggs, and Representative Cruz has withdrawn amendments 830 and 832.

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

Mrs. DEAN offered the following amendment No. **A00834**:

Amend Bill, page 2, by inserting between lines 22 and 23
"Adversely affected." The denial of liberty or property.

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

The SPEAKER. On the amendment, the Chair recognizes Representative Dean.

Mrs. DEAN. Thank you, Mr. Speaker.

This is a very small commonsense amendment. I think it also reflects common law. And all this does is add a single definition, and I will read you the definition. It adds this line to the set of definitions within this bill: " 'Adversely affected.' The denial of liberty or property."

As you read this bill, you are going to notice that there is no requirement for an injury or for harm in order to sue. That goes against, really, common law and our understanding of plaintiffs' rights to sue. There ought to be some showing of harm. So all we did here was do what I think the bill intended, which was to say that if you are denied your liberty or your property, then you may have a cause of action. If you have got no harm, no cause of action.

I ask for a "yes" vote. Thank you.

The SPEAKER. Representative Mark Keller, on the amendment, please.

Mr. M. KELLER. Thank you, Mr. Speaker.

The amendment creates two definitions for the same word, so this does not make sense at all. I would encourage a "no" vote.

The SPEAKER. Representative Dean, for the second time.

Mrs. DEAN. I respectfully disagree with that explanation. If you take a look at page 2, line 30, one definition that is built into this bill is, quote, "Person adversely affected." Any of the following: " There are three categories, as we well know. One is, "A resident of this Commonwealth who may legally possess a firearm under Federal and State law." So that is anybody anywhere in the Commonwealth, no harm necessary. So long as they are legally able to possess a firearm, they can sue. That is a person adversely affected. Notice there is no adversity in there.

Number two, "A person who otherwise has standing under the laws of this Commonwealth..." That is probably somebody adversely affected.

Number three is "A membership organization, in which a member is a person described..." in one or two. So this is no longer a person. It is an organization. Again, no use of adversity or harm.

So this is not duplicating. It is not inconsequential. In fact, what it does is actually add what is adverse affect.

Thank you. I ask for a "yes" vote.

The SPEAKER. Representative Curtis Thomas, on the amendment.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the amendment. All the amendment does is it requires something more than speculation about harm. Within the bill, harm is speculative at best. The gentledady from Montgomery County provides clarity to what is tantamount to harm or damage within the framework of this bill. And unless we are just bent on we do not care if Jesus shows up, we are still going to vote "no," and I do not think that is the case.

So I ask for a "yes" vote on the gentlelady from Montgomery County.

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

The following roll call was recorded:

YEAS—53

Boyle	Dean	Kim	Roebuck
Bradford	DeLissio	Kinsey	Samuelson
Briggs	Dermody	Kirkland	Schlossberg
Brown, V.	Donatucci	Krueger	Schweyer
Bullock	Driscoll	Madden	Sims
Burns	Evans	Markosek	Solomon
Caltagirone	Fitzgerald	McCarter	Sturla
Cephas	Frankel	McClinton	Thomas
Comitta	Freeman	Miller, D.	Vazquez
Cruz	Gainey	Neilson	Vitali
Daley	Galloway	O'Brien	Warren
Davidson	Harris, J.	Pashinski	Wheatley
Davis	Keller, W.	Ravenstahl	Youngblood
Dawkins			

NAYS—138

Baker	Fee	Longietti	Rader
Barbin	Flynn	Mackenzie	Rapp
Barrar	Fritz	Maher	Readshaw
Benninghoff	Gabler	Maloney	Reed
Bernstine	Gillen	Marshall	Reese
Bizzarro	Gillespie	Marsico	Roe
Bloom	Godshall	Masser	Roe
Boback	Goodman	Matzie	Rothman
Brown, R.	Greiner	McGinnis	Rozzi
Carroll	Grove	Mehaffie	Ryan
Causar	Haggerty	Mentzer	Saccone
Charlton	Hahn	Metcalfe	Sainato
Conklin	Hanna	Metzgar	Sankey
Cook	Harkins	Miccarelli	Santora
Corbin	Harper	Millard	Saylor
Corr	Harris, A.	Miller, B.	Schemel
Costa, D.	Heffley	Milne	Snyder
Cox	Helm	Moul	Sonney
Culver	Hickernell	Mullery	Staats
Cutler	Hill	Murt	Stephens
Day	Irvin	Mustio	Tallman
Deasy	Jozwiak	Nelson	Tobash
DeLozier	Kampf	Nesbit	Toepel
DeLuca	Kaufner	Neuman	Toohil
Diamond	Kauffman	O'Neill	Topper
DiGirolamo	Kavulich	Oberlander	Walsh
Dowling	Keefer	Ortitay	Ward
Dunbar	Keller, F.	Peifer	Warner
Dush	Keller, M.K.	Petrarca	Wentling
Ellis	Klunk	Petri	Wheeland
Emrick	Knowles	Pickett	White
English	Kortz	Pyle	Zimmerman
Evankovich	Kulik	Quigley	
Everett	Lawrence	Quinn, C.	Turzai,
Farry	Lewis	Quinn, M.	Speaker

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

Ms. **KIM** offered the following amendment No. **A00846**:

Amend Bill, page 1, line 8, by inserting after "amended" and the section is amended by adding a subsection
Amend Bill, page 2, by inserting between lines 19 and 20
(a.4) Applicability.—The provisions of subsections (a.2) and (a.3) shall not apply to a municipality within a county of the third class.

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

The **SPEAKER**. Representative Kim is recognized on the amendment.

Ms. **KIM**. Thank you, Mr. Speaker.

This amendment states that the provisions of the underlying bill shall not apply to a municipality in a third-class county.

Now, this amendment provides that groups have no standing to bring suit against reasonable safety ordinances passed in places like Harrisburg, Chester, Carlisle, Erie, Lancaster, Allentown, Bethlehem, and York.

In the absence of commonsense gun safety reform at the State level, our municipalities are forced to take action on their own. In the city I represent, Harrisburg, the locals have passed three simple ordinances in order to keep our communities and our children safe. The first ordinance prohibits discharging a weapon within the city limits except in cases of self-defense. The second ordinance prohibits carrying a firearm in a city park or playground, selling firearms during a declared State of emergency, or a child possessing a weapon in public. And the third ordinance requires a gun owner to report a lost or stolen gun.

Harrisburg's ordinances are only in place to attempt to combat the gun violence that has plagued our city and many like it across Pennsylvania. When the language in this bill was first adopted as Act 192 in 2014, almost immediately the city of Harrisburg was sued because it refused to repeal the ordinances. The law was ruled unconstitutional, so the city essentially won. However, when the city won, it lost. It lost because \$113,000 in taxpayer dollars were spent fighting in court.

This amendment will ensure that other municipalities in counties of the third class can do the same without fear of crippling lawsuits from the likes of outside groups.

Thank you, Mr. Speaker.

The **SPEAKER**. Thank you, Representative Kim.

Representative Mark Keller, on the amendment.

Mr. M. **KELLER**. Thank you, Mr. Speaker.

As I have said in the past, we are trying to be uniform here, and to exempt will actually not make it uniform. I would encourage a "no" vote.

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

The following roll call was recorded:

YEAS—50

Boyle	Dean	Kim	Samuelson
Bradford	DeLissio	Kinsey	Schlossberg
Briggs	Dermody	Krueger	Schweyer
Brown, V.	Donatucci	Madden	Sims
Bullock	Driscoll	McCarter	Solomon
Caltagirone	Evans	McClinton	Sturla
Cephas	Fitzgerald	Miller, D.	Thomas
Comitta	Frankel	Neilson	Vazquez
Cruz	Freeman	O'Brien	Vitali
Daley	Gainey	Pashinski	Warren
Davidson	Galloway	Ravenstahl	Wheatley
Davis	Harris, J.	Roebuck	Youngblood
Dawkins	Keller, W.		

NAYS—141

Baker	Fee	Longiotti	Rader
Barbin	Flynn	Mackenzie	Rapp
Barrar	Fritz	Maher	Readshaw
Benninghoff	Gabler	Maloney	Reed
Bernstine	Gillen	Markosek	Reese
Bizzarro	Gillespie	Marshall	Roae
Bloom	Godshall	Marsico	Roe
Boback	Goodman	Masser	Rothman
Brown, R.	Greiner	Matzie	Rozzi
Burns	Grove	McGinnis	Ryan
Carroll	Haggerty	Mehaffie	Saccone
Causser	Hahn	Mentzer	Sainato
Charlton	Hanna	Metcalfe	Sankey
Conklin	Harkins	Metzgar	Santora
Cook	Harper	Miccarelli	Saylor
Corbin	Harris, A.	Millard	Schemel
Corr	Heffley	Miller, B.	Snyder
Costa, D.	Helm	Milne	Sonney
Cox	Hickernell	Moul	Staats
Culver	Hill	Mullery	Stephens
Cutler	Irvin	Murt	Tallman
Day	Jozwiak	Mustio	Tobash
Deasy	Kampf	Nelson	Toepel
Delozier	Kaufner	Nesbit	Toohil
DeLuca	Kauffman	Neuman	Topper
Diamond	Kavulich	O'Neill	Walsh
DiGirolamo	Keefer	Oberlander	Ward
Dowling	Keller, F.	Ortitay	Warner
Dunbar	Keller, M.K.	Peifer	Wentling
Dush	Kirkland	Petrarca	Wheeland
Ellis	Klunk	Petri	White
Emrick	Knowles	Pickett	Zimmerman
English	Kortz	Pyle	
Evankovich	Kulik	Quigley	Turzai,
Everett	Lawrence	Quinn, C.	Speaker
Farry	Lewis	Quinn, M.	

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

Mr. **KINSEY** offered the following amendment
No. **A00848**:

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(a.2) Relief.—[A]

(1) Except as provided in paragraph (2), a person adversely affected by an ordinance,

Amend Bill, page 2, by inserting between lines 7 and 8

(2) Paragraph (1) does not apply to a challenge of a requirement that an owner or other person lawfully in possession of a firearm report the loss or theft of the firearm to the municipal police of the jurisdiction in which the loss or theft is believed to have occurred or to the Pennsylvania State Police, to be relieved from liability if the firearm is used in the commission of a crime that results in bodily injury or serious bodily injury to another individual or in the death of another individual.

On the question,

Will the House agree to the amendment?

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

Please suspend just for a second, and I do apologize. I should have done this for Representative Kim, but she was already mid-remarks.

Members, if you could, please, take your seats. Members, please take your seats. We have a number, quite a few amendments before us, but I would ask everybody to please take their seats. Any conversations, I would ask if you could please take them off the House floor.

And Representative Kinsey, the floor is yours.

Mr. KINSEY. Thank you, Mr. Speaker.

Amendment A00848 will be helpful to all of the citizens throughout the Commonwealth, Mr. Speaker. This amendment exempts from the bill an ordinance that requires a firearm owner to report a lost or stolen firearm to law enforcement in order to avoid liability if the firearm was used in the commission.

In addition, this amendment requires gun owners to report the loss or theft of a firearm as a commonsense measure that not only protects the citizens from gun crimes but also protects lawful gun owners. This amendment helps lawful gun owners avoid liability if a bad actor finds or steals their gun and intends to use it for a criminal purpose.

I ask my colleagues to support this amendment.

The SPEAKER. Representative Mark Keller, on the amendment, sir.

Mr. M. KELLER. Thank you, Mr. Speaker.

As I have said in the past, we are trying to be uniform, and I would encourage a "no" vote. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—54

Boyle	Deasy	Kinsey	Roebuck
Bradford	DeLissio	Kirkland	Samuelson
Briggs	Dermody	Krueger	Schlossberg
Brown, V.	Donatucci	Kulik	Schweyer
Bullock	Driscoll	Madden	Sims

Caltagirone	Evans	Markosek	Solomon
Cephas	Fitzgerald	McCarter	Sturla
Comitta	Frankel	McClinton	Thomas
Cruz	Freeman	Miller, D.	Vazquez
Daley	Gainey	Neilson	Vitali
Davidson	Galloway	O'Brien	Warren
Davis	Harris, J.	Pashinski	Wheatley
Dawkins	Keller, W.	Ravenstahl	Youngblood
Dean	Kim		

NAYS—137

Baker	Fee	Mackenzie	Rapp
Barbin	Flynn	Maher	Readshaw
Barrar	Fritz	Maloney	Reed
Benninghoff	Gabler	Marshall	Reese
Bernstine	Gillen	Marsico	Roae
Bizzarro	Gillespie	Masser	Roe
Bloom	Godshall	Matzie	Rothman
Boback	Goodman	McGinnis	Rozzi
Brown, R.	Greiner	Mehaffie	Ryan
Burns	Grove	Mentzer	Sacone
Carroll	Haggerty	Metcalfe	Sainato
Causar	Hahn	Metzgar	Sankey
Charlton	Hanna	Miccarelli	Santora
Conklin	Harkins	Millard	Saylor
Cook	Harper	Miller, B.	Schemel
Corbin	Harris, A.	Milne	Snyder
Corr	Heffley	Moul	Sonney
Costa, D.	Helm	Mullery	Staats
Cox	Hickernell	Murt	Stephens
Culver	Hill	Mustio	Tallman
Cutler	Irvin	Nelson	Tobash
Day	Jozwiak	Nesbit	Toepel
DeLozier	Kampf	Neuman	Toohil
DeLuca	Kaufer	O'Neill	Topper
Diamond	Kauffman	Oberlander	Walsh
DiGirolamo	Kavulich	Ortitay	Ward
Dowling	Keefer	Peifer	Warner
Dunbar	Keller, F.	Petrarca	Wentling
Dush	Keller, M.K.	Petri	Wheeland
Ellis	Klunk	Pickett	White
Emrick	Knowles	Pyle	Zimmerman
English	Kortz	Quigley	
Evankovich	Lawrence	Quinn, C.	Turzai,
Everett	Lewis	Quinn, M.	Speaker
Farry	Longietti	Rader	

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

Mr. **KINSEY** offered the following amendment
No. **A00850**:

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(a.2) Relief.—[A]

(1) Except as provided in paragraph (2), a person adversely affected by an ordinance,

Amend Bill, page 2, by inserting between lines 7 and 8

(2) Paragraph (1) does not apply to a challenge of a requirement that an individual in possession of a firearm in this Commonwealth maintain firearm liability insurance for each firearm owned by that individual, the proof of which must be provided upon request of a law enforcement officer, in the following amounts:

(i) At least \$500,000 in liability coverage that can be used by the firearm owner to pay civil damages resulting from the legal use of the firearm by the firearm's owner. The policy shall satisfy a judgment for personal injuries or property damages arising out of legal use of the covered firearm up to the coverage amount.

(ii) At least \$50,000 in criminal defense protection that can be used to reimburse a firearm owner if the owner is found not guilty after being charged with illegal use of a covered firearm.

(iii) At least \$5,000 for mental health services for a firearm owner, the need for which results from the legal use of a covered firearm.

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

The SPEAKER. Representative Kinsey, on the amendment, please.

Mr. KINSEY. Thank you, Mr. Speaker.

This amendment exempts from the bill an ordinance that requires a firearm owner to maintain firearm liability insurance and provide it upon a request of a law enforcement officer. This amendment will actually help protect lawful firearm owners from paying large sums out of pocket or going into debt for damages and attorney costs resulting from the use of an illegally owned firearm.

You know, Mr. Speaker, we keep saying common sense, but this is about protecting gun owners, and I just ask my colleagues to support this amendment.

The SPEAKER. Representative Mark Keller, on the amendment, please.

Mr. M. KELLER. Thank you, Mr. Speaker.

As said in the past, uniformity. I would encourage a "no" vote.

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

The following roll call was recorded:

YEAS—49

Boyle	Dean	Kim	Ravenstahl
Bradford	DeLissio	Kinsey	Roebuck
Briggs	Dermody	Kirkland	Schlossberg
Brown, V.	Donatucci	Krueger	Sims
Bullock	Driscoll	Madden	Solomon
Caltagirone	Evans	Markosek	Sturla
Cephas	Fitzgerald	McCarter	Thomas
Comitta	Frankel	McClinton	Vazquez
Cruz	Gainey	Miller, D.	Vitali
Daley	Galloway	Neilson	Warren
Davidson	Harris, J.	O'Brien	Wheatley
Davis	Keller, W.	Pashinski	Youngblood
Dawkins			

NAYS—142

Baker	Fee	Longiotti	Rapp
Barbin	Flynn	Mackenzie	Readshaw
Barrar	Freeman	Maher	Reed
Benninghoff	Fritz	Maloney	Reese
Bernstine	Gabler	Marshall	Roae
Bizzarro	Gillen	Marsico	Roe
Bloom	Gillespie	Masser	Rothman
Boback	Godshall	Matzie	Rozzi
Brown, R.	Goodman	McGinnis	Ryan
Burns	Greiner	Mehaffie	Sacone
Carroll	Grove	Mentzer	Sainato
Causer	Haggerty	Metcalfe	Samuelson
Charlton	Hahn	Metzgar	Sankey
Conklin	Hanna	Miccarelli	Santora
Cook	Harkins	Millard	Saylor
Corbin	Harper	Miller, B.	Schemel
Corr	Harris, A.	Milne	Schweyer
Costa, D.	Heffley	Moul	Snyder
Cox	Helm	Mullery	Sonney
Culver	Hickernell	Murt	Staats
Cutler	Hill	Mustio	Stephens
Day	Irvin	Nelson	Tallman
Deasy	Jozwiak	Nesbit	Tobash
DeLozier	Kampf	Neuman	Toepel
DeLuca	Kaufer	O'Neill	Toohil
Diamond	Kauffman	Oberlander	Topper
DiGirolo	Kavulich	Ortitay	Walsh
Dowling	Keefer	Peifer	Ward
Dunbar	Keller, F.	Petrarca	Warner
Dush	Keller, M.K.	Petri	Wentling
Ellis	Klunk	Pickett	Wheeland
Emrick	Knowles	Pyle	White
English	Kortz	Quigley	Zimmerman
Evankovich	Kulik	Quinn, C.	
Everett	Lawrence	Quinn, M.	Turzai,
Farry	Lewis	Rader	Speaker

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

The SPEAKER. Representative Kirkland has withdrawn amendment 854 and has withdrawn amendment 856.

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

Mr. **KINSEY** offered the following amendment No. **A00852**:

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(a.2) Relief.—[A]

(1) Except as provided in paragraph (2), a person adversely affected by an ordinance,

Amend Bill, page 2, by inserting between lines 7 and 8

(2) Paragraph (1) does not apply to a challenge of a

prohibition regarding a person possessing, using, controlling, selling, delivering, transferring or manufacturing an assault weapon or obtaining a license for any of these acts, unless the person:

(i) is a member of the armed forces of the United States, including National Guard and reserve components, a law enforcement officer or other public safety officer while performing official duties or traveling to or from an authorized place of duty if possession of the assault weapon is authorized under applicable statute, regulation or military or law enforcement policy;

(ii) is authorized under applicable statute, regulation or military or law enforcement policy to perform any of these acts for the purpose of ensuring that an individual obtains an assault weapon; or

(iii) lawfully owns or otherwise possesses an assault weapon before the effective date of this section.

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

The SPEAKER. Representative Kinsey is recognized on amendment 852.

Mr. KINSEY. Thank you, Mr. Speaker.

This amendment exempts from the bill an ordinance that bans the sale and possession of assault weapons without a license or permit. This amendment will protect all Pennsylvanians from the damage that can be caused by assault weapons, especially if it is lost or stolen, and I ask my colleagues to support this amendment.

Thank you, Mr. Speaker.

The SPEAKER. Representative Mark Keller, on the amendment, please.

Mr. M. KELLER. Thank you, Mr. Speaker.

I sound like a broken record, but we are looking for uniformity in the piece of legislation, and I would encourage a "no" vote.

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

The following roll call was recorded:

YEAS—52

Bizzarro	Dawkins	Keller, W.	Sainato
Boyle	Dean	Kim	Samuelson
Bradford	DeLissio	Kinsey	Schlossberg
Briggs	Dermody	Kirkland	Schweyer
Brown, V.	Donatucci	Krueger	Sims
Bullock	Driscoll	Madden	Solomon
Caltagirone	Fitzgerald	McCarter	Sturla
Cephas	Frankel	McClinton	Thomas
Comitta	Freeman	Miller, D.	Vazquez
Cruz	Gainey	Neilson	Vitali
Daley	Galloway	O'Brien	Warren
Davidson	Harkins	Pashinski	Wheatley
Davis	Harris, J.	Roebuck	Youngblood

NAYS—139

Baker	Fee	Mackenzie	Rader
Barbin	Flynn	Maher	Rapp
Barrar	Fritz	Maloney	Ravenstahl
Benninghoff	Gabler	Markosek	Readshaw
Bernstine	Gillen	Marshall	Reed
Bloom	Gillespie	Marsico	Reese

Boback	Godshall	Masser	Roae
Brown, R.	Goodman	Matzie	Roe
Burns	Greiner	McGinnis	Rothman
Carroll	Grove	Mehaffie	Rozzi
Causer	Haggerty	Mentzer	Ryan
Charlton	Hahn	Metcalfe	Saccone
Conklin	Hanna	Metzgar	Sankey
Cook	Harper	Miccarelli	Santora
Corbin	Harris, A.	Millard	Saylor
Corr	Heffley	Miller, B.	Schemel
Costa, D.	Helm	Milne	Snyder
Cox	Hickernell	Moul	Sonney
Culver	Hill	Mullery	Staats
Cutler	Irvin	Murt	Stephens
Day	Jozwiak	Mustio	Tallman
Deasy	Kampf	Nelson	Tobash
DeLozier	Kaufner	Nesbit	Toepel
DeLuca	Kauffman	Neuman	Toohil
Diamond	Kavulich	O'Neill	Topper
DiGirolamo	Keefer	Oberlander	Walsh
Dowling	Keller, F.	Ortitay	Ward
Dunbar	Keller, M.K.	Peifer	Warner
Dush	Klunk	Petrarca	Wentling
Ellis	Knowles	Petri	Wheeland
Emrick	Kortz	Pickett	White
English	Kulik	Pyle	Zimmerman
Evankovich	Lawrence	Quigley	
Evans	Lewis	Quinn, C.	Turzai,
Everett	Longietti	Quinn, M.	Speaker
Farry			

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

Ms. **DeLISSIO** offered the following amendment
No. **A00858**:

Amend Bill, page 2, by inserting between lines 29 and 30
"Membership organization." A group with at least four members, which has bylaws and which has membership dues.

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

The **SPEAKER**. Representative DeLissio, on the amendment, please.

Ms. DeLISSIO. Thank you, Mr. Speaker.

This might not be the best draft of an amendment, but it is certainly not the best draft of a piece of legislation that I have seen lately, a little too loosely drafted.

And I am impressed by— I could appreciate the concept of uniformity, and I think if we could get together and agree on updating some of these laws, they indeed would be uniform across the State. But because that discussion does not seem to be happening, I do offer an amendment, A00858, which in fact then describes the membership organization, which is not

described in the legislation as it was introduced, and that description is "A group with at least four members, which has bylaws and which has membership dues." Short of that, you know, almost anything or any group can qualify, and we already have some very broad language in here, and I am not sure that is the intent.

So I would appreciate everybody's thoughtful consideration. This tries to at least frame the description of a membership organization. I do not think it in any way impedes the intent of the legislation. It certainly does not impede it being uniform. Thank you.

The **SPEAKER**. Representative Mark Keller, on the amendment, please.

Mr. M. **KELLER**. Thank you, Mr. Speaker.

As I had said in the past about generally allowing membership organizations, it is no different than the kind of membership standing used by labor unions or by wage payment and collection law to sue on behalf of their members, and it is no different than the kind of an associated standing used by an environmental group that also can sue for environmental protections.

Lawful gun owners are entitled to the same rules and regulations, and I would encourage a "no" vote.

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

The following roll call was recorded:

YEAS—51

Boyle	Dean	Kim	Samuelson
Bradford	DeLissio	Kinsey	Schlossberg
Briggs	Dermody	Kirkland	Schweyer
Brown, V.	Donatucci	Krueger	Sims
Bullock	Driscoll	Madden	Solomon
Caltagirone	Evans	McCarter	Sturla
Cephas	Fitzgerald	McClinton	Thomas
Comitta	Frankel	Miller, D.	Vazquez
Cruz	Freeman	Neilson	Vitali
Daley	Gainey	O'Brien	Warren
Davidson	Galloway	Pashinski	Wheatley
Davis	Harris, J.	Ravenstahl	Youngblood
Dawkins	Keller, W.	Roebuck	

NAYS—140

Baker	Fee	Mackenzie	Rader
Barbin	Flynn	Maher	Rapp
Barrar	Fritz	Maloney	Readshaw
Benninghoff	Gabler	Markosek	Reed
Bernstine	Gillen	Marshall	Reese
Bizzarro	Gillespie	Marsico	Roae
Bloom	Godshall	Masser	Roe
Boback	Goodman	Matzie	Rothman
Brown, R.	Greiner	McGinnis	Rozzi
Burns	Grove	Mehaffie	Ryan
Carroll	Haggerty	Mentzer	Saccone
Causer	Hahn	Metcalfe	Sainato
Charlton	Hanna	Metzgar	Sankey
Conklin	Harkins	Miccarelli	Santora
Cook	Harper	Millard	Saylor
Corbin	Harris, A.	Miller, B.	Schemel
Corr	Heffley	Milne	Snyder
Costa, D.	Helm	Moul	Sonney
Cox	Hickernell	Mullery	Staats
Culver	Hill	Murt	Stephens
Cutler	Irvin	Mustio	Tallman
Day	Jozwiak	Nelson	Tobash

Deasy	Kampf	Nesbit	Toepel
Delozier	Kaufer	Neuman	Toohil
DeLuca	Kauffman	O'Neill	Topper
Diamond	Kavulich	Oberlander	Walsh
DiGirolamo	Keefer	Ortitay	Ward
Dowling	Keller, F.	Peifer	Warner
Dunbar	Keller, M.K.	Petrarca	Wentling
Dush	Klunk	Petri	Wheeland
Ellis	Knowles	Pickett	White
Emrick	Kortz	Pyle	Zimmerman
English	Kulik	Quigley	
Evankovich	Lawrence	Quinn, C.	Turzai,
Everett	Lewis	Quinn, M.	Speaker
Farry	Longietti		

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

The SPEAKER. Representative DeLissio has withdrawn amendment 860.

