

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

FRIDAY, JUNE 30, 2017

SESSION OF 2017

201ST OF THE GENERAL ASSEMBLY

No. 42

### HOUSE OF REPRESENTATIVES

The House convened at 10:30 a.m., e.d.t.

#### THE SPEAKER (MIKE TURZAI) PRESIDING

#### PRAYER

HON. KAREN BOBACK, member of the House of Representatives, offered the following prayer:

Thank you.

Heavenly Father, thank You for this glorious day; a new day to start fresh in our quest as legislators to make our world a better place to live. Regardless of the day before, this new day presents hope and optimism. It gives us the opportunity to start anew and refresh our spirit.

And so, dear God, bless our thoughts, our words, our deeds as we embark on the challenge to provide budgetary solutions to the fine districts we represent as well as our great Commonwealth. May we be fair-minded and just in the decisionmaking process, fully aware that there are lives we will impact and that our votes have the potential to resonate for years to come.

Finally, dear Lord, may we never forget that we represent You first and then those who sent us to this great House. In thanksgiving we say, Amen.

#### PLEDGE OF ALLEGIANCE

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

The SPEAKER. Thank you, Representative Boback.

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Thursday, June 29, 2017, will be postponed until printed.

#### ANNOUNCEMENT BY SPEAKER

The SPEAKER. Well, I know we have some guests up in the gallery. Just wanted to say hello.

The House will be at ease shortly. We are going to be at ease shortly. I am going to do a few business items and then I will

officially go at ease. But I understand from the majority leader and the minority leader that both caucuses still need time to review the budget document, the general appropriations bill, and staff is reviewing it, members are reviewing it. So I understand that we are going to be at ease until the call of the Chair here shortly. I am going to do a little bit of business here.

#### GUESTS INTRODUCED

The SPEAKER. In the gallery the Riehl family is here, and they are guests of Representative David Zimmerman. Would you please rise. It is great to have you here today. Anybody here from the Riehl family? Thank you. It is an honor to have you here this morning.

#### 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:

SB 680;  
SB 681;  
SB 682;  
SB 683;  
SB 684;  
SB 685;  
SB 686;  
SB 687; and  
SB 688.

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

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1643** By Representatives O'NEILL, D. COSTA, DAVIS, DiGIROLAMO, EMRICK, MILLARD, D. MILLER, MURT, ROEBUCK, SCHLOSSBERG and WHEELAND

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

Referred to Committee on EDUCATION, June 30, 2017.

**No. 1644** By Representatives KLUNK, CUTLER, MILLARD, PHILLIPS-HILL, WHEELAND, LONGIETTI, BAKER, SCHEMEL, SAYLOR, MAHER, STEPHENS, WATSON, ZIMMERMAN, KAUFFMAN, NESBIT, BRIGGS, MULLERY, KNOWLES, WARREN and JOZWIAK

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for collaborative law process.

Referred to Committee on JUDICIARY, June 30, 2017.

**No. 1645** By Representatives KLUNK, D. COSTA, PHILLIPS-HILL, DUNBAR, COX, SAYLOR, MARSICO, HILL-EVANS, NEILSON and MOUL

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for qualifications of certain judges.

Referred to Committee on JUDICIARY, June 30, 2017.

### SENATE BILLS FOR CONCURRENCE

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

#### **SB 461, PN 1026**

Referred to Committee on JUDICIARY, June 30, 2017.

#### **SB 690, PN 848**

Referred to Committee on LOCAL GOVERNMENT, June 30, 2017.

#### **SB 736, PN 899**

Referred to Committee on LOCAL GOVERNMENT, June 30, 2017.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 423, PN 439**, and **HB 424, PN 440**, with information that the Senate has passed the same without amendment.

### BILLS SIGNED BY SPEAKER

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

#### **HB 423, PN 439**

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in election of officers and vacancies in office, further providing for vacancies in general.

#### **HB 424, PN 440**

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, in death and fetal death registration, further providing for information for certificates and for coroner referrals.

#### **SB 365, PN 357**

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

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

### RECESS

The SPEAKER. Members, the House will stand in recess until the call of the Chair. We are going to stand in recess until the call of the Chair.