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

Mr. **BOYLE** offered the following amendment No. **A00875**:

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(a.2) Relief.—[A]

(1) Except as set forth in paragraph (2), a person adversely affected by an ordinance,

Amend Bill, page 2, by inserting between lines 7 and 8

(2) Paragraph (1) does not apply to a challenge of a provision making it unlawful for a person that is not a licensed firearms dealer to own, use, possess or transfer an assault weapon or any accessory or ammunition for an assault weapon in a city of the first class, unless the local electorate ratifies the provision by referendum at the next general, municipal or primary election to be held after adoption of the provision.

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

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

Mr. **BOYLE**. Thank you, Mr. Speaker.

I rise to offer amendment A00875. This amendment would exempt from the bill an ordinance that prohibits anyone who is not a licensed firearms dealer from using, possessing, or transferring an assault weapon in a city of the first class. Assault weapons have military-style features that provide stability during rapid firing, allowing a shooter to inflict a lot of damage in a short amount of time. They are also a weapon you would frequently see in mass shootings, oftentimes doing enough

damage to make national headlines. Many of the horrific acts we have seen in the past few several years have been carried out with an assault weapon and have destroyed lives at a nightclub in Orlando, Florida; a school in Newtown, Connecticut; a movie theater in Aurora, Colorado; a church gathering in Charleston, South Carolina; and a holiday party in San Bernardino, California.

A review of mass shootings between January 2009 and January 2013 by Mayors Against Illegal Guns found that incidents where assault weapons or large capacity ammunition magazines were used resulted in 135 percent more people shot and 57 percent more killed compared to other mass shootings. These incidents cannot be ignored.

So I ask my colleagues to help combat gun violence in the city of Philadelphia by supporting this amendment.

The SPEAKER. Representative Mark Keller, on the amendment, please.

Mr. M. KELLER. Thank you, Mr. Speaker.

Again, we are proposing uniformity in the law, and I would encourage a "no" vote. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—52

Boyle	Dawkins	Kavulich	Roebuck
Bradford	Dean	Keller, W.	Samuelson
Briggs	DeLissio	Kim	Schlossberg
Brown, V.	Dermody	Kinsey	Schweyer
Bullock	Donatucci	Kirkland	Sims
Caltagirone	Driscoll	Krueger	Solomon
Carroll	Evans	Madden	Sturla
Cephas	Fitzgerald	McCarter	Thomas
Comitta	Frankel	McClinton	Vazquez
Cruz	Freeman	Miller, D.	Vitali
Daley	Gainey	Neilson	Warren
Davidson	Galloway	O'Brien	Wheatley
Davis	Harris, J.	Pashinski	Youngblood

NAYS—139

Baker	Flynn	Maher	Rapp
Barbin	Fritz	Maloney	Ravenstahl
Barrar	Gabler	Markosek	Readshaw
Benninghoff	Gillen	Marshall	Reed
Bernstine	Gillespie	Marsico	Reese
Bizzarro	Godshall	Masser	Roae
Bloom	Goodman	Matzie	Roe
Boback	Greiner	McGinnis	Rothman
Brown, R.	Grove	Mehaffie	Rozzi
Burns	Haggerty	Mentzer	Ryan
Causer	Hahn	Metcalfe	Saccone
Charlton	Hanna	Metzgar	Sainato
Conklin	Harkins	Miccarelli	Sankey
Cook	Harper	Millard	Santora
Corbin	Harris, A.	Miller, B.	Saylor
Corr	Heffley	Milne	Schemel
Costa, D.	Helm	Moul	Snyder
Cox	Hickernell	Mullery	Sonney
Culver	Hill	Murt	Staats
Cutler	Irvin	Mustio	Stephens
Day	Jozwiak	Nelson	Tallman
Deasy	Kampf	Nesbit	Tobash
Delozier	Kaufer	Neuman	Toepel
DeLuca	Kauffman	O'Neill	Toohil
Diamond	Keefer	Oberlander	Topper
DiGirolamo	Keller, F.	Ortitay	Walsh

Dowling	Keller, M.K.	Peifer	Ward
Dunbar	Klunk	Petrarca	Warner
Dush	Knowles	Petri	Wentling
Ellis	Kortz	Pickett	Wheeland
Emrick	Kulik	Pyle	White
English	Lawrence	Quigley	Zimmerman
Evankovich	Lewis	Quinn, C.	
Everett	Longietti	Quinn, M.	Turzai,
Farry	Mackenzie	Rader	Speaker
Fee			

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

Mr. **GAINEY** offered the following amendment
No. **A00878**:

Amend Bill, page 2, by inserting between lines 19 and 20
(a.4) Applicability.—The provisions of subsections (a.2) and (a.3)
shall not apply to a municipality in a county of the second class.

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

The **SPEAKER**. Representative Gainey, on the amendment, please.

Mr. **GAINEY**. Thank you, Mr. Speaker.

I rise, Mr. Speaker, to offer amendment A00878. The amendment is just very simple. It exempts municipalities in the county of the second class from the provision of the underlying bill. We discussed a lot in this chamber about preempting local authority, local ordinance, and local government, and I think that if we want to really begin to talk about how we save lives, I think we let the local governments do what is best for them, for they know how to protect their community and build a healthier community more than we do.

So I stand today and ask my colleagues to support this initiative. If we really want to demonstrate that we do not want to preempt local governments, then this is the way to do it. So I am asking people to exempt second-class cities from this provision of the bill. Let us show that we are walking like we are talking.

The **SPEAKER**. Representative Mark Keller, on the amendment, please.

Mr. M. **KELLER**. Thank you, Mr. Speaker.

As I have stated and you have heard me state before, the courts have already ruled on uniformity. I would encourage a "no" vote.

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

The following roll call was recorded:

YEAS—51

Boyle	Dean	Kim	Samuelson
Bradford	DeLissio	Kinsey	Schlossberg
Briggs	Dermody	Kirkland	Schweyer
Brown, V.	Donatucci	Krueger	Sims
Bullock	Driscoll	Madden	Solomon
Caltagirone	Evans	McCarter	Sturla
Cephas	Fitzgerald	McClinton	Thomas
Comitta	Frankel	Miller, D.	Vazquez
Cruz	Freeman	Neilson	Vitali
Daley	Gainey	O'Brien	Warren
Davidson	Galloway	Pashinski	Wheatley
Davis	Harris, J.	Ravenstahl	Youngblood
Dawkins	Keller, W.	Roebuck	

NAYS—140

Baker	Fee	Mackenzie	Rader
Barbin	Flynn	Maher	Rapp
Barrar	Fritz	Maloney	Readshaw
Benninghoff	Gabler	Markosek	Reed
Bernstine	Gillen	Marshall	Reese
Bizzarro	Gillespie	Marsico	Roae
Bloom	Godshall	Masser	Roe
Boback	Goodman	Matzie	Rothman
Brown, R.	Greiner	McGinnis	Rozzi
Burns	Grove	Mehaffie	Ryan
Carroll	Haggerty	Mentzer	Saccone
Causer	Hahn	Metcalfe	Sainato
Charlton	Hanna	Metzgar	Sankey
Conklin	Harkins	Miccarelli	Santora
Cook	Harper	Millard	Saylor
Corbin	Harris, A.	Miller, B.	Schemel
Corr	Heffley	Milne	Snyder
Costa, D.	Helm	Moul	Sonney
Cox	Hickernell	Mullery	Staats
Culver	Hill	Murt	Stephens
Cutler	Irvin	Mustio	Tallman
Day	Jozwiak	Nelson	Tobash
Deasy	Kampf	Nesbit	Toepel
Delozier	Kaufner	Neuman	Toohil
DeLuca	Kauffman	O'Neill	Topper
Diamond	Kavulich	Oberlander	Walsh
DiGirolamo	Keefer	Ortitay	Ward
Dowling	Keller, F.	Peifer	Warner
Dunbar	Keller, M.K.	Petrarca	Wentling
Dush	Klunk	Petri	Wheeland
Ellis	Knowles	Pickett	White
Emrick	Kortz	Pyle	Zimmerman
English	Kulik	Quigley	
Evankovich	Lawrence	Quinn, C.	Turzai,
Everett	Lewis	Quinn, M.	Speaker
Farry	Longietti		

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

**THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING**

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

Mr. **BOYLE** offered the following amendment No. **A00880**:

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(a.2) Relief.—[A]

(1) Except as set forth in paragraph (2), a person adversely affected by an ordinance,

Amend Bill, page 2, by inserting between lines 7 and 8

(2) Paragraph (1) does not apply to a challenge of a provision relating to permitting process for large capacity ammunition magazines.

(3) For purposes of this subsection, "large capacity ammunition magazine" means a box, drum, tube, feed strip, container or other device that is capable of accepting or may be readily restored or converted to accept more than 15 rounds of ammunition or five shotgun shells to be fed continuously and directly from the device into a firearm. The term does not include a device that:

(i) has been permanently altered so that it may not accommodate more than 15 rounds of ammunition or more than five shotgun shells; or

(ii) is a tubular magazine device that is contained or used in a lever-action firearm or single-action-only firearm.

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

The SPEAKER pro tempore. On that question, the gentleman, Mr. Boyle, is recognized.

Mr. **BOYLE**. Thank you, Mr. Speaker.

I rise to offer amendment A00880. This amendment provides for an ordinance relating to a permitting process for large capacity ammunition magazines to be exempt from this bill. Large capacity ammunition magazines are defined as "an automatic ammunition feeding device capable of accepting more than 15 rounds of ammunition or more than 5 shotgun shells." In some cases, weapons can hold up to as many as 100 rounds of ammunition. As I discussed previously, large capacity ammunition magazines present a considerable safety risk to citizens and communities.

There is no need to run the list again of all the horrific acts that have been carried out with assault weapons and large capacity ammunition magazines. There is no need to run through that list again because these atrocities stick with us, and I will do what I can do to be sure that this does not happen again in our part of the State in the city of Philadelphia.

It is illegal to use a large capacity ammunition magazine to hunt in Pennsylvania, but magazines have frequently been used in the horrific mass shootings we have seen across the country. This amendment will give municipalities the tools they need to protect public safety by creating a permit for large capacity ammunition magazines.

I ask my colleagues for their support.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Keller, on the amendment.

Mr. M. **KELLER**. Thank you, Mr. Speaker.

As I have said in the past, we are looking for uniformity. I would encourage a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. Boyle, are you seeking second recognition? No.

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

The following roll call was recorded:

YEAS—53

Boyle	Dean	Keller, W.	Roebuck
Bradford	DeLissio	Kim	Samuelson
Briggs	Dermody	Kinsey	Schlossberg
Brown, V.	Donatucci	Kirkland	Schweyer
Bullock	Driscoll	Krueger	Sims
Caltagirone	Evans	Madden	Solomon
Carroll	Fitzgerald	Markosek	Sturla
Cephas	Frankel	McCarter	Thomas
Comitta	Freeman	McClinton	Vazquez
Cruz	Gainey	Miller, D.	Vitali
Daley	Galloway	Neilson	Warren
Davidson	Harris, J.	O'Brien	Wheatley
Davis	Kavulich	Pashinski	Youngblood
Dawkins			

NAYS—138

Baker	Fee	Mackenzie	Rapp
Barbin	Flynn	Maher	Ravenstahl
Barrar	Fritz	Maloney	Readshaw
Benninghoff	Gabler	Marshall	Reed
Bernstine	Gillen	Marsico	Reese
Bizzarro	Gillespie	Masser	Roae
Bloom	Godshall	Matzie	Roe
Boback	Goodman	McGinnis	Rothman
Brown, R.	Greiner	Mehaffie	Rozzi
Burns	Grove	Mentzer	Ryan
Causar	Haggerty	Metcalfe	Saccone
Charlton	Hahn	Metzgar	Sainato
Conklin	Hanna	Miccarelli	Sankey
Cook	Harkins	Millard	Santora
Corbin	Harper	Miller, B.	Saylor
Corr	Harris, A.	Milne	Schemel
Costa, D.	Heffley	Moul	Snyder
Cox	Helm	Mullery	Sonney
Culver	Hickernell	Murt	Staats
Cutler	Hill	Mustio	Stephens
Day	Irvin	Nelson	Tallman
Deasy	Jozwiak	Nesbit	Tobash
Delozier	Kampf	Neuman	Toepel
DeLuca	Kaufer	O'Neill	Toohil
Diamond	Kauffman	Oberlander	Topper
DiGirolamo	Keefer	Ortitay	Walsh
Dowling	Keller, F.	Peifer	Ward
Dunbar	Keller, M.K.	Petrarca	Warner
Dush	Klunk	Petri	Wentling
Ellis	Knowles	Pickett	Whealand
Emrick	Kortz	Pyle	White
English	Kulik	Quigley	Zimmerman
Evankovich	Lawrence	Quinn, C.	
Everett	Lewis	Quinn, M.	Turzai,
Farry	Longiatti	Rader	Speaker

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

Mr. **FREEMAN** offered the following amendment No. **A00886**:

Amend Bill, page 2, line 7, by inserting after "court."

Any act by the governing body in the form of a resolution in which the sole purpose is to express the opinion of the governing body is exempt from the provisions of this subsection.

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

The SPEAKER pro tempore. On that question, the gentleman, Mr. Freeman, is recognized.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, my amendment, A00886, simply delineates what kind of resolution would be exempted from the provisions of this bill. For the information of the members, the legislation as before us would cover all ordinances, all resolutions, rules, regulations, any action by a municipality as it pertains to the subject that is before us. However, it is important to note that resolutions at the local level actually come in two forms. There are some resolutions which carry the force of law like an ordinance would, by their very nature have an impact in creating a statute within that municipality, but most resolutions, as those that we vote on here in this chamber every day, merely are an expression of opinion. What my amendment does is it carves out those kinds of resolutions and simply states that if the resolution being voted is simply for the purpose to express the opinion of the governing body, it would then be exempted from the provisions of this legislation. I think that is an important carveout and distinction.

You know, in the advocates of this legislation's zeal to put forth a measure they believe will protect Second Amendment rights, we should not be putting in place a law in Pennsylvania that gags our local elected officials and undermines their First Amendment rights. Whether you support or oppose this legislation, a resolution by a governing body of a municipality that is merely an expression of opinion should not be covered by this proposal.

I urge the members to please support this. Let our governing bodies express their opinions on gun laws, on gun policies. This will not in any way affect the rights of an owner of a gun. It is merely protecting municipalities to be able to express their opinions through those types of resolutions like the very ones that we vote on in this body that are simply an expression of opinion. I urge a "yes" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Mark Keller, on the amendment.

Mr. M. KELLER. Thank you, Mr. Speaker.

While I am sure that my colleague has good intentions, I would say that we should be very careful about any local action concerning firearm restrictions. Although the amendment says it would allow resolutions where the purpose is solely to express an opinion, that does not mean that the sole effect of the resolution would be to express an opinion.

And as we all know, the way that such a local resolution would be reported by local press would lead lawful gun owners to believe that there is an extra regulation in place. That is why we need to be uniform, and I would encourage a "no" vote. Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Freeman, for the second time on the amendment.

Mr. FREEMAN. Thank you, Mr. Speaker.

I think there needs to be some clarification to the previous gentleman's remarks. This is solely dealing with resolutions that express an opinion, the kind of resolutions that we vote on every day in this chamber. They do not have the force of law. Let me repeat that: They do not have the force of law. They are merely the expression of opinion of a local governing body.

We should not be imposing a gag order on the First Amendment rights of our local elected officials if they wish to venture an opinion on something pertaining to gun policy. This in no way, under my language, would affect those resolutions that might have the force of law. They would still be covered by this bill.

But we should not in any way be putting in place a gag order against the rights of local elected officials to express themselves. That is a basic right that all of us should stand by, and I urge a "yes" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—69

Boyle	Donatucci	Krueger	Ravenstahl
Bradford	Driscoll	Madden	Roe
Briggs	English	Maher	Roebuck
Brown, V.	Evans	Marshall	Samuelson
Bullock	Fitzgerald	Matzie	Santora
Caltagirone	Frankel	McCarter	Schlossberg
Carroll	Freeman	McClinton	Schweyer
Cephas	Gainey	Miccarelli	Sims
Comitta	Galloway	Miller, D.	Solomon
Cruz	Gillen	Murt	Sturla
Daley	Harper	Neilson	Thomas
Davidson	Harris, A.	O'Brien	Vazquez
Davis	Harris, J.	O'Neill	Vitali
Dawkins	Keller, W.	Pashinski	Warren
Dean	Kim	Petri	Wheatley
Deasy	Kinsey	Quinn, C.	White
DeLissio	Kirkland	Quinn, M.	Youngblood
Dermody			

NAYS—122

Baker	Everett	Kulik	Rapp
Barbin	Farry	Lawrence	Readshaw
Barrar	Fee	Lewis	Reed
Benninghoff	Flynn	Longietti	Reese

Bernstine	Fritz	Mackenzie	Roae
Bizzarro	Gabler	Maloney	Rothman
Bloom	Gillespie	Markosek	Rozzi
Boback	Godshall	Marsico	Ryan
Brown, R.	Goodman	Masser	Saccone
Burns	Greiner	McGinnis	Sainato
Causar	Grove	Mehaffie	Sankey
Charlton	Haggerty	Mentzer	Saylor
Conklin	Hahn	Metcalfe	Schemel
Cook	Hanna	Metzgar	Snyder
Corbin	Harkins	Millard	Sonney
Corr	Heffley	Miller, B.	Staats
Costa, D.	Helm	Milne	Stephens
Cox	Hickernell	Moul	Tallman
Culver	Hill	Mullery	Tobash
Cutler	Irvin	Mustio	Toepel
Day	Jozwiak	Nelson	Toohil
Delozier	Kampf	Nesbit	Topper
DeLuca	Kaufer	Neuman	Walsh
Diamond	Kauffman	Oberlander	Ward
DiGirolamo	Kavulich	Ortitay	Warner
Dowling	Keefer	Peifer	Wentling
Dunbar	Keller, F.	Petrarca	Wheeland
Dush	Keller, M.K.	Pickett	Zimmerman
Ellis	Klunk	Pyle	
Emrick	Knowles	Quigley	Turzai,
Evankovich	Kortz	Rader	Speaker

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

Mr. **BOYLE** offered the following amendment No. **A00887**:

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(a.2) Relief.—[A]

(1) Except as set forth in paragraph (2), a person adversely affected by an ordinance,

Amend Bill, page 2, by inserting between lines 7 and 8

(2) Paragraph (1) does not apply to a challenge to limited purchases or sales of handguns by a person, where the limit involves not more than one transaction within a 30-day period in a city of the first class, unless the person is a licensed firearm dealer who is purchasing the handguns in the ordinary course of business, a licensed firearm collector, a law enforcement agency, an agency authorized to perform law enforcement duties, a State or local correctional facility, a private security agency licensed to do business within this Commonwealth, a purchaser or seller of antique firearms or a person whose handgun is stolen or irretrievably lost if a proper police report was made.

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

The SPEAKER pro tempore. On that question, the gentleman, Mr. Boyle, is recognized.

Mr. **BOYLE**. Thank you, Mr. Speaker.

I rise to offer amendment A00887. This amendment exempts from the bill an ordinance that imposes a one-handgun-per-month purchase limit in a city of the first class, with certain exceptions such as law enforcement and licensed dealers.

Handguns have proven to be responsible for the large majority of gun violence incidents every year. We should all be disturbed by the gun violence that continues to plague the city of Philadelphia. In 2014 it was cited that 83 percent of homicide victims were killed with a firearm in the city of Philadelphia. As of this past Sunday, April 23, Philadelphia's homicide count has already reached 97 deaths. This is a 17-percent increase from last year. In 2014 almost half of all firearm-related injuries in Pennsylvania occurred in Philadelphia alone. CHOP, the Children's Hospital of Philadelphia, has treated more than 1800 people under the age of 24 for gunshot wounds between 2007 and 2016. That translates to roughly 15 firearm victims per month.

My amendment could help prevent impulse handgun purchases and cut down on straw purchases of handguns.

I ask all my colleagues for their support.

THE SPEAKER (MIKE TURZAI) PRESIDING

The SPEAKER. Representative Mark Keller, on the amendment, please.

Mr. M. **KELLER**. Thank you, Mr. Speaker.

Again, we are pressing for uniformity here within the law. I would encourage a "no" vote. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—50

Boyle	Dean	Kim	Samuelson
Bradford	DeLissio	Kinsey	Schlossberg
Briggs	Dermody	Kirkland	Schweyer
Brown, V.	Donatucci	Krueger	Sims
Bullock	Driscoll	Madden	Solomon
Caltagirone	Evans	McCarter	Sturla
Cephas	Fitzgerald	McClinton	Thomas
Comitta	Frankel	Miller, D.	Vazquez
Cruz	Freeman	Neilson	Vitali
Daley	Gainey	O'Brien	Warren
Davidson	Galloway	Pashinski	Wheatley
Davis	Harris, J.	Roebuck	Youngblood
Dawkins	Keller, W.		

NAYS—141

Baker	Fee	Mackenzie	Rapp
Barbin	Flynn	Maher	Ravenstahl
Barrar	Fritz	Maloney	Readshaw
Benninghoff	Gabler	Markosek	Reed
Bernstine	Gillen	Marshall	Reese
Bizzarro	Gillespie	Marsico	Roae
Bloom	Godshall	Masser	Roe
Boback	Goodman	Matzie	Rothman
Brown, R.	Greiner	McGinnis	Rozzi
Burns	Grove	Mehaffie	Ryan
Carroll	Haggerty	Mentzer	Saccone
Causar	Hahn	Metcalfe	Sainato
Charlton	Hanna	Metzgar	Sankey

Conklin	Harkins	Miccarelli	Santora
Cook	Harper	Millard	Saylor
Corbin	Harris, A.	Miller, B.	Schemel
Corr	Heffley	Milne	Snyder
Costa, D.	Helm	Moul	Sonney
Cox	Hickernell	Mullery	Staats
Culver	Hill	Murt	Stephens
Cutler	Irvin	Mustio	Tallman
Day	Jozwiak	Nelson	Tobash
Deasy	Kampf	Nesbit	Toepel
Delozier	Kaufer	Neuman	Toohil
DeLuca	Kauffman	O'Neill	Topper
Diamond	Kavulich	Oberlander	Walsh
DiGirolamo	Keefer	Ortitay	Ward
Dowling	Keller, F.	Peifer	Warner
Dunbar	Keller, M.K.	Petrarca	Wentling
Dush	Klunk	Petri	Wheeland
Ellis	Knowles	Pickett	White
Emrick	Kortz	Pyle	Zimmerman
English	Kulik	Quigley	
Evankovich	Lawrence	Quinn, C.	Turzai,
Everett	Lewis	Quinn, M.	Speaker
Farry	Longietti	Rader	

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

On the question recurring,

Will the House agree to the bill on second consideration?

The SPEAKER. Representative Gainey offers amendment 891, which the clerk will— Representative Gainey waives off on that amendment. Thank you, sir.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **BRADFORD** offered the following amendment No. **A00893**:

Amend Bill, page 2, line 30; page 3, lines 1 through 7; by striking out all of said lines on said pages and inserting

"Person adversely affected."

(1) Any of the following:

[(1)] (i) A resident of this Commonwealth who may legally process a firearm under Federal and State law.

[(2)] (ii) A person who otherwise has standing under the laws of this Commonwealth to bring an action under subsection (a.2).

[(3)] (iii) A membership organization, in which a member is a person described under paragraph (1) or (2).

(2) The term does not include any organization that receives at least partial funding from a firearms manufacturer.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair recognizes Representative Matt Bradford.

Mr. BRADFORD. Thank you, Mr. Speaker.

The SPEAKER. Representative Bradford, if I might—

Mr. BRADFORD. I apologize.

The SPEAKER. —do you mind using the rostrum up here.

The leaders have both asked if we would not mind directing the members to the two front rostrums. And I do apologize, but I had been asked. The leaders on both sides had asked that we follow that protocol. Thank you.

And Representative Bradford, you may proceed.

Mr. BRADFORD. Thank you, Mr. Speaker. I appreciate you not turning off my microphone.

Thank you, Mr. Speaker.

I stand here putting forth amendment 893 for one simple reason. The good gentleman has wisely stated – and he kind of swats off all these commonsense gun safety initiatives – that his goal is preemption and uniformity. And I say, "Okay. If that is your goal, then why is there special standing?" What my amendment proposes to do is remove that special standing.

When this bill was last litigated in the press and in the public, it became apparent that this was a special little gift for a certain organization called the NRA. Now, if we are going to be about preemption, let us talk about preemption. But if we want to give a little gift to the NRA, then why do special standing? We can have uniformity without doing right by one of the biggest, most powerful special interests around. If this is about public safety, then why do we not talk about these initiatives? But let us not do the bidding of the NRA.

So my proposal is simple. Those organizations that are funded by manufacturers of weapons – assault weapons in many cases, weapons designed to kill – those organizations that are funded in such ways should not receive special standing. Let us do uniformity if that is the will of this body. We can do preemption, but we do not have to do special favors for the NRA.

Please support this amendment.

The SPEAKER. Representative Mark Keller, on the amendment, please.

Mr. M. KELLER. Thank you, Mr. Speaker.

There is no reason to exclude certain organizations from the bill. In fact, discriminating against certain groups because of whom they support or whom they do not support could very well infringe on the First Amendment constitutional rights of those groups.

I would encourage a "no" vote.

The SPEAKER. Representative Cutler, on the amendment, please.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I will reread an item that we had read earlier in regards to this misbelief that there is somehow special standing granted by this law that is not granted to other organizations in similar settings. The Wage Payment and Collection Law allows for the civil remedies, which we referenced earlier, it allows them to represent any employee or group of employees, including a labor organization or party to whom any type of wage is payable, and it also allows for the collection of attorney's fees and expenses.

So, Mr. Speaker, this is not a special standing. It is consistent with other areas in our law, and I would urge that we defeat this amendment. Thank you.

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

Nobody else. Oh, I apologize. I did not have Representative Petri. My apologies.

Representative Petri, on the amendment, sir.

Mr. PETRI. Mr. Speaker, I would urge the members not to fall prey to what is a slippery slope. Our law, as the previous speaker has indicated, provides certain protections to groups, whether they be environmental groups, labor groups, and other groups. I think these groups have the right to participate in the process, in the judicial process and the legal process, to help protect our rights. If we are going to take these rights away, what other groups that are important to our constituents' rights will we be taking away?

I would urge you not to fall prey to this very slippery slope. Thank you.

The SPEAKER. Representative Matt Bradford, on the amendment, please.

Mr. BRADFORD. Thank you, Mr. Speaker.

Without being argumentative with our last two speakers and Learned Hand I am not, I am pretty sure that the legal doctrine of standing is as old as time. If you are not the party of which damage is done, you do not get the right to go into court for redress and it is that simple. And special standing is the way you let special interest try to take on cases for which they have no interest whatsoever. In the case of the NRA, their interest is pecuniary. They have a financial incentive to exercise these rights. It is shameless and cynical to try to distort legal doctrine in a way in which nobody possibly believes is accurate to try to argue wage law, to try to argue environmental law. Come on, Mr. Speaker; everyone knows.

I was looking through the many, many newspaper articles from the last time this trick was played: "PA lawmakers grant NRA, other groups standing to sue over local gun laws." "Legislators shouldn't cave to the NRA and approve this bad gun bill." "Pennsylvania lawmakers move to undo court ruling on NRA backed gun bill." "Pennsylvania Bill Would Allow NRA to Sue Towns Over Gun Laws."

So remember, what we are doing is special standing – special standing so that the NRA can sue my towns today and maybe yours tomorrow. That is what this is about. Do not hide behind some deceptive legal argument that any first-year law student knows not to be accurate. Come on, Mr. Speaker; let us not do the NRA's bidding today. Let us vote in favor of this amendment.

The SPEAKER. Representative Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

My argument is simple. I oppose this amendment for the reason that our limitations are always first in our Constitution. That means that before we limited government from doing anything, we said there were certain things that were sacrosanct. One of them is included in Article I. It says, "§ 21. The right of the citizens to bear arms in defense of themselves and the State shall not be questioned," period.

There is nothing wrong with any organization protecting the rights that are established in the Constitution. They certainly have standing. There is nothing special about it. We can have differences of opinion as to whether municipalities should have rights, particular rights, but they have to pass the legislature to do that. We have a constitutional right and the NRA has just as

much right as the ACLU (American Civil Liberties Union) or any environmental group to protect the rights established in the first article of the Constitution.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. Representative Curtis Thomas has requested to speak.

Please strike the vote.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, vote "yes" on the Bradford amendment.

Mr. Speaker, that 10th Amendment of the Constitution does not just extend to States, it extends to municipalities. And, Mr. Speaker, the doctrine of preemption is only applicable when there is a local problem that conflicts with a State problem. We did not have a problem.

Curt Thomas was here when this House and the Senate authored the Pennsylvania uniform firearms law and we voted for it, and that night I went to a party where a friend was given a brand-new pearl-handled sawed-off shotgun that would not have been permitted if the uniform firearms law had not been signed into law.

Mr. Speaker, we are not talking about the Second Amendment. We are talking about our babies getting their hands on weapons that we did not even use in the war. We are talking about local municipalities, whether or not they have a right to do that which is necessary to protect the health, safety, and welfare of its residents. What, do we throw that out the window? When do we decide that we have extended the doctrine of *parens patriae* and now, now, now, now, we are big mom and daddy that is going to tell all of these municipalities and counties what they should be doing. They are trying to make things safe for you, your children, your mama, your daddy, and your family. Let us not trample on that right. That is also a constitutional right.

And so, Mr. Speaker, I am getting ready to sit down. I see the hand waving. Support the Bradford amendment and protect that right for all municipalities to do that which is necessary to protect the health, safety, and welfare of its residents. Is that not constitutional? Let us not trample on that.

The SPEAKER. Representative Russ Diamond.

Mr. DIAMOND. Thank you, Mr. Speaker.

I rise in opposition to this amendment, and I only rise because I have been sitting here and listening to a lot of arguments, and I do want to agree with the previous speaker, this is not about the Second Amendment. This is about Article I, section 21, of the Pennsylvania Constitution, which is what is much more clear, much more concise than the Second Amendment of the United States Constitution.

The reality here, and the speaker previous to him, the maker of this amendment, said we do not want special interests suing our municipalities for laws they have about whatever firearms. There is a simple solution to that. Your municipalities should not be making any ordinances or laws against firearms.

The Supreme Court has said that firearms, the topic of firearms and firearms rights, are of statewide concern. If you do not like that, you have an option to introduce a constitutional amendment to eliminate the statewide right to keep and bear arms enumerated by Article I, section 21. That is the option, not by picking apart this constitutional preemption bill.

I urge a "no" vote on this and any other amendment that interferes with our statewide authority to preempt local laws.

Thank you, Mr. Speaker.

The SPEAKER. Representative Curtis Thomas, for the second time.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I just remind my colleagues, it was only last year that there was statewide polling done on whether or not there should be some regulatory restrictions around the availability and proliferation of guns. In every county, every county – now let us not get senile all of a sudden – the data came in. Montgomery County, 87, 88 percent of the residents believe that we should be doing something; Philadelphia County, over 80 percent; Erie County, over 70 percent; Harrisburg, Dauphin County, over 70 percent. Now, stop treating people like they are dumb. They know what is best for them.

We had this question. We went out and did— We did not authorize the polling because we did not want to hear the results. But the polling has been done. The jury is in. There are things going on in our municipalities and counties where they need to be able to take some steps to protect the health, safety, and welfare of its residents. Let us not trample on that. The data, the data is in. Thank you.

The SPEAKER. Members, the amendment is on the issue that deals with who is an appropriate party for standing. We have many more amendments here.

Representative Dush.

Mr. DUSH. Mr. Speaker, just very quickly. This amendment and the others have been addressed. The gentleman from Philadelphia indicates that we have gotten all this support for it. If that is the case, put the bill up to change the, to amend the Constitution. I think you will find out where people truly stand.

Thank you, Mr. Speaker.

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 671 CONTINUED

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

The following roll call was recorded:

YEAS—52

Boyle	Dawkins	Keller, W.	Roebuck
Bradford	Dean	Kim	Samuelson

Briggs	DeLissio	Kinsey	Schlossberg
Brown, V.	Dermody	Kirkland	Schweyer
Bullock	Donatucci	Krueger	Sims
Caltagirone	Driscoll	Madden	Solomon
Carroll	Evans	McCarter	Sturla
Cephas	Fitzgerald	McClinton	Thomas
Comitta	Frankel	Miller, D.	Vazquez
Cruz	Freeman	Neilson	Vitali
Daley	Gainey	O'Brien	Warren
Davidson	Galloway	Pashinski	Wheatley
Davis	Harris, J.	Ravenstahl	Youngblood

NAYS—138

Baker	Fee	Longietti	Rader
Barbin	Flynn	Mackenzie	Rapp
Barrar	Fritz	Maher	Readshaw
Benninghoff	Gabler	Maloney	Reed
Bernstine	Gillen	Markosek	Reese
Bizzarro	Gillespie	Marshall	Roae
Bloom	Godshall	Marsico	Roe
Boback	Goodman	Masser	Rothman
Brown, R.	Greiner	Matzie	Rozzi
Burns	Grove	McGinnis	Ryan
Causar	Haggerty	Mentzer	Saccone
Charlton	Hahn	Metcalfe	Sainato
Conklin	Hanna	Metzgar	Sankey
Cook	Harkins	Miccarelli	Santora
Corbin	Harper	Millard	Saylor
Corr	Harris, A.	Miller, B.	Schemel
Costa, D.	Heffley	Milne	Snyder
Cox	Helm	Moul	Sonney
Culver	Hickernell	Mullery	Staats
Cutler	Hill	Murt	Stephens
Day	Irvin	Mustio	Tallman
Deasy	Jozwiak	Nelson	Tobash
Delozier	Kampf	Nesbit	Toepel
DeLuca	Kaufer	Neuman	Toohil
Diamond	Kauffman	O'Neill	Topper
DiGirolamo	Kavulich	Oberlander	Walsh
Dowling	Keefer	Ortitay	Ward
Dunbar	Keller, F.	Peifer	Warner
Dush	Keller, M.K.	Petrarca	Wentling
Ellis	Klunk	Petri	Wheeland
Emrick	Knowles	Pickett	White
English	Kortz	Pyle	Zimmerman
Evankovich	Kulik	Quigley	
Everett	Lawrence	Quinn, C.	Turzai,
Farry	Lewis	Quinn, M.	Speaker

NOT VOTING—0

EXCUSED—13

Christiana	Hennessey	McNeill	Simmons
Costa, P.	James	Mehaffie	Taylor
Fabrizio	Mako	Rabb	Watson
Gergely			

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?

The SPEAKER. Representative Bradford calls up amendment 895.
Representative Bradford withdraws amendment 895.

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

Ms. KRUEGER offered the following amendment No. A00909:

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(a.2) Relief.—[A]

(1) Except as set forth in paragraph (2), a person adversely affected by an ordinance,

Amend Bill, page 2, by inserting between lines 7 and 8

(2) Paragraph (1) does not apply to a challenge of an action which is:

(i) taken by a supermajority of the governing body of the county, municipality or township; and

(ii) supported by a collective bargaining organization representing law enforcement in the county, municipality or township.

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

The SPEAKER. On the amendment, Representative Krueger-Braneky, please.

Ms. KRUEGER. Thank you, Mr. Speaker.

I rise to offer amendment A00909. Simply put, this amendment would prohibit a challenge to a local ordinance under the provisions of HB 671 if the ordinance is passed by a supermajority of the governing body of the municipality and if it is supported by a collective-bargaining organization representing law enforcement in the municipality.

Mr. Speaker, oftentimes in this very chamber we rightfully hear praise for the brave women and men who serve on our local and State Police forces. We trust them to protect us from various threats every single day. I believe, Mr. Speaker, that if our local governing bodies have the support of local law enforcement when passing an ordinance aimed at reasonable gun safety, then the ordinances should be free from the challenges that are permitted under HB 671.

This is fundamentally about preserving local ordinances that will make our communities safer, and I would ask my colleagues for their support of this amendment.

Thank you, Mr. Speaker.

The SPEAKER. Representative Mark Keller, on the amendment, please.

Mr. M. KELLER. Thank you, Mr. Speaker.

Again we are going for uniformity, and I would encourage a "no" vote. Thank you.

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

The following roll call was recorded:

YEAS-52

Table with 4 columns of names: Boyle, Dean, Kim, Roebuck, Bradford, DeLissio, Kinsey, Samuelson, Briggs, Dermody, Kirkland, Schlossberg, Brown, V., Donatucci, Krueger, Schweyer, Bullock, Driscoll, Madden, Sims, Caltagirone, Evans, Markosek, Solomon, Cephas, Fitzgerald, McCarter, Sturla, Comitta, Frankel, McClinton, Thomas, Cruz, Freeman, Miller, D., Vazquez

Table with 4 columns of names: Daley, Gainey, Neilson, Vitali, Davidson, Galloway, O'Brien, Warren, Davis, Harris, J., Pashinski, Wheatley, Dawkins, Keller, W., Ravenstahl, Youngblood

NAYS-138

Table with 4 columns of names: Baker, Farry, Lewis, Rader, Barbin, Fee, Longiotti, Rapp, Barrar, Flynn, Mackenzie, Readshaw, Benninghoff, Fritz, Maher, Reed, Bernstine, Gabler, Maloney, Reese, Bizzarro, Gillen, Marshall, Roae, Bloom, Gillespie, Marsico, Roe, Boback, Godshall, Masser, Rothman, Brown, R., Goodman, Matzie, Rozzi, Burns, Greiner, McGinnis, Ryan, Carroll, Grove, Mentzer, Saccone, Causer, Haggerty, Metcalfe, Sainato, Charlton, Hahn, Metzgar, Sankey, Conklin, Hanna, Miccarelli, Santora, Cook, Harkins, Millard, Saylor, Corbin, Harper, Miller, B., Schemel, Corr, Harris, A., Milne, Snyder, Costa, D., Heffley, Moul, Sonney, Cox, Helm, Mullery, Staats, Culver, Hickernell, Murt, Stephens, Cutler, Hill, Mustio, Tallman, Day, Irvin, Nelson, Tobash, Deasy, Jozwiak, Nesbit, Toepel, Delozier, Kampf, Neuman, Toohil, DeLuca, Kaufer, O'Neill, Topper, Diamond, Kauffman, Oberlander, Walsh, DiGirolamo, Kavulich, Ortity, Ward, Dowling, Keefer, Peifer, Warner, Dunbar, Keller, F., Petrarca, Wentling, Dush, Keller, M.K., Petri, Wheeland, Ellis, Klunk, Pickett, White, Emrick, Knowles, Pyle, Zimmerman, English, Kortz, Quigley, Evankovich, Kulik, Quinn, C., Turzai, Everett, Lawrence, Quinn, M., Speaker

NOT VOTING-0

EXCUSED-13

Table with 4 columns of names: Christiana, Hennessey, McNeill, Simmons, Costa, P., James, Mehaffie, Taylor, Fabrizio, Mako, Rabb, Watson, Gergely

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?

The SPEAKER. Representative Krueger-Braneky offers amendment 911, which the clerk will read a summary— That amendment has been withdrawn by Representative Krueger-Braneky.

Representative Rabb withdraws amendment 912.

Representative Krueger-Braneky offers amendment 915. That has been withdrawn.

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

Ms. DALEY offered the following amendment No. **A00917**:

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(a.2) Relief.—[A]

(1) Except as set forth in paragraph (2), a person adversely affected by an ordinance,

Amend Bill, page 2, by inserting between lines 7 and 8

(2) Paragraph (1) does not apply to a challenge of an action which:

(i) bans firearms in polling places; and

(ii) is taken by a supermajority of the governing body of the county, municipality or township.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, Representative Mary Jo Daley is recognized.

Ms. DALEY. Thank you, Mr. Speaker.

I rise to offer amendment A00917. The amendment would exempt local ordinances that ban firearms in polling places as long as the ordinance was passed by a supermajority of the governing board. Going to the polls is one of the most important duties that we as citizens perform and it is imperative that voters feel safe doing so. If a supermajority vote of a municipal board or a governing board decides that their residents want the added measure having their polling places be a firearm-free zone, then they should continue to have that right.

This amendment is limited to polling places, and the amendment would only impact residents living and registered in those communities and polling places. So it cannot logically be argued that this exemption would add to the confusion of a conflicting firearm law that proponents of the bill argue residents in this Commonwealth would suffer from. Thank you.

The SPEAKER. Thank you.

Representative Mark Keller, on the amendment, please.

Mr. M. KELLER. Again, uniformity. I would encourage a "no" vote. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—51

Boyle	Dean	Kim	Samuelson
Bradford	DeLissio	Kinsey	Schlossberg
Briggs	Dermoddy	Kirkland	Schweyer
Brown, V.	Donatucci	Krueger	Sims
Bullock	Driscoll	Madden	Solomon
Caltagirone	Evans	Markosek	Sturla
Cephas	Fitzgerald	McCarter	Thomas
Comitta	Frankel	McClinton	Vazquez
Cruz	Freeman	Miller, D.	Vitali
Daley	Gainey	Neilson	Warren
Davidson	Galloway	O'Brien	Wheatley
Davis	Harris, J.	Pashinski	Youngblood
Dawkins	Keller, W.	Roebuck	

NAYS—139

Baker	Fee	Longiotti	Rapp
Barbin	Flynn	Mackenzie	Ravenstahl
Barrar	Fritz	Maher	Readshaw
Benninghoff	Gabler	Maloney	Reed

Bernstine	Gillen	Marshall	Reese
Bizzarro	Gillespie	Marsico	Roae
Bloom	Godshall	Masser	Roe
Boback	Goodman	Matzie	Rothman
Brown, R.	Greiner	McGinnis	Rozzi
Burns	Grove	Mentzer	Ryan
Carroll	Haggerty	Metcalfe	Saccone
Causser	Hahn	Metzgar	Sainato
Charlton	Hanna	Miccarelli	Sankey
Conklin	Harkins	Millard	Santora
Cook	Harper	Miller, B.	Saylor
Corbin	Harris, A.	Milne	Schemel
Corr	Heffley	Moul	Snyder
Costa, D.	Helm	Mullery	Sonney
Cox	Hickernell	Murt	Staats
Culver	Hill	Mustio	Stephens
Cutler	Irvin	Nelson	Tallman
Day	Jozwiak	Nesbit	Tobash
Deasy	Kampf	Neuman	Toepel
Delozier	Kaufert	O'Neill	Toohil
DeLuca	Kauffman	Oberlander	Topper
Diamond	Kavulich	Ortitay	Walsh
DiGirolamo	Keefer	Peifer	Ward
Dowling	Keller, F.	Petrarca	Warner
Dunbar	Keller, M.K.	Petri	Wentling
Dush	Klunk	Pickett	Wheeland
Ellis	Knowles	Pyle	White
Emrick	Kortz	Quigley	Zimmerman
English	Kulik	Quinn, C.	
Evankovich	Lawrence	Quinn, M.	Turzai,
Everett	Lewis	Rader	Speaker
Farry			

NOT VOTING—0

EXCUSED—13

Christiana	Hennessey	McNeill	Simmons
Costa, P.	James	Mehaffie	Taylor
Fabrizio	Mako	Rabb	Watson
Gergely			

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?

Mr. SIMS offered the following amendment No. **A00922**:

Amend Bill, page 1, lines 7 through 9, by striking out all of said lines and inserting

Section 1. Section 6120(a.2), (a.3) and (b) of Title 18 of the Pennsylvania Consolidated Statutes are reenacted and amended and the section is amended by adding a subsection to read:

Amend Bill, page 2, line 8, by inserting a bracket before "(a.3) "

Amend Bill, page 2, line 8, by striking out the bracket before "A"

Amend Bill, page 2, lines 8 through 11, by striking out "] If a person adversely" in line 8, all of lines 9 and 10 and "the" in line 11

Amend Bill, page 2, line 11, by striking out the bracket before "a"

Amend Bill, page 2, line 11, by striking out "] the"

Amend Bill, page 2, line 19, by inserting after "court."

]
(a.4) Court costs.—

(1) A court shall award reasonable expenses to the person adversely affected in an action under subsection (a.2) for any of the following:

(i) A final determination by the court is granted

in favor of the person adversely affected.

(ii) The regulation in question is rescinded, repealed or otherwise abrogated after suit has been filed under subsection (a.2) but before the final determination by the court.

(2) A court shall award a political subdivision that prevails in an action under subsection (a.2) all of the following:

(i) Costs associated with the litigation to defend the ordinance.

(ii) Attorney fees.

(iii) Other costs or damages the court finds reasonably necessary.

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

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

Mr. SIMS. Thank you, Mr. Speaker.

Mr. Speaker, as it is written now, HB 671 provides for an award of expenses to a person or the NRA when they prevail on an action under this law, but it does not extend those same privileges to municipalities when they win. Lawsuits under this bill, as we have already seen, can be really costly and time-consuming for municipalities, and this amendment provides for the award of costs and damages to a municipality that ultimately prevails. This amendment allows municipalities to recoup some of those costs if a court determines that the municipality was in the right and only when a court determines that the municipality was in the right, and I ask for my colleagues' support.

The SPEAKER. Representative Mark Keller, on the amendment, please.

Mr. M. KELLER. Thank you, Mr. Speaker.

The amendment actually creates a financial penalty to those who are trying to bring suit, and it deters lawsuits by lawful gun owners who seek to challenge local ordinances. So that, I believe, in good faith would be in preemption and uniformity, and I would encourage a "no" vote. Thank you.

The SPEAKER. Representative Sims, for the second time.

Mr. SIMS. Mr. Speaker, but by that logic the opposite would also be true. We are saying here that people can bring claims unencumbered, and if they win, they get the money back, and if they lose, oh, well. But municipalities will always be encumbered with the costs here. That means that a person could bring a case against a municipality that they know they will not succeed on and the municipality is still going to have to spend the money.

We hear every single day in here about the extreme costs that municipalities have to face with respect to litigation, and I think that what we are doing right here is we are giving a pass to the NRA to be able to collect money from our municipalities and we are not giving our municipalities the ability to defend themselves and not have to expend the costs to do so.

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

The following roll call was recorded:

YEAS—54

Boyle	DeLissio	Kinsey	Roebuck
Bradford	Dermody	Kirkland	Samuelson
Briggs	Donatucci	Krueger	Schlossberg
Brown, V.	Driscoll	Kulik	Schweyer
Bullock	Evans	Madden	Sims
Caltagirone	Fitzgerald	Markosek	Solomon
Cephas	Frankel	McCarter	Sturla
Comitta	Freeman	McClinton	Thomas
Cruz	Gainey	Miller, D.	Vazquez
Daley	Galloway	Neilson	Vitali
Davidson	Hanna	O'Brien	Warren
Davis	Harris, J.	Pashinski	Wheatley
Dawkins	Keller, W.	Ravenstahl	Youngblood
Dean	Kim		

NAYS—136

Baker	Farry	Mackenzie	Rapp
Barbin	Fee	Maher	Readshaw
Barrar	Flynn	Maloney	Reed
Benninghoff	Fritz	Marshall	Reese
Bernstine	Gabler	Marsico	Roae
Bizzarro	Gillen	Masser	Roe
Bloom	Gillespie	Matzie	Rothman
Boback	Godshall	McGinnis	Rozzi
Brown, R.	Goodman	Mentzer	Ryan
Burns	Greiner	Metcalfe	Saccone
Carroll	Grove	Metzgar	Sainato
Causser	Haggerty	Miccarelli	Sankey
Charlton	Hahn	Millard	Santora
Conklin	Harkins	Miller, B.	Saylor
Cook	Harper	Milne	Schemel
Corbin	Harris, A.	Moul	Snyder
Corr	Heffley	Mullery	Sonney
Costa, D.	Helm	Murt	Staats
Cox	Hickernell	Mustio	Stephens
Culver	Hill	Nelson	Tallman
Cutler	Irvin	Nesbit	Tobash
Day	Jozwiak	Neuman	Toepel
Deasy	Kampf	O'Neill	Toohil
Delozier	Kaufner	Oberlander	Topper
DeLuca	Kauffman	Ortity	Walsh
Diamond	Kavulich	Peifer	Ward
DiGirolamo	Keefer	Petrarca	Warner
Dowling	Keller, F.	Petri	Wentling
Dunbar	Keller, M.K.	Pickett	Wheeland
Dush	Klunk	Pyle	White
Ellis	Knowles	Quigley	Zimmerman
Emrick	Kortz	Quinn, C.	
English	Lawrence	Quinn, M.	Turzai,
Evankovich	Lewis	Rader	Speaker
Everett	Longiotti		

NOT VOTING—0

EXCUSED—13

Christiana	Hennessey	McNeill	Simmons
Costa, P.	James	Mehaffie	Taylor
Fabrizio	Mako	Rabb	Watson
Gergely			

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?

Mrs. **DAVIDSON** offered the following amendment
No. **A00926**:

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(a.2) Relief.—[A]

(1) Except as set forth in paragraph (2), a person adversely affected by an ordinance,

Amend Bill, page 2, by inserting between lines 7 and 8

(2) Paragraph (1) does not apply to a challenge of a prohibition of the possession of a firearm by an individual convicted of an offense under section 4304 (relating to endangering welfare of children) or 4305 (relating to dealing in infant children).

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

The **SPEAKER**. On the amendment, Representative Margo Davidson, amendment 926.

Mrs. **DAVIDSON**. Thank you, Mr. Speaker.

I would ask my esteemed colleagues to join me in supporting this amendment, which is a uniform amendment because it would apply to everyone under the act if it were to pass and be signed into law by the Governor.

This amendment exempts ordinances that add endangering the welfare of children and infant children as a disqualifying offense for ownership of a firearm. We already restrict felons in certain instances, and in this particular instance, these individuals have already proven to be dangerous individuals against our most vulnerable citizens – our children and infant youth, infant babies who cannot defend themselves.

So I would ask my colleagues to join me in protecting society from such heinous individuals that would harm our most vulnerable children and infant babies.

Thank you, Mr. Speaker.

The **SPEAKER**. Thank you.

Representative Mark Keller, on the amendment, please.

Mr. M. **KELLER**. Thank you, Mr. Speaker.

The law already states, Federal and State law already provides who is prohibited from possessing a firearm due to criminal conviction. This amendment is not needed. I would encourage a "no" vote. Thank you.