We will be making an announcement from the Chair and also through your caucus leaders as to when we will be back on the floor. But both the majority leader and the minority leader have requested time for members and staff to review the general appropriations bill.

It is my understanding that the Senate is voting on that bill shortly, that they are debating it now and that there is going to be a vote shortly.

So both the majority leader and the minority leader have requested time for members and staff to review the general appropriations bill.

So we are going to be in recess, actually. We are going to be in recess until the call of the Chair. I will come back on the floor to make an announcement, and in addition, we will be working with the caucus leaders. Thank you.

### RECESS EXTENDED

The time of recess was extended until 1:15 p.m.; further extended until 1:45 p.m.; further extended until 2:30 p.m.

### AFTER RECESS

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

### LEAVES OF ABSENCE

The SPEAKER. The majority whip requests leaves of absence for the following members: Tarah TOOHL of Luzerne County for the day, Scott PETRI of Bucks County for the day, and Gary DAY of Lehigh County for the day.

The minority whip requests leave of absence for no one.

### MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—199

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Day	Petri	Quigley	Toohil
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LEAVES ADDED—1

White

LEAVES CANCELED—2

Day	White
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The SPEAKER. One hundred and ninety-nine members having voted on the master roll, there is a quorum on the floor for today.

**SENATE BILLS FOR CONCURRENCE**

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

**SB 325, PN 1021**

Referred to Committee on APPROPRIATIONS, June 30, 2017.

**SB 326, PN 1059**

Referred to Committee on APPROPRIATIONS, June 30, 2017.

**SB 327, PN 1060**

Referred to Committee on APPROPRIATIONS, June 30, 2017.

**SB 328, PN 522**

Referred to Committee on APPROPRIATIONS, June 30, 2017.

**SB 329, PN 523**

Referred to Committee on APPROPRIATIONS, June 30, 2017.

**SENATE MESSAGE**

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

The clerk of the Senate, being introduced, returned **HB 218, PN 2196**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**COMMUNICATION FROM GOVERNOR**

VETO OF HOUSE BILL

The Speaker laid before the House a communication in writing from the office of His Excellency, the Governor of the Commonwealth, advising that the following House bill had been vetoed by the Governor:

**HB 1071, PN 1270**

Said bill having been returned with the following messages:

Commonwealth of Pennsylvania  
Office of the Governor  
Harrisburg

June 30, 2017

To the Honorable House of Representatives  
of the Commonwealth of Pennsylvania:

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 1071, Printer's Number 1270.

This legislation does considerably more than forbid political subdivisions from imposing a ban, fee, surcharge, or tax on recyclable plastic bags provided to consumers. It potentially thwarts local governments from complying with their trustee obligations under Article I, Section 27 of the Pennsylvania Constitution, to protect and preserve the environmental resources in their communities. The prohibition under this bill, therefore, is not consistent with the rights vested by the Environmental Rights Amendment of the Pennsylvania Constitution, and the duties upon all governmental actors, including municipalities. The constitutional obligation under the amendment binds not only state but also local government. As such, the bill cannot remove a political subdivision's separate authority to implement its independent constitutional duties. In practical terms, this means government, at all levels, is required to prevent the unreasonable degradation, diminution, or depletion of our water, air, and land. This prohibition hinders the performance of this important requirement.

This bill also contains a significant preemption issue as it relates to the rights of political subdivisions. In my view, the Commonwealth should only on rare occasions preempt the rights of local governments to implement laws and policies that it believes are in its best interest. Here, the Commonwealth is impeding the freedom of local governments to regulate recyclable plastic bags. This policy supporting this preemption is misguided and should not become the law of this Commonwealth.

For the reasons set forth above, I must withhold my signature from House Bill 1071, Printer's Number 1270.

Sincerely,  
Tom Wolf  
Governor

The SPEAKER. Okay. Not a great start.

## CALENDAR

### BILL ON SECOND CONSIDERATION

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

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

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

The SPEAKER. Members, I would actually ask if you could take your seats. Members, please take your seats. All of our resolutions are important and of merit. This one is actually honoring a very esteemed Pennsylvanian, a very esteemed Pennsylvanian, and I would like everybody to have their seats as the clerk reads a summary of the resolution for us. So, members, please take your seats. I know it is an important vote here coming up before us.

## RESOLUTION

Mr. THOMAS called up **HR 419, PN 2098**, entitled:

A Resolution memorializing the Congress of the United States to direct Amtrak to comply with H.R. 4838 and immediately rename the 30th Street Station as the "William H. Gray III 30th Street Station."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

### YEAS—199

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

Donatucci	Keller, W.	Pickett	White
Dowling	Kim	Pyle	Youngblood
Driscoll	Kinsey	Quinn, C.	Zimmerman
Dunbar	Kirkland	Quinn, M.	
Dush	Klunk	Rabb	Turzai,
Ellis	Knowles	Rader	Speaker
Emrick			

NAYS—0

NOT VOTING—0

EXCUSED—4

Day	Petri	Quigley	Toohil
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

The SPEAKER. Members, Representative Curtis Thomas, the sponsor of the resolution, had approached our office, and given the timeliness of the resolution, had asked if he might be able to speak on this. I know given the budget votes, we were trying to hold off. But I did express my understanding and approval to Representative Thomas to speak at this time. I think it is important on this esteemed Pennsylvanian, who just not long ago had the opportunity to visit with us. But we will hear more of the good gentleman from Curtis Thomas.

Members, please take your seats.

### STATEMENT BY MR. THOMAS

The SPEAKER. Sir, you may proceed.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, let me thank you, let me thank the majority leader, let me thank the Democratic leader and thank my colleagues from both sides of the aisle, and especially to my colleague, the Honorable Donna Bullock, who cosponsored this resolution, I want to thank you for your support.

This resolution was very important. Three years ago, 3 years ago, August 14, 3 years ago, the full delegation, congressional delegation of Pennsylvania came together to pass a resolution, 4838, redesignating the 30th Street Train Station in Philadelphia as William H. Gray III 30th Street Train Station. And Congress took that step because even though the Honorable William H. Gray III died 3 years ago, 4 years ago, he still remains the only member of the Pennsylvania delegation before and afterwards to become chair of the United States House of Representatives Budget Committee and majority whip of the United States House of Representatives. No one else has been elevated to those two positions from the Pennsylvania delegation.

And during his time Amtrak was very important to the Commonwealth of Pennsylvania. In fact, for those of you that are familiar with the history, you know that Congress organized Amtrak, but as a private corporation. But the Federal government has been the primary funder of the Amtrak system.

Now, for years, especially under previous Presidents, the Amtrak system was zeroed out of the Federal budget because previous Presidents believed that it is a private corporation and therefore should stand on the private sector. But the Honorable William H. Gray III, as chair of the Budget Committee, stepped in with many of our colleagues from Pennsylvania to restore

funding to Amtrak and also laid the groundwork for the greatest investment of the 20th century into the 30th Street Train Station, which is a hallmark station today; about 211,000 people that move through that train station.

And because of that history, I speculate that it is one of the reasons that this President in his budget to Congress has zeroed out funding for Amtrak except for the Northeastern corridor – Philadelphia to Pittsburgh, Harrisburg to Philadelphia – the Northeastern corridor funding was outlined in the President's budget.

So I can go on with the contributions that Honorable William H. Gray III has made to this State and to the United States. And I thank my colleagues, Representative Rosita Youngblood and a number of other people, who had the vision to bring Congressman Gray to this body before he passed, and we gave a standing applause and salute to the contributions of William H. Gray III.

So this resolution is really about saying to Amtrak that this resolution was adopted and signed into law August 14, 3 years ago, that Amtrak needs to comply with the directions of this resolution. And it is not about changing the name of Amtrak; it is only enhancing the name of the station in Philadelphia by designating it the "William H. Gray III 30th Street Station" in Philadelphia County.

So I thank you for your support and I thank you for this stellar, this stellar Representative from this great State, the Commonwealth of Pennsylvania. Thank you.

### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1175, PN 1398**, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in lobbying disclosure, further providing for registration, for reporting, for prohibited activities, for administration, for penalties and for registration fees, fund established, system and regulations.