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

The following roll call was recorded:

YEAS—51

Boyle	Dean	Kim	Samuelson
Bradford	DeLissio	Kinsey	Schlossberg
Briggs	Dermody	Kirkland	Schweyer
Brown, V.	Donatucci	Krueger	Sims
Bullock	Driscoll	Madden	Solomon
Caltagirone	Evans	McCarter	Sturla
Cephas	Fitzgerald	McClinton	Thomas
Comitta	Frankel	Miller, D.	Vazquez
Cruz	Freeman	Neilson	Vitali
Daley	Gainey	O'Brien	Warren
Davidson	Galloway	Pashinski	Wheatley

Davis	Harris, J.	Ravenstahl	Youngblood
Dawkins	Keller, W.	Roebuck	

NAYS—139

Baker	Fee	Longietti	Rader
Barbin	Flynn	Mackenzie	Rapp
Barrar	Fritz	Maher	Readshaw
Benninghoff	Gabler	Maloney	Reed
Bernstine	Gillen	Markosek	Reese
Bizzarro	Gillespie	Marshall	Roae
Bloom	Godshall	Marsico	Roe
Boback	Goodman	Masser	Rothman
Brown, R.	Greiner	Matzie	Rozzi
Burns	Grove	McGinnis	Ryan
Carroll	Haggerty	Mentzer	Saccone
Causer	Hahn	Metcalfe	Sainato
Charlton	Hanna	Metzgar	Sankey
Conklin	Harkins	Miccarelli	Santora
Cook	Harper	Millard	Saylor
Corbin	Harris, A.	Miller, B.	Schemel
Corr	Heffley	Milne	Snyder
Costa, D.	Helm	Moul	Sonney
Cox	Hickernell	Mullery	Staats
Culver	Hill	Murt	Stephens
Cutler	Irvin	Mustio	Tallman
Day	Jozwiak	Nelson	Tobash
Deasy	Kampf	Nesbit	Toepel
Delozier	Kaufman	Neuman	Toohil
DeLuca	Kauffman	O'Neill	Topper
Diamond	Kavulich	Oberlander	Walsh
DiGirolamo	Keefer	Ortitay	Ward
Dowling	Keller, F.	Peifer	Warner
Dunbar	Keller, M.K.	Petrarca	Wentling
Dush	Klunk	Petri	Wheeland
Ellis	Knowles	Pickett	White
Emrick	Kortz	Pyle	Zimmerman
English	Kulik	Quigley	
Evankovich	Lawrence	Quinn, C.	Turzai,
Everett	Lewis	Quinn, M.	Speaker
Farry			

NOT VOTING—0

EXCUSED—13

Christiana	Hennessey	McNeill	Simmons
Costa, P.	James	Mehaffie	Taylor
Fabrizio	Mako	Rabb	Watson
Gergely			

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?

The **SPEAKER**. Representative Youngblood has withdrawn amendment 924.

Representative Wheatley has withdrawn amendment 918.

Representative Daley calls up amendment 928, 928. That is going to be withdrawn. Amendment 928 has been withdrawn.

Representative Comitta calls up amendment 995, a summary of which the clerk will read. Amendment 995 has been withdrawn by Representative Comitta.

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

Mrs. **COMITTA** offered the following amendment No. **A00997**:

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(a.2) Relief.—[A]

(1) Except as set forth in paragraph (2), a person adversely affected by an ordinance,

Amend Bill, page 2, by inserting between lines 7 and 8

(2) Paragraph (1) does not apply to a challenge of an action that bans firearms on public property, including, but not limited to, county, municipal or township buildings, parks and playgrounds, libraries or schools.

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

The **SPEAKER**. Representative Comitta, on the amendment, please.

Mrs. **COMITTA**. Thank you, Mr. Speaker.

I rise to offer amendment A00997. This amendment exempts ordinances that prohibit firearms in public places such as government buildings, parks, schools, and libraries. As former mayor of West Chester, I am well acquainted with the importance of giving municipalities that ability to govern themselves. No one knows what is best for their community than community members themselves. As a person elected to serve those communities, I have a responsibility to make sure they are safe. Passing this preemption would hamper my ability to perform my job.

There is a history of firearm violence in public offices in this Commonwealth. On August 5, 2013, in Saylorburg, Pennsylvania, a gunman opened fire during a Ross Township meeting, tragically killing three people and injuring three others.

Having the ability to decide that firearms are not permitted on public property is a public safety policy that should be an option for municipalities to exercise without fear of being bankrupted. No town should be forced to choose between protecting the physical or fiscal health of its community.

I ask my colleagues to support this amendment.

The **SPEAKER**. Representative Mark Keller, on the amendment, please.

Mr. M. **KELLER**. Thank you, Mr. Speaker.

Again, I will say uniformity with the piece of legislation that is being addressed here. I would encourage a "no" vote. Thank you.

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 671 CONTINUED

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

The following roll call was recorded:

YEAS—50

Boyle	Dean	Kim	Samuelson
Bradford	DeLissio	Kinsey	Schlossberg
Briggs	Dermody	Kirkland	Schweyer
Brown, V.	Donatucci	Krueger	Sims
Bullock	Driscoll	Madden	Solomon
Caltagirone	Evans	McCarter	Sturla
Cephas	Fitzgerald	McClinton	Thomas
Comitta	Frankel	Miller, D.	Vazquez
Cruz	Freeman	Neilson	Vitali
Daley	Gainey	O'Brien	Warren
Davidson	Galloway	Pashinski	Wheatley
Davis	Harris, J.	Roebuck	Youngblood
Dawkins	Keller, W.		

NAYS—141

Baker	Fee	Mackenzie	Rapp
Barbin	Flynn	Maher	Ravenstahl
Barrar	Fritz	Maloney	Readshaw
Benninghoff	Gabler	Markosek	Reed
Bernstine	Gillen	Marshall	Reese
Bizzarro	Gillespie	Marsico	Roae
Bloom	Godshall	Masser	Roe
Boback	Goodman	Matzie	Rothman
Brown, R.	Greiner	McGinnis	Rozzi
Burns	Grove	Mehaffie	Ryan
Carroll	Haggerty	Mentzer	Saccone
Causser	Hahn	Metcalfe	Sainato
Charlton	Hanna	Metzgar	Sankey
Conklin	Harkins	Miccarelli	Santora
Cook	Harper	Millard	Saylor
Corbin	Harris, A.	Miller, B.	Schemel
Corr	Heffley	Milne	Snyder
Costa, D.	Helm	Moul	Sonney
Cox	Hickernell	Mullery	Staats
Culver	Hill	Murt	Stephens
Cutler	Irvin	Mustio	Tallman
Day	Jozwiak	Nelson	Tobash
Deasy	Kampf	Nesbit	Toepel
Delozier	Kaufner	Neuman	Toohil
DeLuca	Kauffman	O'Neill	Topper
Diamond	Kavulich	Oberlander	Walsh
DiGirolamo	Keefer	Ortitay	Ward
Dowling	Keller, F.	Peifer	Warner
Dunbar	Keller, M.K.	Petrarca	Wentling
Dush	Klunk	Petri	Wheeland
Ellis	Knowles	Pickett	White
Emrick	Kortz	Pyle	Zimmerman
English	Kulik	Quigley	
Evankovich	Lawrence	Quinn, C.	Turzai,
Everett	Lewis	Quinn, M.	Speaker
Farry	Longietti	Rader	

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

Ms. DALEY offered the following amendment No. A00999:

Amend Bill, page 2, line 1, by striking out all of said line and inserting

(a.2) Relief.—[A]

(1) Except as set forth in paragraph (2), a person adversely affected by an ordinance,

Amend Bill, page 2, by inserting between lines 7 and 8

(2) Paragraph (1) does not apply to a challenge of an action that prohibits the possession of firearms in public parks and playgrounds.

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

The SPEAKER. On the amendment, Representative Daley.
Ms. DALEY. Thank you, Mr. Speaker.

I rise in support— Well, I am offering amendment A00999 in particular because I have a municipality, Lower Merion Township, that had such an ordinance and was sued by the NRA under the earlier law that was declared unconstitutional. They have followed through with challenges, and that bill is currently in the Supreme Court.

I received a letter today from the township manager asking me to support this legislation. It would prohibit guns in their parks and playgrounds. Lower Merion Township has a number of parks and playgrounds that are all surrounded heavily by homes. It is a very densely populated municipality and heavily used by children, joggers, etc. So I stand and ask that you vote in favor of this amendment, A00999. Thank you.

The SPEAKER. Representative Mark Keller, on the amendment, please.

Mr. M. KELLER. Thank you, Mr. Speaker.

Again, uniformity. I would appreciate a "no" vote. Thank you.

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

The following roll call was recorded:

YEAS—51

Bizzarro	Dawkins	Keller, W.	Samuelson
Boyle	Dean	Kim	Schlossberg
Bradford	DeLissio	Kinsey	Schweyer
Briggs	Dermody	Kirkland	Sims
Brown, V.	Donatucci	Krueger	Solomon
Bullock	Driscoll	Madden	Sturla
Caltagirone	Evans	McCarter	Thomas
Cephas	Fitzgerald	McClinton	Vazquez
Comitta	Frankel	Miller, D.	Vitali
Cruz	Freeman	Neilson	Warren
Daley	Gainey	O'Brien	Wheatley
Davidson	Galloway	Pashinski	Youngblood
Davis	Harris, J.	Roebuck	

NAYS—140

Baker	Flynn	Maher	Rapp
Barbin	Fritz	Maloney	Ravenstahl
Barrar	Gabler	Markosek	Readshaw

Benninghoff	Gillen	Marshall	Reed
Bernstine	Gillespie	Marsico	Reese
Bloom	Godshall	Masser	Roae
Boback	Goodman	Matzie	Roe
Brown, R.	Greiner	McGinnis	Rothman
Burns	Grove	Mehaffie	Rozzi
Carroll	Haggerty	Mentzer	Ryan
Causser	Hahn	Metcalfe	Saccone
Charlton	Hanna	Metzgar	Sainato
Conklin	Harkins	Miccarelli	Sankey
Cook	Harper	Millard	Santora
Corbin	Harris, A.	Miller, B.	Saylor
Corr	Heffley	Milne	Schemel
Costa, D.	Helm	Moul	Snyder
Cox	Hickernell	Mullery	Sonney
Culver	Hill	Murt	Staats
Cutler	Irvin	Mustio	Stephens
Day	Jozwiak	Nelson	Tallman
Deasy	Kampf	Nesbit	Tobash
Delozier	Kaufner	Neuman	Toepel
DeLuca	Kauffman	O'Neill	Toohil
Diamond	Kavulich	Oberlander	Topper
DiGirolamo	Keefer	Ortitay	Walsh
Dowling	Keller, F.	Peifer	Ward
Dunbar	Keller, M.K.	Petrarca	Warner
Dush	Klunk	Petri	Wentling
Ellis	Knowles	Pickett	Wheeland
Emrick	Kortz	Pyle	White
English	Kulik	Quigley	Zimmerman
Evankovich	Lawrence	Quinn, C.	
Everett	Lewis	Quinn, M.	Turzai,
Farry	Longiatti	Rader	Speaker
Fee	Mackenzie		

NOT VOTING—0

EXCUSED—12

Christiana	Gergely	Mako	Simmons
Costa, P.	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson

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

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

The SPEAKER. Members, we do not have any other amendments listed with respect to HB 671.

Are there any amendments that we are missing that still need to be offered?

We understand that all other amendments have been withdrawn.

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

STATEMENT BY MR. THOMAS

The SPEAKER. On unanimous consent, Representative Thomas, for what do you rise, sir?

Mr. THOMAS. Personal privilege, Mr. Speaker.

The SPEAKER. Yes, sir. You may proceed.

Mr. THOMAS. I want to thank the author of HB 671, and I want to thank all of the members on this side that stuck together and were lockstep with the author of the bill. I just wish we had that on this side.

Thank you, Mr. Speaker.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 409, PN 1235**, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in preliminary provisions, further providing for definitions and for Uniform Construction Code Review and Advisory Council and providing for review of updated sections and adoption of updated sections into Uniform Construction Code; in Uniform Construction Code, further providing for revised or successor codes; in adoption and enforcement by municipalities, further providing for administration and enforcement; in training and certification of inspectors, further providing for education and training programs; and, in exemptions, applicability and penalties, further providing for applicability to certain buildings.

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

The SPEAKER. Members, there are some late-filed amendments. I understand that they are all offered by Representative Vitali.

Representative Krueger-Braneky, you wish to be recognized, though, on unanimous consent? I have to deal with some amendments first; then as soon as I deal with those, I will make sure that I get you on the bill.

Representative Vitali, sir, you have filed six amendments. They all would need a motion to suspend to get a vote on those amendments because we are on third consideration. Sir, they are amendments 702, 703, 704, 705, 706, and 1015. Are there any of those that you wish to move to suspend for?

Mr. VITALI. At the moment I am rising to speak on final passage. In the course of this, I may choose to offer one of those amendments after I speak on final passage.

The SPEAKER. Sir, the only thing is, for us to proceed, I would have to handle the amendments first and then ask you to—

Mr. VITALI. To be clear, I think what I am rising for now is to speak in opposition to the bill. But I am reserving my right, after I have made arguments against the bill, to move to suspend the rules to consider an amendment that in fact is out of order. This actually has been done. I have seen this done many times, and that is my intent on how to proceed.

The SPEAKER. Sir, the past precedent has been that on an amendment that has been filed we have to address the amendments first, which would require a motion to suspend. I could order them— I mean, I could rule that they are all out of order given the fact that they are late-filed. I am giving you an opportunity to move to suspend to consider any of these amendments before I would make that ruling.

Mr. VITALI. I am not making the motion to suspend right now, but I may make it at a later date. I am not sure what rule precludes me at any point in the proceeding from making a motion to suspend the rules. Right now I simply want to speak against the bill, get my arguments out, and then—

The SPEAKER. Sir, it is past precedent. It is not explicit in the rules, but it is past precedent. And it also just makes sense; it just makes sense, common sense.

Here is what we will do. I am going to let you at this time proceed with your argument, but when you move to suspend, I am going to rule it out of order. But please proceed with— But if you want to move to suspend right now for any of the amendments, you are in order and you may do so.

Mr. VITALI. May I approach and we can discuss this? I am a little confused because this has been done before.

The SPEAKER. You may approach.

(Conference held at Speaker's podium.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Paul Costa is on the House floor and he should be placed back on the master roll.

Members, please take your seats.

CONSIDERATION OF HB 409 CONTINUED

MOTION TO SUSPEND RULES

The SPEAKER. Representative Vitali does have six amendments. He is going to make a motion to suspend and will have an opportunity to speak with respect to the motion to suspend.

Sir, you may proceed.

Mr. VITALI. Thank you, Mr. Speaker.

It is really only my intention to make a motion to suspend on one amendment, and that is the one I filed today, which is A1015. So I would so move to suspend for immediate consideration of amendment 1015 and would like to make argument on that.

The SPEAKER. Yes, sir.

And just for the record, our clerk will give us a summary of amendment 1015, and then we will have a motion to suspend argument on that.

If you could read that for us, please.

The clerk read the following amendment No. **A01015**:

Amend Bill, page 18, line 18, by striking out "two-thirds" and inserting

a majority

Amend Bill, page 22, lines 24 and 25, by striking out "two-thirds"

The SPEAKER. Okay. Now, this is on third consideration, so it would need a motion to suspend.

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

The SPEAKER. Representative Vitali, you may proceed on the motion.

Mr. VITALI. Right. So essentially what the amendment does with regard to our building codes is when we are adopting the triennial codes of the International Building Code, it only

requires a simple majority of our RAC (Review and Advisory Council), our advisory committee. Right now it requires a two-thirds vote, so this would simply change that to a simple majority.

And the importance of this is that we in Pennsylvania are still operating under 2009 codes. Our current system is broken because we have an advisory committee that really has failed to reach its two-thirds majority with regard to the approval of the 2012 codes and the 2015 codes. The problem is, this puts the health and safety of those occupying Pennsylvania buildings at risk because we are not using the safest procedures. One member had mentioned from IBEW (International Brotherhood of Electrical Workers) the fact that aluminum wiring versus copper wiring before that was updated created a risk of fire, which really put lives at risk. So this is one of the most frequently cited problems of this code, the fact that we continue to build in Philadelphia under 2009 codes.

So this would solve the most serious problems. So it is important that we be in a position to make this tweak, and I would ask us to suspend so we can consider this.

The SPEAKER. On the motion to suspend, Representative Evankovich.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, I respectfully ask the members to oppose the motion to suspend the rules.

As the maker of the motion noted, the current RAC process is broken. HB 409 in its form on final passage fixes the process that is broken in the RAC, and a suspension of the rules is unnecessary to give this unelected body the weight of law by a simple majority rather than the two-thirds threshold that this body and the legislature and Governor have previously established. I please ask for a "no" vote.

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

The following roll call was recorded:

YEAS—69

Bizzarro	Dean	Kavulich	Ravenstahl
Boyle	Deasy	Keller, W.	Readshaw
Bradford	DeLissio	Kim	Roebuck
Briggs	DeLuca	Kinsey	Rozzi
Brown, V.	Dermody	Kirkland	Samuelson
Bullock	Donatucci	Kortz	Schlossberg
Caltagirone	Driscoll	Krueger	Schweyer
Carroll	Evans	Kulik	Sims
Cephas	Fitzgerald	Madden	Snyder
Comitta	Frankel	Markosek	Solomon
Conklin	Freeman	Matzie	Sturla
Costa, D.	Gainey	McCarter	Thomas
Costa, P.	Goodman	McClinton	Vazquez
Cruz	Haggerty	Miller, D.	Vitali
Daley	Hanna	Neilson	Warren
Davidson	Harkins	O'Brien	Wheatley
Davis	Harris, J.	Pashinski	Youngblood
Dawkins			

NAYS—123

Baker	Fritz	Marshall	Rapp
Barbin	Gabler	Marsico	Reed
Barrar	Galloway	Masser	Reese
Benninghoff	Gillen	McGinnis	Roae
Bernstine	Gillespie	Mehaffie	Roe
Bloom	Godshall	Mentzer	Rothman

Boback	Greiner	Metcalfe	Ryan
Brown, R.	Grove	Metzgar	Saccone
Burns	Hahn	Miccarelli	Sainato
Causar	Harper	Millard	Sankey
Charlton	Harris, A.	Miller, B.	Santora
Cook	Heffley	Milne	Saylor
Corbin	Helm	Moul	Schemel
Corr	Hickernell	Mullery	Sonney
Cox	Hill	Murt	Staats
Culver	Irvin	Mustio	Stephens
Cutler	Jozwiak	Nelson	Tallman
Day	Kampf	Nesbit	Tobash
Delozier	Kaufert	Neuman	Toepel
Diamond	Kauffman	O'Neill	Toohil
DiGirolamo	Keefe	Oberlander	Topper
Dowling	Keller, F.	Ortitay	Walsh
Dunbar	Keller, M.K.	Peifer	Ward
Dush	Klunk	Petrarca	Warner
Ellis	Knowles	Petri	Wentling
Emrick	Lawrence	Pickett	Wheeland
English	Lewis	Pyle	White
Evankovich	Longietti	Quigley	Zimmerman
Everett	Mackenzie	Quinn, C.	
Farry	Maher	Quinn, M.	Turzai,
Fee	Maloney	Rader	Speaker
Flynn			

NOT VOTING—0

EXCUSED—11

Christiana	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson
Gergely	Mako	Simmons	

Less than a majority of the members required by the rules 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 third consideration?

The SPEAKER. It is my understanding the other late-filed amendments are withdrawn.

We are now going to get to debate on the bill. It is HB 409, PN 1235.

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?

Representative Freeman. The Chair recognizes Representative Krueger-Braneky. Actually, I called on you first. Representative Krueger-Braneky and then Representative Freeman.

Ms. KRUEGER. Mr. Speaker, I rise today in opposition to HB 409. While I would be happy to support legislation that truly fixes our broken building codes, this bill is not it.

Right now Pennsylvania is operating under old codes that were started to be developed in 2006. That means that any building technology developed in the past 10 years is not

addressed in our current Pennsylvania Uniform Construction Code. That means that we are not using the most current technology that would keep us safe or prevent fires from spreading or to help us save money on our energy bills. Fundamentally, Mr. Speaker, HB 409 is bad for worker safety, bad for our first responders, and bad for energy efficiency because it delays the adoption of the most recent building codes by almost 5 years.

This bill is opposed by an unlikely coalition that includes IBEW 98, the Delaware Valley Green Building Council, the Sustainable Business Network of Greater Philadelphia, and the Philadelphia Physicians for Social Responsibility. When we have labor unions, business owners, and doctors coming together to oppose a bill, Mr. Speaker, it is something we need to pay attention to.

I ask my colleagues to vote "no" on HB 409. Thank you.

The SPEAKER. Thank you.

Representative Freeman, on the bill, please.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose HB 409.

I think one of the glaring flaws of this legislation is that it keeps intact the two-thirds vote required by the Review and Advisory Council, or RAC as it is known, to adopt changes and updates to the Uniform Construction Code. That gives builders on the RAC a built-in veto for all updates. That is very self-serving and inappropriate for establishing policy that deals with the Uniform Construction Code meant to guarantee safety in construction, meant to guarantee advances in energy cost savings, and meant to guarantee good solid construction.

The Builders Association was one of the strongest advocates for the UCC code being adopted. They wanted uniformity throughout all the municipalities. But through this two-thirds vote requirement, they have been able to block essential updates that are critical to good construction.

As it stands now, we are operating under the 2009 UCC codes. We are lagging behind in terms of having the best state-of-the-art code provisions in place here in Pennsylvania. That hinders Pennsylvania staying in step with UCC advances and standards, and keeping a veto in place for the builders hinders our communities.

In addition, another flaw in this bill is not all municipalities are actually represented on the RAC. Townships of the first class do not have a seat at the table. Townships of the first class are some of the more populated municipalities within our Commonwealth. First-class townships are densely populated and there are over 90 of them throughout our Commonwealth. They do not have a seat at the table, which is truly an injustice in terms of making sure that all our local government officials are heard on UCC policy.

HB 409 in its current form represents a missed opportunity to promote state-of-the-art building standards, energy efficiencies, and safety standards and miss the chance to improve the review and adoption process so that no special interest group has a veto power over good UCC policy here in Pennsylvania. This bill is woefully inadequate to the needs for good UCC policy and up-to-date codes. I urge a "no" vote.

The SPEAKER. Representative Evankovich, on the bill, please.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, I respectfully ask membership's support of HB 409. I respect the members who spoke in opposition to the bill for their cited reasons, but I think some of the reasons that were given are addressed in HB 409, specifically that HB 409 provides an immediate process for reviewing any code that was not previously adopted or reviewed in Pennsylvania, an immediate review.

And it is important for the members to understand that codes are just a minimum. Uniform construction codes are a minimum, and these codes are not developed by angels who descended to earth from heaven. These codes are established by people who have a vested interest in the code, an agenda one way or another. Sometimes it is altruistic, but more often than not, these codes require a second look and that is why we established the RAC in the first place. The one-size-fits-all approach typically does not work in Pennsylvania.

But it is important to remember that these codes are a minimum. HB 409 creates a non-agenda-driven process for adopting those codes, and it is a delicate negotiation, not just between the Builders Association who stands up for the consumers in Pennsylvania, but also environmentalist groups, local government groups, labor unions, companies that are in the industry of making products that are sold for residential and commercial construction.

It is a good step in the right direction for fixing this process in Pennsylvania, and I ask for an affirmative vote.

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—116

Baker	Fee	Maloney	Reese
Barbin	Fritz	Markosek	Roae
Barrar	Gabler	Marshall	Roe
Benninghoff	Gillen	Marsico	Rothman
Bernstine	Gillespie	Masser	Rozzi
Bloom	Godshall	McGinnis	Ryan
Boback	Greiner	Mehaffie	Saccone
Brown, R.	Grove	Mentzer	Sainato
Burns	Hahn	Metcalfe	Sankey
Causar	Harper	Metzgar	Saylor
Charlton	Harris, A.	Millard	Schemel
Cook	Helm	Miller, B.	Schlossberg
Corbin	Hickernell	Milne	Sonney
Corr	Hill	Moul	Staats
Cox	Irvin	Mustio	Tallman
Culver	Jozwiak	Nesbit	Tobash
Cutler	Kampf	O'Neill	Toepel
Davidson	Kaufner	Oberlander	Toohil
Day	Kauffman	Ortitay	Topper
Delozier	Keefer	Peifer	Vazquez
Diamond	Keller, F.	Petrarca	Walsh
Dowling	Keller, M.K.	Petri	Ward
Dunbar	Kirkland	Pickett	Warner
Dush	Klunk	Pyle	Wentling
Ellis	Knowles	Quigley	Wheeland
Emrick	Lawrence	Quinn, M.	Zimmerman

English	Lewis	Rader	
Evankovich	Longietti	Rapp	Turzai,
Everett	Mackenzie	Reed	Speaker
Farry	Maher		

NAYS—76

Bizzarro	DeLissio	Kavulich	Pashinski
Boyle	DeLuca	Keller, W.	Quinn, C.
Bradford	Dermody	Kim	Ravenstahl
Briggs	DiGirolamo	Kinsey	Readshaw
Brown, V.	Donatucci	Kortz	Roebuck
Bullock	Driscoll	Krueger	Samuelson
Caltagirone	Evans	Kulik	Santora
Carroll	Fitzgerald	Madden	Schweyer
Cephas	Flynn	Matzie	Sims
Comitta	Frankel	McCarter	Snyder
Conklin	Freeman	McClinton	Solomon
Costa, D.	Gainey	Miccarelli	Stephens
Costa, P.	Galloway	Miller, D.	Sturla
Cruz	Goodman	Mullery	Thomas
Daley	Haggerty	Murt	Vitali
Davis	Hanna	Neilson	Warren
Dawkins	Harkins	Nelson	Wheatley
Dean	Harris, J.	Neuman	White
Deasy	Heffley	O'Brien	Youngblood

NOT VOTING—0

EXCUSED—11

Christiana	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson
Gergely	Mako	Simmons	

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.

VOTE CORRECTIONS

The SPEAKER. Yes; Representative Stephens, for what do you rise?

Mr. STEPHENS. I just wanted to correct the record, Mr. Speaker.

The SPEAKER. Yes, sir. You may.

Mr. STEPHENS. I inadvertently was recorded as "no." I should have been record as a "yes" on HB 409.

The SPEAKER. Yes, sir.

Mr. STEPHENS. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Yes; Representative, for what do you rise? Representative Nelson.