On the question recurring,

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

### CONSIDERATION OF AMENDMENT A01218 CONTINUED

The SPEAKER. We were on Representative Neuman's amendment. Representative Neuman's amendment is 1218.

Can we read a summary of the Neuman amendment, please.

On the question recurring,

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

The clerk read the following amendment No. **A01218**:

Amend Bill, page 1, line 3, by inserting after "for" where it occurs the first time definitions, for

Amend Bill, page 1, lines 8 through 11, by striking out all of said lines and inserting

Section 1. Section 13A03 of Title 65 of the Pennsylvania Consolidated Statutes is amended by adding definitions to read:

§ 13A03. Definitions.

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

\* \* \*

"Business with which a lobbyist is associated." A business in which a lobbyist is a director, officer, owner or employee or has a financial interest which comprises more than 5% of the equity of the business or more than 5% of the assets of the economic interest in indebtedness.

"Campaign expenditure." An expenditure as defined in section 1621(d) of the Pennsylvania Election Code.

\* \* \*

"Independent expenditure." As defined in section 1621(e) of the Pennsylvania Election Code.

\* \* \*

"Political consultant." An individual, association, corporation, partnership, business trust or other entity that receives a campaign expenditure, an independent expenditure or any other expenditure that may be construed to influence the electorate for political purposes as payment for services procured for the purpose of influencing the outcome of an election in this Commonwealth.

\* \* \*

Section 2. Sections 13A04(a), (d) and (e)(1), 13A05(a), (b)(4), (6) and (8) and (d) of Title 65 are amended to read:

Amend Bill, page 4, by inserting between lines 11 and 12

Section 3. Section 13A07(f)(2) of Title 65 is amended and the section is amended by adding a subsection to read:

Amend Bill, page 4, by inserting between lines 13 and 14

(a.1) Political consultants.—A lobbyist, lobbying firm or business with which a lobbyist is associated may not act as a political consultant.

\* \* \*

Amend Bill, page 4, by inserting between lines 24 and 25

Section 4. Sections 13A09(c)(1) and 13A10(c) of Title 65 are amended to read:

Amend Bill, page 5, line 20, by striking out "2" and inserting 5

Amend Bill, page 5, by inserting between lines 23 and 24

(2) The amendment or addition of 65 Pa.C.S. §§ 13A03 and 13A07(a.1) shall take effect in 60 days.

Amend Bill, page 5, line 24, by striking out "(2)" and inserting (3)

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

The SPEAKER. Representative Neuman, on the amendment?

Does anybody else wish to speak on the amendment?

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

The following roll call was recorded:

YEAS—98

Table with 4 columns of names: Barbin, Bizzarro, Boyle, Bradford, Briggs, Brown, V., Bullock, Burns, DeLuca, Dermody, DiGirolamo, Donatucci, Driscoll, Dush, Evankovich, Evans, Kavulich, Keller, W., Kim, Kinsey, Kirkland, Kortz, Krueger, Kulik, Petrarca, Rabb, Rapp, Ravenstahl, Readshaw, Roebuck, Rozzi, Saccone

Table with 4 columns of names: Caltagirone, Carroll, Cephas, Christiana, Comitta, Conklin, Costa, D., Costa, P., Cox, Cruz, Daley, Davidson, Davis, Dawkins, Dean, Deasy, DeLissio, Fabrizio, Farry, Fitzgerald, Flynn, Frankel, Freeman, Gainey, Galloway, Gergely, Gillen, Godshall, Goodman, Haggerty, Hanna, Harkins, Harris, J., Irvin, Longiatti, Madden, Maloney, Markosek, Marshall, Matzie, McCarter, McClinton, McNeill, Metzgar, Miller, D., Mullery, Neilson, Neuman, O'Brien, Pashinski, Sainato, Samuelson, Schlossberg, Schweyer, Sims, Snyder, Solomon, Sturla, Thomas, Vazquez, Vitali, Warner, Warren, Wentling, Wheatley, Youngblood