Mr. NELSON. Thank you, Mr. Speaker.

I just wanted to correct, I had an error on my voting and should be recorded in the positive on the last vote.

The SPEAKER. Okay. In the affirmative?

Mr. NELSON. Yes.

The SPEAKER. And that was on?

Mr. NELSON. HB 409.

The SPEAKER. Bill 409. HB 409.

Mr. NELSON. Yes.

The SPEAKER. That will be reflected in the record.

Mr. NELSON. Thank you, Mr. Speaker.

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 438, PN 454**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; and, in licenses and regulations and liquor, alcohol and malt and brewed beverages, providing for spirit expanded permits.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. I apologize, but that is the bills we are running at this time. But we will be getting to the other bills shortly too.

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?

Representative Reese, on the bill.

Mr. REESE. Thank you, Mr. Speaker.

Mr. Speaker, HB 438 is a very simple, straightforward bill intended to improve customer choice and convenience when purchasing distilled spirits. This bill mirrors language that was passed in Act 39 of 2016, which made it possible for restaurant and hotel license holders to purchase an expanded wine permit and sell up to 3 liters to go. HB 438 uses that same structure, meaning that these same license holders would now be able to purchase an expanded spirit permit and offer up to 3 liters of spirits to go.

Mr. Speaker, efforts to make shopping for beer, wine, and spirits more convenient is not a new topic here in Harrisburg. This bill is consistent with the desires that many of our constituents have communicated to us over the years. On this accord, I respectfully request a "yes" vote on HB 438.

Thank you, Mr. Speaker.

The SPEAKER. Representative Paul Costa, on this bill, HB 438. Sir, you may proceed.

Mr. P. COSTA. Thank you, Mr. Speaker.

A little more than 8 months ago Act 39 went into operation. Act 39 was where we allowed wine to be sold in grocery stores. He is trying to do the same thing with this bill in spirits. It has only been active for 8 months, and we have not really had a chance to figure out everything to make sure how everything is working. So why do we not allow that to play out with the wine and see where we go from there. I do not think it is a good idea that we do sell spirits in grocery stores and gas stations and bars and taverns, and for my Philly friends, in stop-and-gos. I do not think this is a good idea. I think the wine is. I am not so sure about the spirits. I am asking our members to please vote "no."

The SPEAKER. The minority Appropriations chair, Joe Markosek, on the bill, please.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, this is the first bill that actually recognizes Act 39 of 2016, which was a good thing for liquor modernization. Act 39 allowed for the sale of wine-to-go. Naturally, the supporters of this proposal believe, Mr. Speaker, that spirits-to-go will work also. But it will not.

HB 438 would be a total giveaway. Spirits-to-go permits would be far less popular in the restaurant industry because of lower demand, a lower correlation with food preparation, and higher incidences of theft and underage drinking. Even if the 400, even if the 400 licensees with expanded wine permits opted for the expanded spirits permit, it would not raise \$1 million in license fees.

I ask members to please vote "no" on HB 438.

The SPEAKER. Members, I have two other members to speak on this particular bill. It will be Representative DiGirolamo and Representative Kinsey.

Representative DiGirolamo, you are recognized, sir.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Make no mistake about it, Mr. Speaker, if this bill is passed and enacted into law, this will be a major increase in the State of Pennsylvania when it comes to access to alcohol.

And I just want to give a little bit of history of privatization, Mr. Speaker, for a minute. Since I have been in the House here for the last 22 years – when I first came here in '95, I was put on the Liquor Committee, and the Governor back then, who was a new Governor, Gov. Tom Ridge, wanted to make privatization a priority, and the reason he could not get it done, Mr. Speaker, was because there were a large number of Republicans who would not vote for privatization because they were concerned, and rightfully so, about the increased access of alcohol here in the State of Pennsylvania.

And when I look at the groups that oppose not only this bill, 438, but the other three bills that we have here, Mr. Speaker, look at the groups that are opposed: The F.O.P. has sent out a letter of opposition. The men and women who protect us, active and retired members of the F.O.P. who see the problems that alcohol causes each and every day throughout this Commonwealth, they are opposed. Our professional firefighters are opposed. The DUI Association is opposed. The groups that do the drug and alcohol treatment are opposed to this bill and the other bill.

Mr. Speaker, I say this all the time: alcohol by far is still the number one abused drug in this Commonwealth. Abused drug – alcohol is number one.

And we look at the business side of this, Mr. Speaker. This makes no good business sense, Mr. Speaker. If these bills are passed, we are going to sell an asset that we have that collects our taxes, that puts \$175 million of profit each and every year or more back into the General Fund, we are going to sell this asset for a one-time fee and then we are not going to get that revenue coming in every year like we do right now.

And also, Mr. Speaker, I am concerned about the jobs, the 4,500 to 5,000 jobs that the present State store system supports, Mr. Speaker. I see nothing in this bill or the other bills that we are going to vote on, Mr. Speaker, I see nothing in those bills that addresses those jobs and those hardworking Pennsylvania workers who are going to lose their jobs.

And, Mr. Speaker, I want to go back; the previous speaker mentioned Act 39. As I look at Act 39, Mr. Speaker, and I go to section 28 when Act 39 was passed, it says, "There is

established a Wine and Spirits Wholesale and Retail Privatization Commission. The commission shall research and make recommendations related to privatizing the wholesale and retail wine and spirits operations in this Commonwealth as provided for in this section." And then we go to the end, Mr. Speaker, "Based on the findings and recommendations in the report issued...the General Assembly shall consider further reform measures to the Commonwealth's wholesale and retail wine and spirits operations..." Mr. Speaker.

Mr. Speaker, I believe that this commission was never formed. The commission was never formed and a report was never given back to the General Assembly, Mr. Speaker. I asked a question in caucus yesterday about whether we should have this report before moving forward with these bills. The opinion that I got was that it is our legal opinion here in the House that we can move forward with this without the report. My understanding is that in the Senate they do not believe the same thing, that their legal people believe that the commission has to be formed and that the report has to be issued before we can move forward with wholesale or retail privatization, Mr. Speaker. As a matter of fact, last week in the Senate the names of the members the Senate was submitting to be on the commission were read over the table and submitted, the names for the people to be on this commission that has not met yet, Mr. Speaker.

MOTION TO RECOMMIT

Mr. DiGIROLAMO. Mr. Speaker, I have a lot of concerns. I think we ought to err on the side of caution, especially when it comes to Act 39, and for those reasons I would like to be recognized to make a motion.

The SPEAKER. Yes, sir. You may make a motion.

Mr. DiGIROLAMO. Mr. Speaker, I move that we refer HB 438 back to the Liquor Committee until the provisions in Act 39 are provided; that is, forming a commission and a report is led back to the General Assembly on recommendations on whether this is a good idea or a bad idea.

Thank you, Mr. Speaker.

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

The SPEAKER. Yes, on that, Chairman Harris, on the motion to recommit.

Mr. A. HARRIS. Thank you, Mr. Speaker.

I would encourage all members to oppose the motion to recommit. We did already pass this bill out of the House Liquor Committee. Certainly having that information from the study would be helpful, but it is by no means necessary or required to have that study before we look at doing further things with the Liquor Code.

So I would again ask the members to oppose the motion to recommit HB 438.

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

The following roll call was recorded:

YEAS—88

Barbin	Deasy	Keller, W.	Petrarca
Barrar	DeLissio	Kim	Quinn, C.
Bizzarro	DeLuca	Kinsey	Ravenstahl
Boyle	Dermoddy	Kirkland	Readshaw
Bradford	DiGirolamo	Kortz	Roebuck
Brown, V.	Donatucci	Krueger	Rozzi
Bullock	Driscoll	Kulik	Sainato
Burns	Evans	Longiotti	Samuelson
Caltagirone	Farry	Madden	Santora
Carroll	Fitzgerald	Markosek	Schlossberg
Cephas	Flynn	Matzje	Schweyer
Charlton	Frankel	McCarter	Sims
Comitta	Freeman	McClinton	Snyder
Conklin	Gainey	Mehaffie	Solomon
Costa, D.	Galloway	Miccarelli	Sturla
Costa, P.	Gillen	Miller, D.	Thomas
Cruz	Goodman	Mullery	Vazquez
Daley	Haggerty	Murt	Vitali
Davidson	Hanna	Neilson	Warren
Davis	Harkins	Neuman	Wheatley
Dawkins	Harris, J.	O'Brien	White
Dean	Kavulich	Pashinski	Youngblood

NAYS—104

Baker	Gabler	Marshall	Reese
Benninghoff	Gillespie	Marsico	Roe
Bernstine	Godshall	Masser	Roe
Bloom	Greiner	McGinnis	Rothman
Boback	Grove	Mentzer	Ryan
Briggs	Hahn	Metcalfe	Saccone
Brown, R.	Harper	Metzgar	Sankey
Causar	Harris, A.	Millard	Saylor
Cook	Heffley	Miller, B.	Schemel
Corbin	Helm	Milne	Sonney
Corr	Hickernell	Moul	Staats
Cox	Hill	Mustio	Stephens
Culver	Irvin	Nelson	Tallman
Cutler	Jozwiak	Nesbit	Tobash
Day	Kampf	O'Neill	Toepel
Delozier	Kaufner	Oberlander	Toohil
Diamond	Kauffman	Ortitay	Topper
Dowling	Keefer	Peifer	Walsh
Dunbar	Keller, F.	Petri	Ward
Dush	Keller, M.K.	Pickett	Warner
Ellis	Klunk	Pyle	Wentling
Emrick	Knowles	Quigley	Wheeland
English	Lawrence	Quinn, M.	Zimmerman
Evankovich	Lewis	Rader	
Everett	Mackenzie	Rapp	Turzai,
Fee	Maher	Reed	Speaker
Fritz	Maloney		

NOT VOTING—0

EXCUSED—11

Christiana	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson
Gergely	Mako	Simmons	

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,
Shall the bill pass finally?

The SPEAKER. I have two other members who wish to speak on the bill, Representative Kinsey and Representative Sturla.

Representative Kinsey, the floor is yours, sir.

Mr. KINSEY. Thank you, Mr. Speaker.

Mr. Speaker, I stand in opposition of this bill.

You know, Mr. Speaker, I represent the city of Philadelphia, and as I look at this bill the way that I understand it, 30,000 establishments in Pennsylvania would qualify to sell hard liquor, and, you know, Mr. Speaker, we are all up here representing our constituents but not one constituent in my legislative district has come to me complaining about lack of access to purchase alcohol.

You know, in fact, Mr. Speaker, recently in the city of Philadelphia we have had a series of hearings talking about stop-and-go businesses that sell alcohol throughout our community and the constituents are talking about how do we stop the stop-and-gos from selling this liquor, Mr. Speaker. They are talking about how do we stop these establishments that are selling shots by the glass, where you just go in, buy a couple of shots, and leave out. They are not asking is it okay to go and buy four bottles of hard liquor, Mr. Speaker. In fact, Mr. Speaker, constituents are asking not about where they can get more liquor or more hard liquor from, but they are asking what are we doing about expanding increased liquor enforcement. That is what they are talking about, Mr. Speaker.

MOTION TO RECOMMIT

Mr. KINSEY. So, Mr. Speaker, with that being said, I would like to make a motion.

The SPEAKER. I apologize.

Yes, Representative Kinsey, you may proceed, sir.

Mr. KINSEY. Mr. Speaker, I would like to rerefer this bill to the Health Committee until we can do a study to ascertain the impact that this may have on our communities.

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

The SPEAKER. Representative Harris, on the motion, please.

Mr. A. HARRIS. Thank you, Mr. Speaker.

I, regretfully, will be opposing the motion to recommit. I do feel for the gentleman from Philadelphia and I know that the stop-and-gos are a real problem in the Philadelphia region. The LCB (Liquor Control Board) has so far had three hearings on the issue. They are going to continue to look at those issues. It really is an enforcement issue, so we need more officers on the street and more funding for those officers.

But at this time I will have to ask the members to oppose the motion to commit to the Health Committee.

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

The following roll call was recorded:

YEAS—77

Barbin	Deasy	Keller, W.	Petrarca
Bizzarro	DeLissio	Kim	Ravenstahl
Boyle	DeLuca	Kinsey	Readshaw
Bradford	Dermoddy	Kirkland	Roebuck
Brown, V.	Donatucci	Kortz	Rozzi
Bullock	Driscoll	Krueger	Sainato
Burns	Evans	Kulik	Samuelson
Caltagirone	Fitzgerald	Longiotti	Schlossberg
Carroll	Flynn	Madden	Schweyer
Cephas	Frankel	Markosek	Sims
Comitta	Freeman	Matzke	Snyder
Conklin	Gainey	McCarter	Solomon
Costa, D.	Galloway	McClinton	Sturla
Costa, P.	Goodman	Miller, D.	Thomas
Cruz	Haggerty	Mullery	Vazquez
Daley	Hanna	Neilson	Vitali
Davidson	Harkins	Neuman	Warren
Davis	Harris, J.	O'Brien	Wheatley
Dawkins	Kavulich	Pashinski	Youngblood
Dean			

NAYS—115

Baker	Fritz	Marshall	Reed
Barrar	Gabler	Marsico	Reese
Benninghoff	Gillen	Masser	Roae
Bernstine	Gillespie	McGinnis	Roe
Bloom	Godshall	Mehaffie	Rothman
Boback	Greiner	Mentzer	Ryan
Briggs	Grove	Metcalfe	Saccone
Brown, R.	Hahn	Metzgar	Sankey
Causar	Harper	Miccarelli	Santora
Charlton	Harris, A.	Millard	Saylor
Cook	Heffley	Miller, B.	Schemel
Corbin	Helm	Milne	Sonney
Corr	Hickernell	Moul	Staats
Cox	Hill	Murt	Stephens
Culver	Irvin	Mustio	Tallman
Cutler	Jozwiak	Nelson	Tobash
Day	Kampf	Nesbit	Toepel
Delozier	Kaufner	O'Neill	Toohil
Diamond	Kauffman	Oberlander	Topper
DiGirolamo	Keefer	Ortitay	Walsh
Dowling	Keller, F.	Peifer	Ward
Dunbar	Keller, M.K.	Petri	Warner
Dush	Klunk	Pickett	Wentling
Ellis	Knowles	Pyle	Wheeland
Emrick	Lawrence	Quigley	White
English	Lewis	Quinn, C.	Zimmerman
Evankovich	Mackenzie	Quinn, M.	
Everett	Maher	Rader	Turzai,
Farry	Maloney	Rapp	Speaker
Fee			

NOT VOTING—0

EXCUSED—11

Christiana	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson
Gergely	Mako	Simmons	

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,
Shall the bill pass finally?

The SPEAKER. At this time Representative Sturla waives off.

Representative Donatucci.

Ms. DONATUCCI. Thank you, Mr. Speaker.

This bill would allow nearly 12,000 licensees to sell liquor-to-go with nearly 2,000 of these in Philadelphia. The existing system already has insufficient enforcement in Philadelphia. There is no new money for enforcement despite the dramatic increase of access to alcohol-to-go. The Philadelphia delegation, as my colleague mentioned, has held hearings across the city on the issue of stop-and-gos, a slang term given to liquor establishments that are manipulating current liquor laws. That has become a huge problem, and now they want to allow an additional four bottles of spirits, which are approximately 48 mixed drinks or shots to the seal. So this bill will only saturate an already oversaturated area without any respect for the communities these establishments are in, allowing no public hearings or considering proximity to residents, churches, or schools.

Therefore, I am encouraging a "no" vote on this and I will be a "no" vote. Thank you, Mr. Speaker.

The SPEAKER. Representative Curtis Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I guess as some people in my district would say, this is one of those quality-of-life days, quality-of-life issues, and so today, Mr. Speaker, I would like to interrogate the author of the bill for some clarification.

The SPEAKER. Yes. Representative Reese has indicated he will stand for interrogation and you may proceed, Representative Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Is there any language in the bill or any contemplation in making sure that the people working in these licensed establishments are able to get a decent wage and medical benefits?

Mr. REESE. Thank you, Mr. Speaker.

So the underlying bill that we are discussing allows for any "R" or "H" license holder to make application for a permit for spirits-to-go. So for \$2,000 an "R" license holder or "H" license holder can purchase a permit to sell spirits-to-go. That is what the bill does. It does not get into really any other areas.

Mr. THOMAS. So it is correct to conclude that there is nothing in the bill that deals with employees or working conditions.

Mr. REESE. No. This bill simply allows for "R" or "H" license holders to purchase a spirit-to-go permit and sell up to 3 liters of spirits-to-go in one transaction.

Mr. THOMAS. My second concern is, is there anything in the bill that talks about the hours in which liquor can be made available to the public?

Mr. REESE. It does, Mr. Speaker. It actually restricts it at 11 p.m.

Mr. THOMAS. Pardon me?

Mr. REESE. There is a prohibition after 11 p.m.

Mr. THOMAS. Okay. That 11 p.m., is there interest in following a suggestion of an earlier speaker that in the interest of uniformity, that these hours are parallel to our State stores?

Mr. REESE. Thank you, Mr. Speaker.

I mean, I am certainly open to the discussion as this bill moves towards the Senate, if it makes it to the Senate. I think that is something that we could discuss. But at this point in the underlying bill, there is a prohibition that exists after 11 p.m. for "R" and "H" license holders that apply for the permit for spirits-to-go.

Mr. THOMAS. Okay. Now, Mr. Speaker, these expanded, these additional licenses, they will come under the jurisdiction of the Pennsylvania Liquor Control Board?

Mr. REESE. Yes. They do, but they are a permit. They are not necessarily a license. So it is a permit that they will be making application for. So there is not an inherent value, in that they get to sell it to the next person. They only are licensed and they can make application for the permit to sell spirits-to-go. So it is not something they can sell to the next person. That is up to the PLCB (Pennsylvania Liquor Control Board).

Mr. THOMAS. So, Mr. Speaker, it is correct to say that the access to a permit does not carry the property interest that a license holder would have?

Mr. REESE. Yes, sir. I think that is a fair statement. That is correct.

Mr. THOMAS. So, Mr. Speaker, there is a door open for defining the environment in which these privileges are exercised?

Mr. REESE. In what way, Mr. Speaker?

Mr. THOMAS. Well, if it is correct to say that the permit is not a property interest and does not carry the same rights and responsibilities as a license holder would have and that the permit is no more than a privilege that the Commonwealth is extending to these people who pay \$2,000 and since it is a privilege that is predicated only on this \$2,000 and maybe some other things, that there is an opportunity for defining what that world looks like at some point?

Mr. REESE. Thank you, Mr. Speaker.

So the way they run their business is still governed by the "R" license that they hold. The regulations that exist with the permit were established under Act 39 of 2016, which allowed for wine-to-go. So while I suspect they could be changed at some point, at this point they are governed by the same policy that was put in place for Act 39.

Mr. THOMAS. Mr. Speaker, are there any requirements about the communities in which these permits will be made available?

Mr. REESE. Under this legislation, all "R" license holders and "H" license holders are treated the same.

Mr. THOMAS. Okay. So, Mr. Speaker, let me thank you for your efforts and I only ask you, Mr. Speaker, and the other proponents of this legislation, that at some point we do talk about jobs, because there will be employment opportunities, training opportunities, associated with this. But HB 438 does not talk about jobs or talk about working conditions or talk about communities and whether they will be impacted positively or negatively, and it does not really talk about the range of rights and obligations arising out of that \$2,000 that you give up for a permit. So I encourage you and I am more than willing to sit down with you to try and do something with Godspeed, because I would hate to see a situation where we let out 12,000 licenses and end up creating a subclass of workers and conditions in which people are working and communities are locked out of any participation.

Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—102

Baker	Gabler	Marshall	Roae
Benninghoff	Gillespie	Marsico	Roe
Bernstine	Godshall	Masser	Rothman
Bloom	Greiner	McGinnis	Ryan
Boback	Grove	Mentzer	Saccone
Brown, R.	Hahn	Metcalfe	Sankey
Causer	Harris, A.	Metzgar	Saylor
Cook	Heffley	Millard	Schemel
Corbin	Helm	Miller, B.	Sonney
Corr	Hickernell	Milne	Staats
Cox	Hill	Moul	Stephens
Culver	Irvin	Mustio	Tallman
Cutler	Jozwiak	Nelson	Tobash
Day	Kampf	Nesbit	Toepel
Delozier	Kaufer	O'Neill	Toohil
Diamond	Kauffman	Oberlander	Topper
Dowling	Keefer	Ortitay	Walsh
Dunbar	Keller, F.	Peifer	Ward
Dush	Keller, M.K.	Pickett	Warner
Ellis	Klunk	Pyle	Wentling
Emrick	Knowles	Quigley	Wheeland
English	Lawrence	Quinn, M.	White
Evankovich	Lewis	Rader	Zimmerman
Everett	Mackenzie	Rapp	
Fee	Maher	Reed	Turzai,
Fritz	Maloney	Reese	Speaker

NAYS—90

Barbin	Deasy	Keller, W.	Petrarca
Barrar	DeLissio	Kim	Petri
Bizzarro	DeLuca	Kinsey	Quinn, C.
Boyle	Dermody	Kirkland	Ravenstahl
Bradford	DiGirolamo	Kortz	Readshaw
Briggs	Donatucci	Krueger	Roebuck
Brown, V.	Driscoll	Kulik	Rozzi
Bullock	Evans	Longietti	Sainato
Burns	Farry	Madden	Samuelson
Caltagirone	Fitzgerald	Markosek	Santora
Carroll	Flynn	Matzie	Schlossberg
Cephas	Frankel	McCarter	Schweyer
Charlton	Freeman	McClinton	Sims
Comitta	Gainey	Mehaffie	Snyder
Conklin	Galloway	Miccarelli	Solomon
Costa, D.	Gillen	Miller, D.	Sturla
Costa, P.	Goodman	Mullery	Thomas
Cruz	Haggerty	Murt	Vazquez
Daley	Hanna	Neilson	Vitali
Davidson	Harkins	Neuman	Warren
Davis	Harper	O'Brien	Wheatley
Dawkins	Harris, J.	Pashinski	Youngblood
Dean	Kavulich		

NOT VOTING—0

EXCUSED—11

Christiana	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson
Gergely	Mako	Simmons	

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.

HB 409 RECONSIDERED

The SPEAKER. Members, the Chair is in receipt of a motion to reconsider. It is signed by Representative Dermody and Representative Hanna. It reads as follows: "Mr. Speaker, pursuant to Rule 26, we the undersigned move that the vote by which the House passed HB 409 on the 25th day of 2017 be reconsidered." So we will have in front of us a motion to reconsider HB 409. My understanding is that both leaders are in support of that motion, as is the maker of the bill.

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

The SPEAKER. So I would ask all members who wish to have HB 409 reconsidered – some members wish to recast their votes – you will be voting "aye" to have the vote reconsidered. If you are opposed, you will be voting "nay."

Please mark up the motion to reconsider vote.

Representative Reed, the majority leader, on the motion.

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

We would ask that the members support the motion to reconsider HB 409. Thank you.

The SPEAKER. Representative Dermody, on that motion, sir.

Mr. DERMODY. Thank you, Mr. Speaker.

I also would urge the members to support the motion to reconsider.

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

The following roll call was recorded:

YEAS—192

Baker	Ellis	Krueger	Rapp
Barbin	Emrick	Kulik	Ravenstahl
Barrar	English	Lawrence	Readshaw
Benninghoff	Evankovich	Lewis	Reed
Bernstine	Evans	Longietti	Reese
Bizzarro	Everett	Mackenzie	Roae
Bloom	Farry	Madden	Roe
Boback	Fee	Maher	Roebuck
Boyle	Fitzgerald	Maloney	Rothman
Bradford	Flynn	Markosek	Rozzi
Briggs	Frankel	Marshall	Ryan
Brown, R.	Freeman	Marsico	Saccone
Brown, V.	Fritz	Masser	Sainato
Bullock	Gabler	Matzie	Samuelson
Burns	Gainey	McCarter	Sankey
Caltagirone	Galloway	McClinton	Santora
Carroll	Gillen	McGinnis	Saylor
Causer	Gillespie	Mehaffie	Schemel
Cephas	Godshall	Mentzer	Schlossberg
Charlton	Goodman	Metcalfe	Schweyer
Comitta	Greiner	Metzgar	Sims
Conklin	Grove	Miccarelli	Snyder
Cook	Haggerty	Millard	Solomon
Corbin	Hahn	Miller, B.	Sonney

Corr	Hanna	Miller, D.	Staats
Costa, D.	Harkins	Milne	Stephens
Costa, P.	Harper	Moul	Sturla
Cox	Harris, A.	Mullery	Tallman
Cruz	Harris, J.	Murt	Thomas
Culver	Heffley	Mustio	Tobash
Cutler	Helm	Neilson	Toepel
Daley	Hickernell	Nelson	Toohil
Davidson	Hill	Nesbit	Topper
Davis	Irvin	Neuman	Vazquez
Dawkins	Jozwiak	O'Brien	Vitali
Day	Kampf	O'Neill	Walsh
Dean	Kaufner	Oberlander	Ward
Deasy	Kauffman	Ortitay	Warner
DeLissio	Kavulich	Pashinski	Warren
Delozier	Keefer	Peifer	Wentling
DeLuca	Keller, F.	Petrarca	Wheatley
Dermody	Keller, M.K.	Petri	Wheeland
Diamond	Keller, W.	Pickett	White
DiGirolamo	Kim	Pyle	Youngblood
Donatucci	Kinsey	Quigley	Zimmerman
Dowling	Kirkland	Quinn, C.	
Driscoll	Klunk	Quinn, M.	Turzai,
Dunbar	Knowles	Rader	Speaker
Dush	Kortz		

NAYS—0

NOT VOTING—0

EXCUSED—11

Christiana	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson
Gergely	Mako	Simmons	

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

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—110

Baker	Fritz	Maloney	Reed
Barrar	Gabler	Marshall	Reese
Benninghoff	Gillen	Marsico	Roae
Bernstine	Gillespie	Masser	Roe
Bloom	Godshall	McGinnis	Rothman
Boback	Greiner	Mehaffie	Ryan
Brown, R.	Grove	Mentzer	Saccone
Causer	Hahn	Metcalfe	Sainato
Charlton	Harper	Metzgar	Sankey
Cook	Harris, A.	Millard	Saylor
Corbin	Heffley	Miller, B.	Schemel
Corr	Helm	Milne	Sonney
Cox	Hickernell	Moul	Staats
Culver	Hill	Mustio	Stephens
Cutler	Irvin	Nelson	Tallman
Day	Jozwiak	Nesbit	Tobash
Delozier	Kampf	O'Neill	Toepel
Diamond	Kaufner	Oberlander	Toohil
Dowling	Kauffman	Ortitay	Topper
Dunbar	Keefer	Peifer	Walsh
Dush	Keller, F.	Petrarca	Ward
Ellis	Keller, M.K.	Petri	Warner
Emrick	Klunk	Pickett	Wentling
English	Knowles	Pyle	Wheeland

Evankovich	Lawrence	Quigley	Zimmerman
Everett	Longietti	Quinn, M.	
Farry	Mackenzie	Rader	Turzai,
Fee	Maher	Rapp	Speaker

NAYS—82

Barbin	Deasy	Kim	Quinn, C.
Bizzarro	DeLissio	Kinsey	Ravenstahl
Boyle	DeLuca	Kirkland	Readshaw
Bradford	Dermodoy	Kortz	Roebuck
Briggs	DiGirolamo	Krueger	Rozzi
Brown, V.	Donatucci	Kulik	Samuelson
Bullock	Driscoll	Lewis	Santora
Burns	Evans	Madden	Schlossberg
Caltagirone	Fitzgerald	Markosek	Schweyer
Carroll	Flynn	Matzie	Sims
Cephas	Frankel	McCarter	Snyder
Comitta	Freeman	McClinton	Solomon
Conklin	Gainey	Miccarelli	Sturla
Costa, D.	Galloway	Miller, D.	Thomas
Costa, P.	Goodman	Mullery	Vazquez
Cruz	Haggerty	Murt	Vitali
Daley	Hanna	Neilson	Warren
Davidson	Harkins	Neuman	Wheatley
Davis	Harris, J.	O'Brien	White
Dawkins	Kavulich	Pashinski	Youngblood
Dean	Keller, W.		