NAYS—101

Table with 4 columns of names: Baker, Barrar, Benninghoff, Bernstine, Bloom, Boback, Brown, R., Causer, Charlton, Cook, Corbin, Corr, Culver, Cutler, Delozier, Diamond, Dowling, Dunbar, Ellis, Emrick, English, Everett, Fee, Fritz, Gabler, Gillespie, Greiner, Grove, Hahn, Harper, Harris, A., Heffley, Helm, Hennessey, Hickernell, Hill, James, Jozwiak, Kampf, Kauffer, Kauffman, Keefer, Keller, F., Keller, M.K., Klunk, Knowles, Lawrence, Lewis, Mackenzie, Maher, Mako, Marsico, Masser, McGinnis, Mehaffie, Mentzer, Metcalfe, Miccarelli, Millard, Miller, B., Milne, Moul, Murt, Mustio, Nelson, Nesbit, O'Neill, Oberlander, Ortitay, Peifer, Pickett, Pyle, Quinn, C., Quinn, M., Rader, Reed, Reese, Roae, Roe, Rothman, Ryan, Sankey, Santora, Saylor, Schemel, Simmons, Sonney, Staats, Stephens, Tallman, Taylor, Tobash, Toepel, Topper, Walsh, Ward, Watson, Wheeland, White, Zimmerman

NOT VOTING—0

EXCUSED—4

Table with 4 columns of names: Day, Petri, Quigley, Toohil

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

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

The SPEAKER. Representative Vitali offers amendment 2218. Representative Vitali, 2218.

Mr. VITALI. Mr. Speaker, I have two amendments but I have been asked to withdraw them, and being a team player, I decided to withdraw them. But the understanding was, I would get to speak for a little bit just to explain what they were, and I am withdrawing them because I think the gentleman, Mr. Cutler, had a good bill and I wanted to see that move forward.

But my amendments would essentially do one of two things, and they deal with those quarterly reports that lobbyists need to file. The problem with these quarterly reports – and we have examined them pretty carefully. In fact, I looked at for 2016 every single quarterly report that 40 identified lobbyists from the gas industry filed, and it was very problematic how little information was actually on these reports. No information with regard to bill numbers or specific subject matters, and although these reports, some reports disbursed almost a million dollars and they listed thousands and thousands of dollars of gifts given, there were no names of anybody who received any gifts.

So what these two amendments would have done, the first one would have required all lobbying reports, the additional requirement that the specific bill being lobbied on or the specific subject matter being lobbied on be included in the report, and the second thing on that report would be anything of value given to a public official in excess of \$25 would go on that report.

And I do believe this, it is really necessary for us to change the culture in Harrisburg that we can show some relationship when it comes to lobbying, on these reports, what lobbyist has given what gift to what legislator for what bill, and I think unless the public sees that, this culture will continue.

I will just note parenthetically that over the past 10 years lobbying from these 40 gas industry firms totaled about \$64 million in lobbying expenses, from just 40 firms.

So again, I am going to withdraw this because I want to see the Cutler amendment have a chance of success in the Senate, and thank you for giving me a chance to talk.

The SPEAKER. Representative Vitali withdraws amendments 2218 and 2282. Both of those are withdrawn.

### VOTE CORRECTION

The SPEAKER. Representative Santora, on unanimous consent.

Mr. SANTORA. On that last amendment I should have been recorded in the affirmative and I was in the negative.

The SPEAKER. Yes, sir. You will be marked in the affirmative.

### CONSIDERATION OF HB 1175 CONTINUED

The SPEAKER. Representative Bryan Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

I just wanted to personally thank the gentleman from Delaware County for withdrawing the amendments so this bill could move forward for myself and the gentleman from Washington County, who have been working on this for several sessions. Thank you.

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.

### LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Gary Day is on the House floor and he should be placed back on the master roll.

### SUPPLEMENTAL CALENDAR A

#### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 680, PN 1028**, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

\* \* \*

The House proceeded to second consideration of **SB 681, PN 1029**, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

\* \* \*

The House proceeded to second consideration of **SB 682, PN 803**, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

\* \* \*

The House proceeded to second consideration of **SB 683, PN 804**, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

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

\* \* \*

The House proceeded to second consideration of **SB 684**,  
**PN 1030**, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2017, to June 30, 2018.

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

\* \* \*

The House proceeded to second consideration of **SB 685**,  
**PN 806**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

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

\* \* \*

The House proceeded to second consideration of **SB 686**,  
**PN 1031**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

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

\* \* \*

The House proceeded to second consideration of **SB 687**,  
**PN 1032**, entitled:

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Attorney General, the Department of Revenue, the Pennsylvania State Police and the Pennsylvania Gaming Control Board for the fiscal year beginning July 1, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

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

\* \* \*

The House proceeded to second consideration of **SB 688**,  
**PN 1033**, entitled:

An Act making appropriations from the Philadelphia Taxicab and Limousine Regulatory Fund and the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for fiscal year July 1, 2017, to June 30, 2018.

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

The SPEAKER. Those nine bills are now past second consideration.

## RULES COMMITTEE MEETING

The SPEAKER. Members, we are going to break here shortly for a Rules Committee meeting.

The majority leader is recognized for a committee announcement.

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

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

The SPEAKER. Thank you, sir.

Members, the House will stand at ease while the Rules Committee meets. There is an immediate meeting of the Rules Committee. We are just going to be at ease. As soon as the Rules Committee is back, we will continue with the action on the floor.

## BILL ON CONCURRENCE REPORTED FROM COMMITTEE

**HB 218, PN 2196**

By Rep. REED

An Act to provide from the General Fund for the expenses of the Executive and Judicial Departments, the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2017, to June 30, 2018, for certain institutions and organizations and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Account Guaranteed Savings Program Fund, the Banking Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account, the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, the Insurance Regulation and Oversight Fund, the Pennsylvania Racehorse Development Restricted Receipt Account, the Justice Reinvestment Fund, the Multimodal Transportation Fund, the State Racing Fund and the ABLE Savings Program Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2017, to June 30, 2018; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2017, to June 30, 2018, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to

spend Motor License Fund money; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2017; and to provide for the additional appropriation of Federal and State funds from the General Fund, the State Lottery Fund and the Tobacco Settlement Fund for the Executive and Judicial Departments of the Commonwealth for the fiscal year July 1, 2016, to June 30, 2017, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2016.

RULES.

### BILLS REREPORTED FROM COMMITTEE

#### HB 1019, PN 2164

By Rep. REED

An Act amending Titles 9 (Burial Grounds) and 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in general provisions relating to burial grounds, further providing for definitions; providing for transfer of ownership of cemeteries and for reasonable access to burial grounds; prescribing a penalty; and, in seller disclosures, further providing for disclosure form.

RULES.

#### HB 1152, PN 2165

By Rep. REED

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for rescue from motor vehicle.

RULES.

#### HB 1216, PN 2166

By Rep. REED

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for rescue from motor vehicle.

RULES.

#### HB 1346, PN 2167

By Rep. REED

An Act amending Titles 18 (Crimes and Offenses) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, defining the offense of unlawful use of unmanned aircraft; and, in preemptions, prohibiting local regulation of unmanned aircraft.

RULES.

#### HB 1563, PN 2042

By Rep. REED

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in restructuring of electric utility industry, further providing for duties of electric distribution companies.

RULES.

### GUESTS INTRODUCED

The SPEAKER. Members, to my left are interns with Representative Krueger-Braneky. Samantha Newell, will you please stand, and, Danielle Tooley, will you stand. Thanks so much for being with us. It is great to have you here. I heard you are going to have to leave here soon. You are going to want to stay for this. Hey, thanks for being here today.

### SUPPLEMENTAL CALENDAR B

#### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1563, PN 2042**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in restructuring of electric utility industry, further providing for duties of electric distribution companies.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. Representative Krueger-Braneky has an amendment on that. It is amendment 2551. Representative, I do understand that it has been withdrawn. Just for the record, I understand it has been withdrawn.

Not having seen any other amendments to HB 1563.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

\* \* \*

The House proceeded to second consideration of **HB 1152, PN 2165**, entitled.

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for rescue from motor vehicle.

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 1216, PN 2166**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for rescue from motor vehicle.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. There are quite a few amendments that have been filed to this bill.