NOT VOTING—0

EXCUSED—11

Christiana	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson
Gergely	Mako	Simmons	

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.

SUPPLEMENTAL CALENDAR B CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 975, PN 1476**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; and, in licenses and regulations, liquor, alcohol and malt and brewed beverages, providing for wine wholesale license and for wine retail license.

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 Schweyer.

Mr. SCHWEYER. Thank you, Mr. Speaker.

Mr. Speaker, I rise today and ask for a "no" vote on HB 975.

Mr. Speaker, I just would like to remind our colleagues here in the chamber that just last year we passed legislation that was signed into law, Act 39 of 2016, part of which called for the establishment of a wine and spirits wholesale privatization commission.

Just for the edification of our colleagues here, Act 39 of last year created this commission that included provisions that would analyze our current wholesale system, evaluate the impact of public-sector jobs, consider best practices in other States, determine what impact a transition of the wholesale system to private operators would have on our annual fiscal stability of the Commonwealth, determine the effectiveness of the provisions contained in this act, provide a valuation of the wine and spirits wholesale and retail systems, determine the impact of wholesale and retail privatization on the cost of liquor to the consumer, determine whether the current quota system in each individual county is meeting consumer demand, analyze other factors related to wine and spirits wholesale.

The commission is to have all of the following powers and duties: to review and make findings and recommendations related to wine and spirits wholesale and retail in the Commonwealth, consult with and utilize experts to assist the commission in carrying out the duties under this section, and draft proposed regulations and proposed legislation based on the findings.

Mr. Speaker, this commission that this legislative body wrote as law, that the Governor had signed into law, this commission was to issue a report of their findings and recommendations to the Governor, to the President pro tem of the Senate, the majority leader and minority leader of the Senate and the House. Based on the findings and recommendations of this, that was going to be the reason when and the time when we were to consider any further privatization attempts of anything in our Liquor Code.

Mr. Speaker, to recap, simply stated, just a few months ago this legislative body in a bipartisan manner with our Governor and the chamber on the other side of the building said we will look at and we will study further privatization, we will see if it is in the best interest of the Commonwealth of Pennsylvania and the best interest of consumers and the best interest of the safety of our communities and the best interest of the workers that would be impacted.

Mr. Speaker, not only has this commission not issued any report, but this commission has exactly two members appointed to it, and that just recently happened when the Senate appointed its members.

Mr. Speaker, why are we rushing to pass yet another privatization bill when just a few months ago we said we were going to take a strong, hard look at this very issue? We are contradicting ourselves on legislation that we passed not decades ago, but, Mr. Speaker, we are contradicting ourselves on legislation that we passed simply a few short months ago.

For that reason, sir, and for many others, I rise to oppose HB 975 and ask my colleagues to do the same. Thank you, sir.

The SPEAKER. Yes, sir.

Representative Markosek, Chairman Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, HB 975 has been dubbed the "free the wine" bill, the "free the wine" bill. But it really should be called "make

the taxpayers whine" bill. In short, HB 975 will erase millions of dollars from our General Fund. It will also undermine our liquor stores because it would spin off the most profitable brands from our stores to private wholesalers and retailers. If ever there was a template for how to crash a business and hurt taxpayers, this is it. What is really bad about this bill is there have been no financial projections on the magnitude of the profit loss HB 975 will cause. This is another Republican proposal that helps businesses and takes away from taxpayers.

This is a bad bill, Mr. Speaker, and I urge all the members to please vote "no." Thank you.

The SPEAKER. Representative Sturla, on the bill, please.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this bill for several reasons. One, there are multiple States that still control the wholesale of both wine and spirits and/or spirits, and they do so for a very good reason. That is how you ensure collection of taxes, that is how you ensure the generation of the taxes that you project, and that is how you control importation within the State and not have things just be willy-nilly.

Mr. Speaker, by doing what is proposed here, you also do not open up the market for small wholesalers to get into the market. This will, in essence, create a monopoly of a few large national distributors that will be able to pick up the licenses and then dominate the market to a point where they gain price controls, and by price controls I do not mean price controls in a good way. I mean they will be able to control the price to whatever they want it to be.

Mr. Speaker, I know people complain about the cost of wine and spirits in the State of Pennsylvania currently, but we know exactly what the markup is, and while this sounds appealing, like we might be able to get it for cheaper, we might be able to get it for cheaper for a year or two, and then as we have seen in other States, the cost actually increases, because once they have control of the pricing on it, it does not work in the favor of the consumers. It works in favor of the wholesaler.

Mr. Speaker, I urge a "no" vote. Thank you.

The SPEAKER. Representative Greg Rothman.

Mr. ROTHMAN. Mr. Speaker, I rise in support of this bill. It has troubled me for a long, long time why the State of Pennsylvania is in the business of selling liquor. We are not in the business in anything else where the private sector can do it and we know that the private sector can do it better.

I have heard in committees discussion about how much money the State is going to lose. Let me repeat: \$2.5 billion in gross sales and we only receive \$100 million here. Now, any other business that has a monopoly would certainly have a greater return to the shareholders or to the owners than this business. This is a business that we should be out of, we should have been out of it for a long time, and I hope my colleagues will vote to get us out of the liquor business.

The SPEAKER. Representative Rosita Youngblood.

Ms. YOUNGBLOOD. Thank you, Mr. Speaker.

I rise in opposition to HB 975. This bill would increase the number of businesses and locations selling wine and spirits without providing any additional funding for alcohol control or law enforcement. There are already too few enforcement officers for over 30,000 licensed establishments across the Commonwealth. The Republican chairman of Liquor Control said just a few minutes ago there are few officers.

Again, in Philadelphia we held hearings on stop-and-gos and at those hearings it came out there are 22 enforcement officers for 3 counties: Philadelphia, Chester, and Delaware. If we are increasing this with no caps in Philadelphia about the number of stores that can be there and there are only 22 – I am driving home the point – 22 law enforcement officers cannot, cannot do anything in a situation like this and those 22 enforcement officers are for Philadelphia, Delaware, and Chester Counties. There is no way under the present circumstances they can do their job. If we increase this, it will be an impossibility. This bill adds retail locations to already saturated areas, causing an unmanageable situation to be even worse in the city of Philadelphia. On top of this, we cut in this chamber the budget for the State Police, a reduction of \$3.5 million to our State Police. So how do we expect them to enforce anything if we are cutting the money they are receiving?

We need to find a solution to the nuisance bars and address the problems of making sure that we take care of the enforcement issues. So I want everybody to think in this chamber, how are we going to enforce this if we change the codes with the liquor? How are we going to enforce anything when we do not have the manpower currently to enforce anything? Thank you.

The SPEAKER. Thank you, Representative Youngblood.

Representative Adam Harris, please.

Mr. A. HARRIS. Thank you, Mr. Speaker.

I would ask all members to support HB 975. There is no doubt Act 39 was a tremendous success in Pennsylvania. People got a taste of what an open market can be like. The question now is, once we have given them that little taste, are we going to stop or are we going to keep going and "free the wine" for all Pennsylvanians?

I think we should keep going. Let us vote for HB 975.

The SPEAKER. Representative Paul Costa waives off.

Representative Bryan Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to piggyback off of the chairman's remarks regarding this. I think it is important to recognize with the approval of Act 39 last time, we made great progress; the first time that we have had progress in the last 80 years and it is the first time since Prohibition that we were able to start to update our archaic liquor laws.

Mr. Speaker, but there is still plenty of room for continued improvement. Right now there is an arbitrary, in my opinion, distinction between those grocery stores which have seating capacity and those who do not. This would allow everyone to have the opportunity to obtain a permit to sell wine in the grocery stores. Additionally, it allows those retailers to buy their wine from private-sector wholesalers, brokers, and makers of the wine, not just the LCB, so it would clearly increase choice for those individuals who wish to partake in wine. It also would eliminate any price-floor requirements either from the wholesaler to the retailer or the retailer to the consumer that artificially inflate the cost and dampen competition within the current markets.

It is my opinion that we should be completely out of the market regarding alcohol. I do not believe it is a fundamental job of government to engage in a retail business. What I believe is we should focus on those items which our constituents expect us to focus on, and perhaps once we have mastered them, we

could go on further. But I believe we should invest in education. I believe that we should invest in infrastructure. Every day that passes that we are not able to continue to update our antiquated liquor systems is another day of missed opportunities. It is a day of missed opportunities and it is a day of misdirected resources.

Mr. Speaker, we should allow our constituents to have this opportunity. We should ensure that we continue to update our laws so that we are like the other 48 States that have already made this step. To hear the debate here in the well of the House, it sounds as if we are the first actor to go down this path. Nothing could be further from the truth. When you look at all of the other States and all of the other options, we are nearly alone. It is time for Pennsylvania to take the next step in ensuring that our laws reflect what our people want and ensuring that we get back to our proper role of government, which is clearly not selling wine.

Mr. Speaker, I urge a "yes" vote and encourage all my colleagues to do the same. Thank you.

The SPEAKER. Representative Jesse Topper.

Mr. TOPPER. Thank you, Mr. Speaker.

I certainly understand some of the concerns that we have heard about enforcement and being better as a State in enforcing our laws when it comes to liquor, when it comes to wine, but part of the problem, Mr. Speaker, in my opinion, and one of the reasons why we might not have been able to do as good of a job as we should have in the past, is because we are trying to do both. We are trying to sell alcohol, we are trying to be a retail seller, we are trying to sell wholesale as a State, and then we are also trying to enforce the law, and in my opinion, Mr. Speaker, and I think in the opinion of many of my constituents, you cannot do both. You cannot be in the enforcement business and in the profiting business. We should be in the enforcement business, but we should be out of the business of trying to profit from the sale of alcohol. That is not something that we should be doing as a government, as a State government.

Mr. Speaker, this is another step in a positive direction for Pennsylvania, both from an economic standpoint and simply from, as we talked about so many times in these past couple months, a restructuring of our government and focusing on what we should be doing, which is enforcement and not selling. Thank you, Mr. Speaker.

BILL PASSED OVER TEMPORARILY

The SPEAKER. We are going to temporarily go over the bill.

* * *

BILL PASSED OVER

The SPEAKER. We are over HB 1075 for today.

* * *

BILL PASSED OVER TEMPORARILY

The SPEAKER. We are now going to head temporarily over HB 991.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 97, PN 1503**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for advertising; in pupils and attendance, providing for transfer of attendance records to another school entity or nonpublic school; in terms and courses of study, further providing for agreements with institutions of higher education; in opportunities for educational excellence, further providing for definitions, for responsibilities of school entities and for concurrent enrollment agreements; and, in charter schools, extensively revising and adding charter school provisions.

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 Reese, on the bill.

Mr. REESE. Thank you, Mr. Speaker.

Mr. Speaker, I introduced HB 97 in order to reform and update the nearly 20-year-old Charter School Law, which was groundbreaking upon its enactment but over the last 20 years has become outdated.

As many of you know, HB 97 is based upon the language from HB 530 of last session, which was very close to enactment into law. HB 97 builds upon years of work on charter school reform and represents a balanced bill that provides benefits to both charter schools and our traditional public schools.

The goals of HB 97 are to improve school choice by strengthening the law under which charter school entities are established and operate and to generate financial savings for our school districts and local taxpayers by making sensible changes to the funding formula for our cyber charter schools.

Mr. Speaker, some of these funding changes are immediate and will last for a 2-year period of time. Other changes, longer term funding changes, will occur following an in-depth review of the charter school funding to be conducted by the Charter School Funding Commission that will be established under HB 97.

The reforms embodied in HB 97, in addition to the funding changes, address loss pertaining to ethics, financial transparency, academic accountability, truancy, governance, and charter school operations. These adjustments are critical to improving and strengthening our Charter School Law. They provide a more level playing field between all of our schools, particularly in regard to openness and transparency.

I want to take this moment to thank all of the education stakeholders that took the time to meet with myself and our very talented staff, along with members in this chamber, both Democrats and Republicans, for their interest.

Mr. Speaker, we must make these reforms now in order to maintain a charter school entity as a strong choice in Pennsylvania. I respectfully request a "yes" vote on HB 97. Thank you, Mr. Speaker.

The SPEAKER. Yes, sir.

Representative McCarter, on the bill, sir, followed by Representative Roebuck and Representative Sturla and Representative Carroll.

At this time it will be Representative McCarter.

Mr. McCARTER. Thank you, Mr. Speaker.

Mr. Speaker, I am going to speak very bluntly here. HB 97 is billed as charter school reform, but it is not reform. In fact, I would call it a continuation of the theft that our charter school movement has unfortunately become. Plain and simple, we have allowed our children to become the widgets for making a profit for those who view the education of children to be a profit-making—

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

Members, I know we are getting late in the day. Many significant pieces of legislation are before us. I would ask everybody to please take their seats. An important bill is in front of us. Everybody is entitled to be heard. Members, please take your seats. Any discussions can happen off the House floor. Staff members, please, if you have work to do with members, take it off the House floor. Representative McCarter is entitled to be heard.

Representative McCarter, please proceed, sir.

Mr. McCARTER. Thank you, Mr. Speaker.

Mr. Speaker, when charter schools were first proposed in Pennsylvania, they were promoted as engines of innovation that would revitalize and transform public education. Most charter schools have not delivered on that grand, optimistic promise, so we no longer talk of them that way. We now talk about charters as choice, and in effect, charter schools have become a second, separate public school system, albeit a system that is funded differently, managed to a different standard, and I would argue one that is robbing Pennsylvania taxpayers and our traditional public school system blind.

Mr. Speaker, this is not to say that there are no good charter schools. On the contrary, in fact, there are many that have made good contributions to the evolution of education over the past 20 years. I applaud them. But for the few good schools, as well as for all the traditional public schools, it is time to really examine what has happened over the 20 years of this experiment. It is time to acknowledge that we need real reform, not a show bill that makes a scant change to correct the problems we now face as we deal with a \$3 billion deficit. We can no longer afford this uncontrolled experiment with very poor results.

Mr. Speaker, HB 97 itself appears to acknowledge as much by attempting to address this discrepancy. It slightly improves ethics and transparency standards for charters, and temporarily, and I emphasize temporarily, makes a very small reduction in school district payments to cyber charters. But it does not go nearly far enough to adequately protect taxpayers and public school students and their parents. HB 97 does nothing to address the broken special education funding system that allows charters to reap an unconscionable \$100 million-plus in profit every year off students with disabilities, and it only minimally reduces the payments to cyber charters when we should be capping the amount of money cyber charter schools receive for

students who live in an area in which the school district or an intermediate unit operates their own cyber charter school or program, always at a fraction of the sum charged to the Pennsylvania taxpayer by a statewide cyber charter education program.

Mr. Speaker, the actual cost of cyber charter education has dropped dramatically in the 20 years since Pennsylvania's charter school legislation was passed. However, our reimbursement formula for cyber charters, which is still based largely on the cost of a brick-and-mortar education, has not. Families are now able to choose a cyber charter program that costs Pennsylvania taxpayers dramatically more than a comparable or even better cyber program in the local school district or intermediate unit, costing taxpayers millions and millions each year.

For example, the cost at Cheltenham School District is over \$16 million for charter education, an increase of \$3.6 million since 2011-12. That is nearly \$14,000 for each regular education student to attend a statewide cyber charter or over \$30,000 for a special needs student. While if these students attended the intermediate unit cyber program in Montgomery County, the cost is reduced to \$5,000 per student. That is \$9,000 in profit for a regular education student and \$25,000 for a special needs student. In fact, and even more telling is that some cyber charter schools are approaching these intermediate units now to contract for their \$5,000 services, while the cyber charter school would still be reimbursed for \$14,000 or \$30,000 in Cheltenham, at a level comparable to that brick-and-mortar charter education.

This is nothing short of theft, and the money that is stolen from the Pennsylvania taxpayers and from our system of traditional public schools, it needs to be corrected now. It is theft without accountability. Where does this money go? Where does the profit go, Mr. Speaker? We really do not know. But I do have – I must admit and I have to believe someone is pocketing something somewhere, because I see a lot of campaign contribution money coming from our charter school operators and I see a lot of advertising on TV. Somebody is making that profit and using it for their own gains.

Mr. Speaker, I believe strongly that all public schools and the students within them should be treated equally under the law. That is actually the stated aim of HB 97, but it is not what the legislation achieves, not by a long shot. For this and many more reasons, I will be a "no" vote on this bill today. I ask that my colleagues on both sides of the aisle join me in rejecting this so-called reform and send it back to where it needs to go to work to craft a real reform package that celebrates the successes of the charter school movement and protects our public schools, while making sure that our children are no longer treated as widgets in a profit-making scheme.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative McCarter.

Representative Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.

The sponsor, the author of this proposal, HB 97, in speaking just now talked about this bill, this, quote, unquote, "reform bill" as improving school choice. I remind you, if you look at the Charter School Law, that is not the purpose of charter schools. If you look at the law, as written 20 years ago, in the first paragraph of the law it states very clearly that these schools are to be innovative models for educational change. There are

supposed to be ways in which you can demonstrate how to make public education better.

It is ironic, Mr. Speaker, that 20 years later we have had not one of those schools offer a report of what they have done that is innovative that can be replicated; not one of them. So what are we doing here? What we have done, in fact, is create a separate and unequal school system.

Now, if I remember, *Brown v. Board of Education* 1954 said that separate but equal was inherently unequal, yet we are scrambling and doing all we can here in Pennsylvania to create and maintain a separate and unequal school system. It is not fair to our children, it is not fair to the parents who send their children to schools, it is not fair to the taxpayers of this State. What we need to look at is what is wrong and fix it. We went through a series of amendments on the floor, most of which were voted down, and so we did not do things like look at those schools that on occasion thought it was all right to do school at day and nightclub by night and use the school buildings to sell liquor and we had a bill that would have said if you did that twice or you did it the third time, you would lose your license, you would lose your charter. But we voted that down. We did not look at the conflict of interest in leases, where individuals on the individual charter schools dried out the money from those schools, the taxpayer dollars, to advantage themselves. We have not talked about the overpayments for special education and other areas, special education and services. If we are doing reform, why do we not do it right? Why do we not look at what is wrong and fix it? Why do we kick the can down the road and say, "Oh, the Senate will fix that." We are a legislative body. We have the responsibility to do what is right.

Now, I want to share with you a list of those who have gone on record as opposing this legislation. You have the Pennsylvania School Boards Association, the School District of Philadelphia, the American Federation of Teachers of Pennsylvania, the Philadelphia Federation of Teachers, the League of Women Voters of Pennsylvania, Education Voters of Pennsylvania, the Education Law Center, the PCCY (Public Citizens for Children and Youth) – Education Voters, ELC (Education Law Center), and the Public Interest Law Center – the Public Cyber Charter School Association, and the PA Leadership Charter School. If we are going to do this, why do we not spend the time to do it right? Why do we continue to advance the creation of a separate, unequal, unfair education?

I remember when we in the House Education Committee probably 2 years ago, 3 years ago, looked at teacher accountability and passed legislation that would have provided for a way to evaluate teacher performance, and when we were in committee, we ensured that it applied to traditional public schools, to charter schools, brick-and-mortar charter schools, and to cyber charter schools, a way in which all teachers in our education system would be evaluated. That bill went to the Senate, and what did the Senate do? They took out the brick-and-mortar charters and the cyber charters. As if that were a way to make teacher evaluation work, you take out a group of teachers who teach our kids and say that is okay.

I have little faith that another legislative body would do this job better than we in the House of Representatives can do it, and I would urge you that we step back, not pass this bill, do it right, do it for our kids, do it for our taxpayers, do it for our parents and our Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Roebuck.

Representative Mike Carroll.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, I applaud the maker of this bill for his sincere effort to try and help; I really do. I think it is a sincere effort to try and advance the conversation with respect to charter schools in the 500 school districts. But, Mr. Speaker, I really do think that we have problems on the horizon if we were to pass this bill. You know, the default for lots of folks would be to look at the list of the 500 school districts and see how much money we are going to get as a result of these changes, and those modest dollar amounts would probably be really useful to the 500 school districts, including the ones I represent. But, Mr. Speaker, I think the problem is that when you look forward to the out-years, those modest increases carry with it real risk, and the real risk is what is the expected outcome with respect to the potential expansion of charter schools, both cyber charter schools and brick-and-mortar charter schools, in this State. So when I talk to the school districts that I represent, they are not prepared to make that trade for that modest amount of money now for the unknown expansion that could apply in the future.

So, Mr. Speaker, I think that the smart thing to do is to reject HB 97, with the full understanding that the sponsor took on a real challenge here. But the reality is that this is a critically important subject. The whole subject of charter schools and cyber charter schools and how they are treated within the realm of our 500 school districts, there are not too many topics that you could engage a school board member with that do not draw their attention more than cyber charter and charter school education.

So, Mr. Speaker, I think it is time to hit the pause button. Let us think about the proper way to refine the way that charter schools are treated in this State and consider the real long-term impact that passage and enactment of HB 97 would have on all of our 500 school districts, the various boards of education in those districts, the students in those districts, and also the taxpayers in those districts who continually have to pay increased property taxes because of unknown future expenses that could occur with a broad expansion of charter schools.

So, Mr. Speaker, I thank you for the opportunity and I ask the members to think about that before they cast the vote. I think the smart thing to do is to reject HB 97 today and move forward tomorrow.

The SPEAKER. Representative Mike Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, as was stated before, while this bill purports to be reform, it is, in fact, not reform at all. The tiny savings that are claimed in this bill will be far outstripped by the relaxing of ability to add more charters and cyber charters in this State, and so while you may be able to go back to your school district and say, I saved you 10 cents on that thing you paid a couple of bucks too much for, I also have told everybody that everybody can now charge you that extra money that you are only going to save 10 cents on, it just does not add up.

Mr. Speaker, we had an opportunity to do real charter reform and we did not. Amendment after amendment after amendment that would have done real charter reform was rejected, and so now we have something that is not fiscally responsible but has the label of reform, and as Representative Roebuck pointed out, the kinds of things that were initially set out in the legislation in terms of having charters be models for everyone have not come

to fruition. Now, most of the members in this chamber right now were not even here when that bill was passed. Some of us were. Some of us knew what the intention initially was. Some of us have not seen those intentions come to life. Some of us said reluctantly at that time, okay, I do not think it is going to cost that much to do these things, but go ahead. Let them get established. Let us see what they can do, maybe give them more money than they actually need. Let us try and improve education. And if in fact this legislation said, you know, the ones that are outperforming standard brick-and-mortar schools, we are going to figure out how to let them thrive, we are going to figure out how to replicate them, we are going to figure out how to get more of those, and in exchange, we are going to take money from the ones that are not performing, I might say good reform. That would actually do something. But this bill does not do that at all. In fact, it encourages people to go out and do more bad charters and cyber charters. It makes it easier for them to establish a fly-by-night.

Mr. Speaker, we have an opportunity to do this right, but this is not the way to do it. I encourage a "no" vote on the final passage of HB 97. Thank you.

The SPEAKER. Representative John Maher, followed by Representative Bill Kortz, Representative Bryan Barbin, and I understand Representative Curtis Thomas.

Representative John Maher.

Mr. MAHER. Mr. Speaker, even Goldilocks knew that what is too much cannot be less than what is too little. My colleagues across the aisle are so, so certain that what is being paid to charters is too much and they need reform. Now, what is paid to charters on average is about 75 percent of what the cost for educating a child is in the traditional public schools. When we talk about, however, funding the traditional public schools in the budget, we heard that that 100 percent is too little, yet 75 percent is too much. One hundred percent is too little for traditional public schools, but 75 percent is too much if it is a charter.

Now, Goldilocks knew better and I think you all know better. That makes no sense. Thank you.

The SPEAKER. Representative Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

I rise in opposition to HB 97. The bill does not address the cost of this alternative education. The charters and cyber charter schools are causing a significant drain on the revenue stream for our public schools in a legal fashion, but it is important to note they are also causing a drain in an illegal fashion, and I will reference just 5 short years ago one of our charter school CEOs (chief executive officers) from Beaver County was convicted of stealing millions of dollars, stealing millions of dollars. It happened. And in Goldilocks' phrase, I guess you can say, who has been eating my porridge? Well, that CEO was.

The bottom line, Mr. Speaker, the drain of funds— I am sorry. There is a significant drain of funds in a legal and illegal way at times, and property taxes are being increased because of this.

So for all the members who support reining in property taxes, this is an easy "no" vote. Please vote "no." Thank you.

The SPEAKER. Representative Bryan Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in opposition to the bill for the same reason I have given for the last 10 terms. We spend \$1.5 billion. Last year the Governor came up with a reform that was going to save

\$160 million. Now we are talking about \$20 million and a new set of authorizers for more charter schools. There is no building surplus left in most rural and urban school districts because the money has not followed the student. That is what we said we were going to do, let the money follow the student. It is not spent on the student. It is spent on the charters.

Twenty-five percent work, 75 percent do not. None of the cyber schools work. It is \$470 million. We are wasting it at the same time that we are sitting here talking about an over \$1 billion deficit, but instead of dealing with the deficit in our budget, we are going to give more money to the charters. I object.

The SPEAKER. Representative Curtis Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to HB 97.

I just want to add some clarification to the whole conversation. I am in my 29th year, and I remember the conversation on charter schools. Now Senator Anthony Hardy Williams, now Congressman Dwight Evans, and Curt Thomas became original architects of the charter school bill, and it came about for a number of reasons. Number one, in my district every middle school was overcrowded. Parental participation in curriculum and instruction was almost zero. And in now Congressman Dwight Evans' district, there was little creativity in what was going on with kids. In now Senator Anthony Hardy Williams' district in Southwest Philadelphia, in West Philadelphia, there was a thirst for innovation and thirst for improving the overall quality of education. The charter school became an opportunity to reduce the size of classrooms. The charter school became important in reshaping the educational environment.

So, Mr. Speaker, the one thing that kind of made it all come together is we placed on the local school boards the responsibility of, one, accepting applications for charter schools, reviewing those applications, and making sure that those applications complemented public education and represented a vision for tomorrow around public education, and we empowered local school districts to make decisions on when and the circumstances under which charter schools would be established. But, Mr. Speaker, we look at today. At the time there was no contemplation that the Pennsylvania Board of Education needed to chime in on whether a charter school should go into Representative Carroll's district or in Representative Kirkland's district. Local school districts were given the authority to make those decisions. Twenty years ago there was no contemplation to special interests, there was no contemplation if you would have situations where I own a building and I become the landlord for the charter school that I am now legally in charge of.

Mr. Speaker, so because local school boards have been— And in Philadelphia the State now controls the local school board. So things have gotten all out of hand, all out of hand, so that now charter schools have become competitors to public education. So it is now draining on the public education system. And the last time I checked, the Pennsylvania Constitution says that our legal and moral responsibility is to public education. And these charters are now becoming a part of this separate and unequal school system in both where they are located, in violation of *Brown v. Board*, but also in terms of Charlotte-Mecklenburg, and Charlotte-Mecklenburg was the national standard—

The SPEAKER. Sir—

Mr. THOMAS. —on what conditions in which education would take place.

The SPEAKER. —the good gentleman, if you will just please suspend just for a moment.

Mr. THOMAS. I am closing it down, Mr. Speaker.

The SPEAKER. Members, this is our last speaker. We will be taking the vote here shortly.

Mr. THOMAS. So, Mr. Speaker, in closing, these charter schools have become separate and unequal in violation of *Brown v. Board* and in violation of Charlotte-Mecklenburg.

And I did a law review article for the North Carolina university system on Charlotte-Mecklenburg and the inequality of education in America, and you can find situations today where charter school students have books that public school students do not have. You will find situations where charter schools are having caviar for lunch while some public schools do not have any lunches. So we have unintentionally – and we did not mean it – unintentionally allowed this thing to get out of hand.

So I ask each and every one of you to join me in taking that first step towards getting back to where we intended to be by voting "no" on HB 97. Thank you, Mr. Speaker.

The SPEAKER. There is one other speaker that has requested the floor.

Representative Jordan Harris.

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

May I interrogate the maker of the bill?

The SPEAKER. He has indicated he will so stand.

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

Mr. Speaker, on page 35, lines 19 through 22, the bill states that "...a charter school or regional charter school that does not have in its written charter any limits on student enrollment or caps is permitted to operate its school at more than one location." Would you explain the meaning of that section, please, for the record?

Mr. REESE. Absolutely. Thank you, Mr. Speaker.

This provision applies only to the charter school that is already permitted to expand its enrollment. The provision allows such a school to operate in more than one location if it chooses to do so.

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

Another question. Does this provision allow our charter school to increase its enrollment or expand into different grade levels?

Mr. REESE. Thank you, Mr. Speaker.

The answer is no. This provision applies only to charter schools that already have permission to expand its enrollment or expand into a different grade level. It will have no effect on the number of students a charter school is allowed to enroll for the grade levels of those students.

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

On the bill.

The SPEAKER. On the bill, sir.

Mr. J. HARRIS. Mr. Speaker, I appreciate the maker for answering those questions. My goal is to get the legislative intent of that specific section on the record for clarification.

Mr. Speaker, I must admit, HB 97 is not a perfect piece of legislation. HB 97 needs work, but I do believe that many of the folks who will do the work to fix this legislation are at the table and continue to have conversations. So I am inclined to be

supportive of the legislation in the good nature and goodwill of everyone staying at the table to try to come out with a remedy.

This bill is 20 years old and needs a redo, it needs a refresh. We need to hold all schools accountable that are required to provide a quality education to our young people, we need to hold all administrators accountable that are required to provide a quality education to our young people, and we need to ensure that all of our State's tax dollars are going to the benefit of the education of all of Pennsylvania's children.

I will say this before I do sit, Mr. Speaker. It is a little offensive to continue to hear about what charter schools cost districts as if the money is going for another purpose but to educate our children. If we are serious about educating Pennsylvania's children, we have to be serious about educating all of Pennsylvania's children, because in my district, Mr. Speaker, I do not believe a parent is considering what type of school their child goes to. The only type that they are considering is that it is a good and quality education for their child.

I hope that, Mr. Speaker, we can get back to the idea of efficiently educating all of Pennsylvania's young people regardless of what mode or method of education their parent chose to put them in. Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—108

Baker	Gabler	Masser	Roae
Benninghoff	Gillespie	McClinton	Roe
Bernstine	Greiner	Mehaffie	Rothman
Bloom	Grove	Mentzer	Ryan
Boback	Hahn	Metcalfe	Saccone
Brown, R.	Harper	Metzgar	Sankey
Charlton	Harris, A.	Miccarelli	Saylor
Cook	Harris, J.	Millard	Schemel
Corbin	Heffley	Miller, B.	Sonney
Corr	Helm	Milne	Staats
Cox	Hickernell	Moul	Stephens
Culver	Hill	Mustio	Tallman
Cutler	Irvin	Nelson	Tobash
Davidson	Jozwiak	Nesbit	Toepel
Day	Kampf	Oberlander	Toohil
Delozier	Kaufer	Ortitay	Topper
Diamond	Kauffman	Peifer	Walsh
Dowling	Keefer	Petri	Ward
Dunbar	Keller, F.	Pickett	Warner
Dush	Keller, M.K.	Pyle	Wentling
Ellis	Klunk	Quigley	Wheatley
Emrick	Knowles	Quinn, C.	Wheeland
English	Lawrence	Quinn, M.	White
Evankovich	Mackenzie	Rader	Zimmerman
Everett	Maher	Rapp	
Farry	Maloney	Reed	Turzai,
Fee	Marshall	Reese	Speaker
Fritz	Marsico		

NAYS—84

Barbin	Dean	Kavulich	O'Neill
Barrar	Deasy	Keller, W.	Pashinski
Bizzarro	DeLissio	Kim	Petrarca
Boyle	DeLuca	Kinsey	Ravenstahl

Bradford	Dermody	Kirkland	Readshaw
Briggs	DiGirolamo	Kortz	Roebuck
Brown, V.	Donatucci	Krueger	Rozzi
Bullock	Driscoll	Kulik	Sainato
Burns	Evans	Lewis	Samuelson
Caltagirone	Fitzgerald	Longietti	Santora
Carroll	Flynn	Madden	Schlossberg
Causar	Frankel	Markosek	Schweyer
Cephas	Freeman	Matzie	Sims
Comitta	Gainey	McCarter	Snyder
Conklin	Galloway	McGinnis	Solomon
Costa, D.	Gillen	Miller, D.	Sturla
Costa, P.	Godshall	Mullery	Thomas
Cruz	Goodman	Murt	Vazquez
Daley	Haggerty	Neilson	Vitali
Davis	Hanna	Neuman	Warren
Dawkins	Harkins	O'Brien	Youngblood

NOT VOTING—0

EXCUSED—11

Christiana	Hennessey	McNeill	Taylor
Fabrizio	James	Rabb	Watson
Gergely	Mako	Simmons	

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.

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1071**, **PN 1270**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in other subjects of taxation, prohibiting bans, fees, surcharges and taxes on recyclable plastic bags.

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?

LEAVE OF ABSENCE

The **SPEAKER**. Representative Harry READSHAW has requested to be placed on leave. Without objection, that will be granted.

CONSIDERATION OF HB 1071 CONTINUED

The **SPEAKER**. Representative Vitali, on the bill, please.
Mr. VITALI. Thank you, Mr. Speaker.

I rise in opposition to HB 1071. As many members will recall, this bill was defeated fairly soundly last session. It is bad

public policy. It undermines a very important principle of local control. If this bill passes, it will take away rights that your townships and cities and counties have right now with regard to dealing with their local problems, and that is why so many cities have come out against this.

What this bill would do would be to prevent municipalities in this State from regulating the use of plastic bags. This regulation is done by about 180 jurisdictions in the country with substantial success. San Francisco, Los Angeles, the District of Columbia, New York City are just a few of the cities who have chosen to regulate plastic bags either by fee or surcharge or ban or some combination, and they have done this for many years. This is not experimental and it has proven a success.

You should have in your inboxes the numerous groups that have come out in opposition to this. The Pennsylvania Municipal League opposes this bill. "We are opposed to this bill," I quote, "on the principle that local, municipal autonomy is being pre-empted on an issue that is not even occurring, to our knowledge, in Pennsylvania."

The Pennsylvania State Association of Boroughs opposes HB 1071. They say, "These decisions **MUST** remain at the local government level as citizens, commercial interests and local officials are the ideal entities to address this quality of life issue."

PSATS, the Pennsylvania State Association of Township Supervisors, opposes this bill. I spoke to Elam Herr this morning, and he wanted me to convey to the members they oppose this bill.

The Philadelphia City Council opposes this bill, quote, in their letter, "If HB 1071 is enacted, our constituents will not have the opportunity to press their case for a fee before their local legislative body.... We...respectfully urge you to oppose HB 1071."

Bruce Kraus, head of the city council, city of Pittsburgh, opposes this bill. I quote from his letter of today: "...If local municipalities wish to enact policies which encourage responsible consumption of plastic..." bags, "...they have the lawfully given right to do so."

The city of York opposes HB 1071. A quote from their letter: "Having options to help control plastic bag pollution could make a huge difference not only in our oceans and our planet's health but could rein in the ubiquitous use of shopping bags altogether.... We urge you to oppose passage of HB 1071."

The city of Erie, "The members of the City of Erie City Council are writing to urge you to oppose HB 1071...." Quote, "...It," meaning the city, "should be afforded the autonomy to make that decision."

Wilkes-Barre opposes this bill. This is signed by a Beth Gilbert, Wilkes-Barre city council person. She is speaking on her own behalf.

Mr. Speaker, proponents of this have suggested that perhaps this is environmentally good because it only deals with recyclable bags, but that is false. The overwhelming number of recyclable bags is not in fact recycled, and that is why environmental groups like the Sierra Club, PennFuture, PennEnvironment also oppose HB 1071.

The reality is, this bill is being driven by one company, one plastic bag manufacturer, Novolex, who has a plant in Milesburg, Pennsylvania, Hilex Poly. The only reason we are dealing with this bill is that that company, that plastic bag manufacturer, is trying to impose this ban on bans as they have

in other municipalities throughout the country. This is a bill driven by a special interest group.

The reality is, we should not be impeding the ability of every one of the municipalities we represent and impeding their ability to do their jobs to satisfy one special interest group in one company in one member's district. That is just bad public policy.

Governor Wolf also opposes this bill. Mr. Speaker, this is bad public policy. We defeated this substantially before and we should do it again. Thank you.

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVES OF ABSENCE

The SPEAKER pro tempore. Without objection, the gentleman, Mr. TURZAI, will be granted a leave of absence and the gentleman, Mr. Paul COSTA, will also be granted a leave of absence.

CONSIDERATION OF HB 1071 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the gentelady, Representative Krueger-Braneky, on final passage.

Ms. KRUEGER. I also rise in opposition to HB 1071. Last session this bill failed on the House floor with a vote of 112 against us. I am hoping we will see a similar outcome today.

Fundamentally, this bill makes it harder for local elected officials to make their own decisions about the best way to fight litter in their own communities and removes local control. It is being moved at the behest of one special interest, an out-of-State plastic bag manufacturer that is not even headquartered here in Pennsylvania.

As my colleague from Delaware County said, this bill is opposed by multiple local governments, multiple associations that represent local government groups, and a broad array of environmental stakeholders.

I urge my colleagues to vote "no." Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentelady, Ms. Donatucci, on final passage.

Ms. DONATUCCI. Thank you, Mr. Speaker.

On behalf of the Philadelphia delegation, Philadelphia City Council, the mayor of Philadelphia, and myself, I rise today in opposition to HB 1071.

In Philadelphia residents have requested and city council has considered adoption of plastic bag fee legislation like 165 municipalities across the country have already enacted. All Pennsylvania municipalities should have that option. In Philadelphia it would reduce litter and fund initiatives to improve air and water quality and waste removal. All Pennsylvania municipalities should have these options and others. However, HB 1071 would prohibit Pennsylvania municipalities from having flexibility with regard to fees and taxes and prohibit a potential revenue source.

Therefore, I urge a "no" vote on HB 1071. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentelady and recognizes the gentelady, Ms. Mary Jo Daley, on final passage.

Ms. DALEY. Thank you, Mr. Speaker.

I rise today in opposition to HB 1071.

Governments around the world have banned or taxed lightweight recyclable plastic bags. In the United States I read today that over 200 counties and municipalities have enacted ordinances either imposing a fee or banning plastic bags outright. Why are these actions taken by our counties and municipalities and even some States? Because these recyclable bags take a very long time to break down when disposed of properly, but when not disposed of properly, they pollute our waterways and clog our sewer systems, they create litter along our highways, roads, and streets; because full-service municipalities that provide solid waste disposal and highway service and sewer maintenance must deal with these lightweight recyclable plastic bags.

But here is another issue that I just learned about today and maybe some of you know about this. The Federal Aviation Agency, the FAA, includes plastic bags as airport foreign object debris, also known as FOD. The FAA advisory circulars warn of the dangers of damaged equipment, air carrier personnel life endangerment, and catastrophic dangers can be incurred when plastic bags cover the mechanisms that can relate false air speed readings.

I think this is a big deal. So I would urge you to allow our elected local officials to respond to these local issues. They are in the best position to make these decisions for their communities.

I ask you to vote "no" on HB 1071. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentelady and recognizes the gentleman, Mr. Freeman, on final passage.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I also rise to oppose HB 1071. There are very compelling environmental reasons why this proposal is a bad idea. The issue of plastic bag pollution and its impact on the environment is a real one and one that actually should be dealt with in terms of public policy, even at our level. But in the absence of that, I do not think it is in the best interest of the citizens of this Commonwealth to preempt local units of government as they try and deal with issues of plastic bag pollution and litter in their own community.

If there is a municipality that decides to regulate plastic bag use or even ban it because of what is happening in their community, we should allow them to do so. We are doing way too much of preempting our local units of government in responding to real problems that exist in those communities. Let us not tell them what to do. Let us not play Big Brother on this issue. Vote "no" on HB 1071 and let the local governments continue to have the option to determine how they wish to deal with plastic bag litter and plastic bag regulation. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Hanna, on final passage.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I rise today in support of HB 1071.

Mr. Speaker, based on suggestions and floor remarks made last session, the language of this bill has been narrowed to only prohibit a tax on recyclable plastic bags and only for political

subdivisions. Essentially, Mr. Speaker, this bill only impacts policies related to bags that can be recycled and will not get in the way of the individual grocers' bag policies. That is why this bill has earned the support of job creators all across this State.

Mr. Speaker, since 2005 because of legislation like this, the rate of plastic bag film and wrap recycling has surged 74 percent. In 2015, 1.2 billion pounds of postconsumer film, which includes plastic bags and packaging, was recovered for recycling. That is 34 million pounds more than the year prior.

As many of you know, more than 90 percent of American consumers have access to plastic bag recycling through retail take-back programs at stores such as Wegmans, Target, and ShopRite. From there these bags are picked up for recycling. Mr. Speaker, we need to promote these recycling efforts, and that is what HB 1071 does. Mr. Speaker, it is plastic bags that cannot be recycled that are filling our landfills and causing pollution because consumers cannot return them.

Mr. Speaker, this bill specifically addresses environmentalists' concerns and incentivizes retailers to use recyclable plastic bags that can be manufactured into new bags, benches, and other plastic products. This bill, Mr. Speaker, promotes good family-sustaining jobs for hardworking Pennsylvanians, something we can all support.

Mr. Speaker, I would like to bring to your attention a recent poll taken by the Washington Post and ABC News. According to this poll, two-thirds of Americans believe that elected leaders are out of touch with the concerns of most Americans. I, for one, want to reverse that perception.

As legislators we stand for many things, including job creation and a strong economy. Today you have an opportunity to protect thousands of jobs throughout this Commonwealth. We need to move this proposal forward, show our commitment to working men and women, and prove that the legislature puts jobs at the top of our agenda. Let me repeat that, we need to demonstrate that we put jobs at the top of our agenda. Pennsylvanians expect us to put up votes that protect our manufacturing sector and the thousands of Pennsylvanians that are employed by this vital industry, and I must add and recognize that in doing so we are not sacrificing our environment. In fact, as the bill clearly states, we are incentivizing recycling and protecting our environment.

Mr. Speaker, I urge a "yes" vote on HB 1071. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the maker of the legislation, Representative Farry, on final passage.

Mr. FARRY. Thank you, Mr. Speaker.

A couple points I would like to clarify.

One, this piece of legislation is different than the bill that was defeated on the House floor last session and it is different for a couple reasons, but most importantly, we heard the concerns that were raised last session and we have addressed those concerns. And in working with the various stakeholders, we have developed a broad coalition of individuals as well as organizations that are in favor of this legislation.

The previous speaker mentioned jobs, and jobs are an important component of this. The Food Merchants Association is in favor of it and the 800 businesses and 150,000 people they employ, the chamber of commerce, the NFIB (National Federation of Independent Business), the retailers, and the manufacturers, which I think is one of the most important

components here. There are not just one or two factories and manufacturing installations in this Commonwealth that manufacture these products. There are actually 14 that employ 1500 people and contribute \$346 million to the economy of this Commonwealth.

So once again, this bill is a much different bill. We have a broad coalition of support, and I ask for a "yes" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—102

Baker	Farry	Lawrence	Reed
Barbin	Fee	Mackenzie	Reese
Barrar	Fritz	Maloney	Roe
Benninghoff	Gabler	Marsico	Roe
Bernstine	Gillen	Masser	Rothman
Bloom	Gillespie	McGinnis	Ryan
Burns	Godshall	Mehaffie	Saccone
Causar	Goodman	Mentzer	Sankey
Charlton	Greiner	Metcalfe	Santora
Cook	Grove	Metzgar	Saylor
Corbin	Hahn	Miccarelli	Schemel
Corr	Hanna	Millard	Sonney
Cox	Harris, A.	Miller, B.	Staats
Culver	Heffley	Moul	Stephens
Cutler	Helm	Mustio	Tallman
Day	Hickernell	Nelson	Tobash
Delozier	Hill	Nesbit	Toepel
Dermody	Irvin	Oberlander	Toohil
Diamond	Jozwiak	Ortitay	Topper
Dowling	Kampf	Pickett	Walsh
Dunbar	Kauffman	Pyle	Ward
Dush	Keefer	Quigley	Warner
Ellis	Keller, F.	Quinn, C.	Wentling
Emrick	Keller, M.K.	Rader	Wheeland
Evankovich	Klunk	Rapp	Zimmerman
Everett	Knowles		

NAYS—87

Bizzarro	DeLuca	Kortz	Petrarca
Boback	DiGirolamo	Krueger	Petri
Boyle	Donatucci	Kulik	Quinn, M.
Bradford	Driscoll	Lewis	Ravenstahl
Briggs	English	Longietti	Roebuck
Brown, R.	Evans	Madden	Rozzi
Brown, V.	Fitzgerald	Maher	Sainato
Bullock	Flynn	Markosek	Samuelson
Caltagirone	Frankel	Marshall	Schlossberg
Carroll	Freeman	Matzie	Schweyer
Cephas	Gainey	McCarter	Sims
Comitta	Galloway	McClinton	Snyder
Conklin	Haggerty	Miller, D.	Solomon
Costa, D.	Harkins	Milne	Sturla
Cruz	Harper	Mullery	Thomas
Daley	Harris, J.	Murt	Vazquez
Davidson	Kaufner	Neilson	Vitali
Davis	Kavulich	Neuman	Warren
Dawkins	Keller, W.	O'Brien	Wheatley
Dean	Kim	O'Neill	White
Deasy	Kinsey	Pashinski	Youngblood
DeLissio	Kirkland	Peifer	

NOT VOTING—0

EXCUSED—14

Christiana	Hennessey	Rabb	Watson
Costa, P.	James	Readshaw	
Fabrizio	Mako	Simmons	Turzai,
Gergely	McNeill	Taylor	Speaker

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

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

The SPEAKER pro tempore. The House will be at ease.

LEAVES OF ABSENCE CANCELED

The SPEAKER pro tempore. Paul Costa and Mike Turzai are back on the House floor and should be added to the master roll.

**THE SPEAKER (MIKE TURZAI)
PRESIDING**

The SPEAKER. Members, please take your seats.

CONSIDERATION OF HB 975 CONTINUED

The SPEAKER. We are back on HB 975.

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—107

Baker	Gabler	Marshall	Reese
Barrar	Gillespie	Marsico	Roae
Benninghoff	Godshall	Masser	Roe
Bernstine	Greiner	McGinnis	Rothman
Bloom	Grove	Mentzer	Ryan
Boback	Hahn	Metcalfe	Saccone
Brown, R.	Harper	Metzgar	Sankey
Causar	Harris, A.	Miccarelli	Santora
Charlton	Heffley	Millard	Saylor
Cook	Helm	Miller, B.	Schemel
Corbin	Hickernell	Milne	Sonney
Corr	Hill	Moul	Staats
Cox	Irvin	Mustio	Stephens
Culver	Jozwiak	Nelson	Tallman
Cutler	Kampf	Nesbit	Tobash
Day	Kaufer	O'Neill	Toepel
Delozier	Kauffman	Oberlander	Toohil
Diamond	Keefer	Ortitay	Topper
Dowling	Keller, F.	Peifer	Walsh
Dunbar	Keller, M.K.	Pickett	Ward
Dush	Klunk	Pyle	Warner
Ellis	Knowles	Quigley	Wentling
Emrick	Lawrence	Quinn, C.	Wheeland

English	Lewis	Quinn, M.	Zimmerman
Evankovich	Mackenzie	Rader	
Everett	Maher	Rapp	Turzai,
Fee	Maloney	Reed	Speaker
Fritz			

NAYS—84

Barbin	Deasy	Kavulich	Pashinski
Bizzarro	DeLissio	Keller, W.	Petrarca
Boyle	DeLuca	Kim	Petri
Bradford	Dermody	Kinsey	Ravenstahl
Briggs	DiGirolamo	Kirkland	Roebuck
Brown, V.	Donatucci	Kortz	Rozzi
Bullock	Driscoll	Krueger	Sainato
Burns	Evans	Kulik	Samuelson
Caltagirone	Farry	Longietti	Schlossberg
Carroll	Fitzgerald	Madden	Schweyer
Cephas	Flynn	Markosek	Sims
Comitta	Frankel	Matzie	Snyder
Conklin	Freeman	McCartier	Solomon
Costa, D.	Gainey	McClinton	Sturla
Costa, P.	Galloway	Mehaffie	Thomas
Cruz	Gillen	Miller, D.	Vazquez
Daley	Goodman	Mullery	Vitali
Davidson	Haggerty	Murt	Warren
Davis	Hanna	Neilson	Wheatley
Dawkins	Harkins	Neuman	White
Dean	Harris, J.	O'Brien	Youngblood

NOT VOTING—0

EXCUSED—12

Christiana	Hennessey	McNeill	Simmons
Fabrizio	James	Rabb	Taylor
Gergely	Mako	Readshaw	Watson

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 991, PN 1234**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; in Pennsylvania Liquor Control Board, further providing for general powers of board and for specific subjects on which board may adopt regulations; in Pennsylvania Liquor Stores, further providing for sales by Pennsylvania Liquor Stores; and providing for retail stores.

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?

And on the bill, Representative Adam Harris is recognized.

Mr. A. HARRIS. Thank you, Mr. Speaker.

I know, as Yogi Berra would say, it sort of feels like déjà vu all over again. We have done liquor issues many times here on this floor. We had tremendous success last session with two very important changes, and the question now is, do we want to move forward and do more for the consumers of Pennsylvania?

My bill is fairly simple. It does not close an LCB store. It does not touch the wholesale aspects of the LCB. It creates new privately owned retail operations that can fill gaps in Pennsylvania that are not adequately served by the 600 liquor stores currently opened in Pennsylvania.

I would appreciate your support and affirmative vote for HB 991.

The SPEAKER. Representative Markosek, on the bill.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, in legislative speak, HB 991 would create a new retail system for selling wine and spirits for off-premise consumption. Just about anyone could sell booze: beer distributors, restaurants, grocery stores, convenience stores, gas stations, and big-box stores.

In layman's terms, Mr. Speaker, if HB 991 becomes law, this will be the end of the Pennsylvania Liquor Control Board. The PLCB would be required to sell products to retailers at a markup of no more than 15 percent of the price originally paid by the PLCB. Competing retail stores would be able to undercut the LCB retail prices since their wholesale purchase would be partially subsidized by the LCB. Lower retail prices would directly result in less tax revenue. Who needs more revenue when you are already \$3 billion short, \$3 billion short? We all know the budget situation that we are in and we want to pass something where we are going to create less revenue?

What is also really bad about HB 991 is it would allow one retail location for wine and spirits for every 6,000 residents in a county, with a minimum of 15 retail locations per county. The LCB now operates 601 retail stores, but the bill would allow up to 2,383 additional locations. If we were talking about public libraries, this would be a good idea, but having that many liquor stores in Pennsylvania would not be a good thing for anybody. Instead, we are talking booze on just about every street corner. It is not that much of a stretch to say.

This bill would also hurt Pennsylvania's wineries because the new licensees, who care little about diverse tastes – only the best-selling wine – will not be required to sell the amount and variety of Pennsylvania wine in their stores. So we are hurting our own wineries here in Pennsylvania with this legislation.

And despite the onslaught of potential new stores, HB 991 does nothing, nothing to pay for the added responsibility of enforcement.

Mr. Speaker, I am also not buying the argument that HB 991 will bring \$100 million in additional annual revenue. Why? For that to happen, Pennsylvanians would have to double their alcohol intake.

Let us put it this way, this tonight should be last call on HB 991, and I urge a "no" vote. Thank you, Mr. Speaker.

The SPEAKER. Representative Paul Costa.

Mr. P. COSTA. Thank you, Mr. Speaker.

I also stand up in opposition of HB 991.

Now, I understand the maker's intent is to try and provide stores in areas that are underserved, but unfortunately, this bill does not do that. It allows stores to be opened up everywhere. My fear is that they are going to cherry-pick the areas where we already have good sales and they are going to ignore the

underserved areas. So it does not do us any good except cut into our profits and our State system.

So I would ask other members to vote "no," please.

The SPEAKER. Representative Bill Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to HB 991.

This bill will put liquor stores on every corner by allowing nearly 2400 outlets. Mr. Speaker, that is a lot of booze. All of our counties will see a dramatic increase in the number of these outlets.

Just to go through a few of these counties, Allegheny County, under this bill, will go from 75 to 204 outlets; looking at Philadelphia, 50 to 261. Montgomery County is going to go from 38 to 137. Lancaster County is going from 19 to 90; Bucks County, up to 104; Chester County, 24 outlets to 86, so forth and so on. We will see a dramatic increase. The bottom line, Mr. Speaker: We are going from 600 stores to nearly 2400. That is an 1800-outlet increase, and that is a lot of booze.

Mr. Speaker, just several weeks ago a number of us on the Liquor Committee had the opportunity to travel to Kentucky to witness the bourbon makers, and I want to thank the majority chair of the Liquor Committee for taking us there. It was very educational. We saw a lot of stuff there. We got to talk to their CEOs, and several of the CEOs gave us unsolicited comments when it came to the privatization, referencing the Washington State issue. Mr. Speaker, they talked about the chaos that was created in their business. They talked about the chaos that was created in the market. They talked about how the price increase of 15 to 24 percent caused a buying shift on their products. It shifted from the high end, where they sold a lot, to the low-end market for the low-end materials that they sell. They talked about how the chaos is bad for the business because they have to age the bourbon an average of 6 to 9 years, and in some cases, like Weller, it is up to 19 years, and if you are fortunate to get Pappy Van Winkle, it is 25 years and they have to do this in solid oak barrels, but with the chaotic market shift, they cannot predict what they are going to be doing in 6 to 9 years. So there was some pushback by some CEOs – again, unsolicited comments – that it was a problem because they want consistency and predictability in their business, as all businesses want. Let us face it, all of you that are in business, you want to see consistency. They did not see that. Their process needs to have that.

Mr. Speaker, privatizing the system similar to Washington State will result in a loss of approximately 4500 jobs ultimately. These are good-paying, family-sustaining jobs. The current system generates about \$600 million for the Commonwealth. Privatizing this system puts that revenue stream in jeopardy.

In conclusion, Mr. Speaker, HB 991 is a bad idea. Using history as our guide, and again referencing Washington State's experience, market chaos for the suppliers, job loss, revenue loss, the selection decreased and crime increased, crime increased. Going back to Washington State, we saw where many of the box stores that now have the alcohol saw a dramatic increase in crime to where they have to cordon off this area. There are locked cabinets. They have to unlock it to get the booze out.

And while we were in Kentucky, one of my fellow colleagues on the Liquor Committee witnessed a crime in the convenience store that was adjacent to the hotel that we stayed in. He was in there late at night getting ready to make a purchase, and a gentleman walked in, grabbed a bottle of the

liquor, started to bolt out the store, and the 19-year-old sales clerk went out and accosted him. They got into a tugging match with this bottle of booze and they were fighting with this back and forth. The bottle fell and broke inside the hotel. Our colleague witnessed this. It happened when we were there in Kentucky.

It is a bad idea, Mr. Speaker. And we want to duplicate this system? I do not think so.

Mr. Speaker, HB 991 is going to saturate PA with liquor establishments, again, almost 2400, yet the bill adds no new money for enforcement, and we are going to create an environment for our constituents that can be very negative.

Please vote "no." Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Kortz.

Representative Conklin.

Mr. CONKLIN. Thank you. I want to thank you, Mr. Speaker.

Mr. Speaker, I want to tell you, it has been an enjoyable day spending time with you and everybody today.

I can tell you, the Speaker and I, we started out our day 12 hours ago. We were at the prayer breakfast. We got to worship together. We got to hear a great sermon and great music, and then this afternoon we get to come here and we get to talk about guns. Now we get to talk about – and I voted with you on that – and now we get to talk about booze. I mean, think about this: God, guns, and booze all in the same day. I mean, what a great country we have here. I mean, just think about this, booze on every corner. What is the number one addiction problem? Booze. What is the number one choice of drink of young people? Booze. What breaks up more families? Booze. I mean, think about this. We are giving it all: God, guns, and booze.

You know, I do not know about where you all come from, but, you know, you can build a gold cow if you want sometimes and you can go to the wrong idol, but I am going to tell you, where I come from we have got a drinking problem. We have got young people every day. It is going to be your children that they come to see me about. This week I had two parents come to me. One of their children was taken to the hospital at the age of 17 years old with alcohol poisoning. They had to go and get their child from the hospital in the emergency room. We just had a death up in my district because of booze, because the kids have not quite learned how to understand when you are underage what it can do to you. Tomorrow the Children and Youth Committee are having a hearing on addictions, and parents who have children, how it hurts the children.

You know what? I do not know what your reasoning is behind this, and if it is just against us being in the alcohol business, that is fine. But if your idea is to have more booze on every corner, if your idea is to make sure that young people have the easier access, it is too easy now and you want to make it easier, you can put it however you want it, but this is a bad bill. This is bad.

I know I kid a little bit because I do like the Speaker and I like my colleagues and I know I started out joking, but this is serious. We have a serious addiction problem in this State, not just heroin, not just opioids, but alcohol, the number one choice. And what you want to do is pass a law to make sure that young kids can walk through a counter where a State worker and another worker is not supervising it, put it in their pocketbook, and walk out? Mr. Speaker, rethink this. We have got a booze problem.

You can vote "yes" today and you can go forward, but I am going to tell you, folks like me are going to remind you every day that your children are getting alcohol poisoning and dying of alcohol abuse problems. Please vote "no." Do the right thing. We have done one. We have allowed more access to it. I think they have enough now. Thank you, Mr. Speaker.

The SPEAKER. The last speaker that we have listed is Representative Frank Ryan, on the bill.

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

I stand up and rise in support of HB 991, but let me just address the last comment. This is an entirely different issue than about liquor. I was at the same prayer breakfast this morning. This is about the right of individual determination and whether or not we as individuals have the responsibility for our own decisions on whether or not we believe that we can legislate morality.

There is only one addiction that I have seen so far in the past 10 years of my life, and that is a government that has run amok, that believes that they can run their lives better than I can for our children and as a parent and better than I can as an individual. The more we take self-accountability and self-responsibility into this action, the greater the likelihood we will get control in our society rather than the misguided impression that we can legislate morality.

LEAVE OF ABSENCE

The SPEAKER. The minority whip requests a leave of absence for the lady from Montgomery County, Mrs. DEAN.

CONSIDERATION OF HB 991 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—107

Baker	Gabler	Marshall	Reese
Barrar	Gillespie	Marsico	Roae
Benninghoff	Godshall	Masser	Roe
Bernstine	Greiner	McGinnis	Rothman
Bloom	Grove	Mentzer	Ryan
Boback	Hahn	Metcalfe	Saccone
Brown, R.	Harper	Metzgar	Sankey
Causer	Harris, A.	Miccarelli	Santora
Charlton	Heffley	Millard	Saylor
Cook	Helm	Miller, B.	Schemel
Corbin	Hickernell	Milne	Sonney
Corr	Hill	Moul	Staats
Cox	Irvin	Mustio	Stephens
Culver	Jozwiak	Nelson	Tallman
Cutler	Kampf	Nesbit	Tobash
Day	Kaufer	O'Neill	Toepel
Delozier	Kauffman	Oberlander	Toohil
Diamond	Keefer	Ortitay	Topper
Dowling	Keller, F.	Peifer	Walsh
Dunbar	Keller, M.K.	Pickett	Ward
Dush	Klunk	Pyle	Warner
Ellis	Knowles	Quigley	Wentling
Emrick	Lawrence	Quinn, C.	Wheeland
English	Lewis	Quinn, M.	Zimmerman
Evankovich	Mackenzie	Rader	

Everett	Maier	Rapp	Turzai,
Fee	Maloney	Reed	Speaker
Fritz			

NAYS—83

Barbin	DeLissio	Keller, W.	Petrarca
Bizzarro	DeLuca	Kim	Petri
Boyle	Dermody	Kinsey	Ravenstahl
Bradford	DiGirolamo	Kirkland	Roebuck
Briggs	Donatucci	Kortz	Rozzi
Brown, V.	Driscoll	Krueger	Sainato
Bullock	Evans	Kulik	Samuelson
Burns	Farry	Longietti	Schlossberg
Caltagirone	Fitzgerald	Madden	Schweyer
Carroll	Flynn	Markosek	Sims
Cephas	Frankel	Matzie	Snyder
Comitta	Freeman	McCarter	Solomon
Conklin	Gainey	McClinton	Sturla
Costa, D.	Galloway	Mehaffie	Thomas
Costa, P.	Gillen	Miller, D.	Vazquez
Cruz	Goodman	Mullery	Vitali
Daley	Haggerty	Murt	Warren
Davidson	Hanna	Neilson	Wheatley
Davis	Harkins	Neuman	White
Dawkins	Harris, J.	O'Brien	Youngblood
Deasy	Kavulich	Pashinski	

NOT VOTING—0

EXCUSED—13

Christiana	Hennessey	McNeill	Simmons
Dean	James	Rabb	Taylor
Fabrizio	Mako	Readshaw	Watson
Gergely			

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

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

The SPEAKER. We had originally gone over the bill. We have HB 1075, PN 1274, page 2 of today's House calendar.

* * *

The House proceeded to third consideration of **HB 1075, PN 1274**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; in licenses and regulations, liquor, alcohol and malt and brewed beverages, providing for wholesale permit and for wholesale licenses; and, in disposition of moneys collected under provisions of act, further providing for moneys paid into the State Stores Fund for use of the Commonwealth, providing for moneys paid into the State Stores Operating Fund for use of the board and establishing the State Stores Operating Fund.

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.

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. Strike the vote. Strike the vote.

Representative Markosek, the floor is yours, sir.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I am aware, as we all are, that this is your bill and your baby. Let me just say that, respectfully so, that this would throw the baby out with the bath water.

Like HB 975, which is also your bill, Mr. Speaker, it will spin off the most profitable brands to the Liquor Control Board's competition. You know and I know, Mr. Speaker, what this means in the business world. If you want to run Pennsylvania government like a business, the Liquor Control Board is your best example of how that should be done.

While new fees will be required under HB 1075, they would be insufficient to meet current estimates of profit transfers to the General Fund. These profit transfers in the budgetary environment created by 6 years of Republican direction are vital for the Commonwealth. They help to balance our budget. We are giving away millions in the promise of less than that return, and we have to pay the stranded cost, the stranded cost of this privatization. The largest stranded cost of the PLCB is the unfunded pension debt of \$450 million.

I hear talk every day about reforming our pension systems, yet here we are, working to exacerbate the unfunded liability of the State Employees' Retirement System. While the payment for the LCB's pension cost would most likely be absorbed by other Commonwealth agencies and employees paying into the State Employees' Retirement System, it is still a crushing addition to what we already owe, and we all know that we have a substantial debt. And then there is the likelihood that Pennsylvania taxpayers would be on the hook, be on the hook to cover the \$46 million in unemployment compensation costs for the liquor store employees, good and hardworking men and women who would lose their jobs.

Rushing to drive up costs in the name of some idea of, quote, unquote, "better access" that a strong majority of Pennsylvanians are not clamoring to have, it is not the way to go. This is not the way real businesses operate.

I urge, Mr. Speaker, a "no" vote. Thank you.

The SPEAKER. Representative Paul Costa.

Mr. P. COSTA. Thank you, Mr. Speaker.

I stand opposed to HB 1075. I am sure that is no surprise to all of you, but I want you all to know for sure what this bill will do. It will put us out of the State store wine and spirits business. Now, you may think – I thought I would get a cheer for that – but you may think that is a good idea, but unfortunately, there are consequences that come with that. There are 5,000 people that are employed that will lose their jobs. There is over \$500 million of revenue that comes into our State every single year that is going to be gone. Those things are gone. So if that is what you want, then you can vote for this bill.

But I would also like to give you a little, I guess, history lesson here how a bill becomes law. You know there are three steps. It has to pass the House, the Senate, and the Governor has to sign it. We already know that the Governor said he will not sign this. So that is one step gone. We found out last week that the majority leader in the Senate said they have no interest in dealing with liquor bills. That is strike two. Do not give it to them. Strike this bill out, but vote "no."

The SPEAKER. Thank you, Representative Costa.
Representative Schweyer.

Mr. SCHWEYER. Thank you, Mr. Speaker.

I will be brief, and I will just reiterate many of the points— Actually, no, I am not going to reiterate any of my points from HB 975, sir. I am just going to simply say the point still stands.

We do have a commission that is meant to study privatization. Not only has that commission not issued a report, the seats on the commission have not even been filled. It is just 9 months ago we passed legislation that said we need to study this in a bipartisan way and we have not even begun the process of filling that commission. All we are doing is just breaking our own word that we made to the good people of Pennsylvania.

Mr. Speaker, I urge a "no" vote. Thank you, sir.

The SPEAKER. Representative Mary Jo Daley.

Ms. DALEY. Thank you, Mr. Speaker.

Today in the Appropriations meeting and at a couple of other times we have heard that the Pennsylvania Liquor Control Board has projected a loss of revenue, and I wanted to just— We have a letter here that was addressed to the Honorable William F. Adolph and the Honorable Joseph F. Markosek. It is dated April 7, 2015, and it was written by Christopher Herrington, the director from the Office of Legislative Affairs, following up on the 2015 budget Appropriations hearing. And I think it is just important to note that they were responding to questions that were asked during those Appropriations hearings.

So the letter says, "Various representatives, including Representatives Ross, George Dunbar and Mark Mustio, referred to a document submitted by the PLCB which purportedly shows that the agency will not have a positive cash flow after the next few years." So they went on to identify that — and I am skipping some of it; I am not going to read all of it — "As stated at the hearing, the Worksheet does not accurately depict the current financial status or projected cash flow of the PLCB. In fact, the PLCB does not use the Worksheet in its business review or decision-making regarding the agency's cash flow; it is irrelevant but for the fact that the GBO requires its submission in accordance with its guidelines." And they talk about the PLCB's actual cash balance but go on to say that "Even with the more conservative projections dictated by GBO, if the actual 'cash balance' had been used in GBO's Worksheet, as described above, the ending cash balance at the end of the five-year projection would still be positive — not negative, as opined during the hearing."

I think this is really important to recognize, because, you know, we are talking about questions asked at Appropriations hearings a couple years ago. They are not declaring that they have a negative cash balance and they give good reason for it.

I would read the whole letter. If anybody wants it, I have a copy of it here, but I think that we should make considerations of this because they are saying something that was different in this letter than was questioned and they were sending a letter to clarify some of the information at that Appropriations hearing.

So thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Daley.

Representative Mike Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Will the maker of the bill rise for brief interrogation?

The SPEAKER. Will the chair of the Liquor Committee please stand for interrogation? Thank you.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I believe HB 991 just passed, which says that you would be buying wine and spirits from the PLCB and then the PLCB would make a 15-percent markup. Given that under this bill that is being proposed the PLCB would no longer sell wine and spirits to consumers, could HB 991 exist if HB 1075 passes?

Mr. A. HARRIS. No, they are not compatible.

Mr. STURLA. Okay. So if we pass HB 1075, then HB 991 is irrelevant. Is that correct?

Mr. A. HARRIS. Fortunately they are not going directly to the Governor's desk.

Mr. STURLA. Okay. When was there a hearing on HB 1075?

Mr. A. HARRIS. I believe this is my 15th year in the House. I believe we have been talking about getting rid of retail, the wholesale operation of the LCB, for probably that entire 15 years. I could look back and give you all the various hearings if you would like.

Mr. STURLA. And I guess I should have never asked that question because it is my understanding anyway, but I thought maybe I was wrong, that the last time a hearing was actually held on any privatization proposal in the State of Pennsylvania was 2011, and so—

Mr. A. HARRIS. If I could, Mr. Speaker, I do believe the gentleman knew the answer to his own question.

Mr. STURLA. Mr. Speaker, I asked whether there—

Mr. A. HARRIS. Hence, it was not a question.

Mr. STURLA. What I wanted to know— I guess I should have said, I think it was 2011. Can you refute that?

Mr. A. HARRIS. Negative.

Mr. STURLA. Okay. So then we have established that the last hearing on this was 2011. Eighty people who are sitting in this House today were not here in 2011, and yet they are passing legislation dealing with the privatization of a liquor system.

Now, go home and explain to your constituents why, without so much as a public hearing, you knew enough to privatize a \$1 billion industry, and then with the other bills that we have passed here today, put a liquor store on every corner, without so much as one public hearing. Explain that to your constituents. Go ahead and vote "yes." This bill is not going anywhere. But explain to your constituents how you were so all-knowing to be able to figure that one out.

Thank you, Mr. Speaker.

The SPEAKER. I think the interrogation had come to an end.
Representative Rothman.

Mr. ROTHMAN. Mr. Speaker, I rise in support of this bill.

We have heard speakers talk about how they want to run — we have heard we want to run government more like businesses. Mr. Speaker, we want to get government out of a business that the government has no business being in. I do not know much about this body; I have only been here for about a year and a half. But I know a lot about businesses. Government cannot run industries like a business; they cannot.

We passed a bill last session to legalize medical marijuana. We did not have the State run the distribution of marijuana, and that is probably just as dangerous if it is abused as alcohol.

We talked about 5,000 people losing their jobs. No, no; the 5,000 people will not lose their jobs. They will be hired by the private sector by these systems, these stores that are on every street corner. That is what happens. Businesses hire the best people.

But there will not be the liabilities, the unfunded liabilities that we have with pensions. There will not be the losses. We talked about losses. If there was a monopoly, I guarantee you, business would not be losing the money and we would not be getting a measly 3 1/2-percent return. It should be twice that much. It should be five times that much.

So let us let the business, let the market run the business and get government out of businesses. Thank you, Mr. Speaker.

The SPEAKER. Representative George Dunbar.

Mr. DUNBAR. Thank you, Mr. Speaker.

Mr. Speaker, I really did not have much intention of speaking today, but just to clarify a point that the gentlelady brought up about testimony in 2015. In fact, in 2015 that was the testimony and we looked at their financials and projected them going forward.

The LCB, their increased revenues that they were projecting were 1, 2, 3, 4 percent every year but their costs were going up by 5, 6, 7 percent every year. You do not need to be an accountant or a math wizard to figure out that sooner or later you are going to run out of money.

So they did send us a letter afterwards. And guess what? In 2015, 2 years ago in an Appropriations meeting we were right because this year in an Appropriations meeting they came, they testified again, and they told us they do not make enough money to distribute what they have promised to distribute to Pennsylvania. They have to go into the reserves to meet what they had promised to give us. That is even after Act 39.

And if you really want to get down to details, just look at their balance sheet. The last balance sheet for the PA LCB – total assets, \$580 million; total liabilities, \$906 million. This is not a shiny new asset. This is an asset that is old and tarnished and needs to be retired. Thank you.

The SPEAKER. Representative Costa, did you want to speak again? Representative Costa, for the second time.

Mr. P. COSTA. Thank you, Mr. Speaker.

And I apologize, but sometimes I just cannot let things go. Maybe the reason why— We did make changes, we made major changes in Act 39, but unfortunately, those changes have not come to fruition yet. We did all the zombie licenses. I do not believe we collected a single dollar from a zombie license yet. We have implemented flexible pricing. We have not even had the report about how flexible pricing will work yet, which they are required to give us. So there are a lot of things that we allowed the LCB to do in Act 39 that did not come to fruition yet. We are giving them the ability to raise more revenue, and we need to keep moving in that direction.

Again, I do not believe this bill is the right thing to do. Let us stick with what we have. Let us make Act 39 better as we move along and vote this down, please. Thank you.

The SPEAKER. Thank you, Representative Costa.

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—105

Baker	Fritz	Marshall	Roae
Barrar	Gabler	Marsico	Roe
Benninghoff	Gillespie	Masser	Rothman
Bernstine	Godshall	McGinnis	Ryan
Bloom	Greiner	Mentzer	Saccone
Boback	Grove	Metcalfe	Sankay
Brown, R.	Hahn	Metzgar	Santora
Causar	Harris, A.	Miccarelli	Saylor
Charlton	Heffley	Millard	Schemel
Cook	Helm	Miller, B.	Sonney
Corbin	Hickernell	Milne	Staats
Corr	Hill	Moul	Stephens
Cox	Irvin	Mustio	Tallman
Culver	Jozwiak	Nelson	Tobash
Cutler	Kampf	Nesbit	Toepel
Day	Kaufner	Oberlander	Toohil
Delozier	Kauffman	Ortitay	Topper
Diamond	Kefer	Peifer	Walsh
Dowling	Keller, F.	Pickett	Ward
Dunbar	Keller, M.K.	Pyle	Warner
Dush	Klunk	Quigley	Wentling
Ellis	Knowles	Quinn, C.	Wheeland
Emrick	Lawrence	Quinn, M.	Zimmerman
English	Lewis	Rader	
Evankovich	Mackenzie	Rapp	Turzai,
Everett	Maier	Reed	Speaker
Fee	Maloney	Reese	

NAYS—84

Barbin	DeLissio	Keller, W.	Pashinski
Bizzarro	DeLuca	Kim	Petrarca
Boyle	Dermody	Kinsey	Petri
Bradford	DiGirolamo	Kirkland	Ravenstahl
Briggs	Donatucci	Kortz	Roebuck
Brown, V.	Driscoll	Krueger	Rozzi
Bullock	Evans	Kulik	Sainato
Burns	Fitzgerald	Longietti	Samuelson
Caltagirone	Flynn	Madden	Schlossberg
Carroll	Frankel	Markosek	Schweyer
Cephas	Freeman	Matzie	Sims
Comitta	Gainey	McCarter	Snyder
Conklin	Galloway	McClinton	Solomon
Costa, D.	Gillen	Mehaffie	Sturla
Costa, P.	Goodman	Miller, D.	Thomas
Cruz	Haggerty	Mullery	Vazquez
Daley	Hanna	Murt	Vitali
Davidson	Harkins	Neilson	Warren
Davis	Harper	Neuman	Wheatley
Dawkins	Harris, J.	O'Brien	White
Deasy	Kavulich	O'Neill	Youngblood

NOT VOTING—1

Farry

EXCUSED—13

Christiana	Hennessey	McNeill	Simmons
Dean	James	Rabb	Taylor
Fabrizio	Mako	Readshaw	Watson
Gergely			

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.

VOTE CORRECTION

The SPEAKER. Representative Farry is recognized.

Mr. FARRY. Mr. Speaker, I would like to correct the record and be reflected as a "no" vote on the previous bill, HB 1075.

The SPEAKER. Yes.

There are no further votes today.

BILLS RECOMMITTED

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

HB 168;
 HB 290;
 HB 395;
 HB 399;
 HB 671;
 HB 1022; and
 HB 1238.

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 324;
 HB 713;
 HB 938; and
 HB 1043.

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 Dave Maloney moves that the House be adjourned until tomorrow, Wednesday, April 26, 2017, at 11 a.m., e.d.t., unless sooner recalled by the Speaker. We are going to start at 11 a.m. tomorrow, unless sooner recalled by the Speaker.

On the question,
 Will the House agree to the motion?
 Motion was agreed to, and at 7:29 p.m., e.d.t., the House adjourned.