Representative Pyle has 61 amendments. But I understand, I believe they have been withdrawn.

#### BILL PASSED OVER TEMPORARILY

The SPEAKER. We are going to go over that bill for just a moment, temporarily.

\* \* \*

The House proceeded to second consideration of **HB 1019, PN 2164**, entitled:

An Act amending Titles 9 (Burial Grounds) and 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in general provisions relating to burial grounds, further providing for definitions; providing for transfer of ownership of cemeteries and for reasonable access to burial grounds; prescribing a penalty; and, in seller disclosures, further providing for disclosure form.

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

The SPEAKER. There are a number of amendments on this bill.

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

Mr. **ROTHMAN** offered the following amendment No. **A02480**:

Amend Bill, page 2, line 29, by inserting after "purchasing" residential

Amend Bill, page 2, line 29, by inserting after "property." a seller shall notify

Amend Bill, page 2, line 30, by striking out "shall be notified"

Amend Bill, page 3, lines 1 through 6, by striking out "in accordance with the" in line 1, all of lines 2 through 5 and "cemetery on the real property" in line 6

Amend Bill, page 3, lines 8 through 11, by striking out all of said lines

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

AMENDMENT WITHDRAWN

The SPEAKER. Representative Rothman, on the amendment.

Mr. **ROTHMAN**. Mr. Speaker, I am going to be withdrawing that amendment.

As well as, may I read the amendments I will be withdrawing?

The SPEAKER. Yes, please.

Mr. **ROTHMAN**. A02480, A02481, A02483, and A02484.

The SPEAKER. Representative Rothman, then the two remaining amendments you have will be 2482 and 2500?

Mr. **ROTHMAN**. Yes, sir. Yes, Mr. Speaker.

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

Mr. **ROTHMAN** offered the following amendment No. **A02482**:

Amend Bill, page 1, line 6, by inserting after "grounds;" and

Amend Bill, page 1, lines 6 and 7, by striking out "; and, in seller disclosures, further providing for disclosure form"

Amend Bill, page 2, lines 26 and 27, by striking out "Notification.

502."

Amend Bill, page 2, lines 28 through 30; page 3, lines 1 through 11; by striking out all of said lines on said pages

Amend Bill, page 3, line 12, by striking out "502" and inserting 501

Amend Bill, page 5, lines 27 through 30; page 6, lines 1 through 13; by striking out all of said lines on said pages

Amend Bill, page 6, line 14, by striking out "4" and inserting 3

Amend Bill, page 6, line 18, by striking out "5" and inserting 4

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

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

Mr. **ROTHMAN**. Mr. Speaker, I commend the gentleman from Berks County for dealing with this important issue that I know he is very passionate about.

The purpose of sellers' property disclosures in real estate transactions are disclosed things that a seller would not be able to see, and I believe that the disclosure required in the gentleman's bill goes too far and is not necessary. There are already ways to deal with that in residential transactions, and there is no commercial disclosure in Pennsylvania on commercial properties. So I am asking that we support this amendment to make the bill even stronger.

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

Mr. **GILLEN**. The amendment is agreed to. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

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

The following roll call was recorded:

YEAS—189

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

Cutler	Hennessey	Mustio	Topper
Davidson	Hickernell	Neilson	Vazquez
Davis	Hill	Nelson	Walsh
Dawkins	Irvin	Nesbit	Ward
Day	James	Neuman	Warner
Dean	Jozwiak	O'Brien	Warren
Deasy	Kampf	O'Neill	Watson
Delozier	Kaufner	Oberlander	Wentling
DeLuca	Kauffman	Ortitay	Wheatley
Dermody	Kavulich	Pashinski	Wheeland
Diamond	Keefer	Peifer	White
DiGirolamo	Keller, F.	Petrarca	Youngblood
Donatucci	Keller, M.K.	Pickett	Zimmerman
Dowling	Keller, W.	Pyle	
Driscoll	Kinsey	Quinn, C.	Turzai,
Dunbar	Kirkland	Quinn, M.	Speaker
Dush	Klunk	Rabb	

NAYS-11

Daley	Freeman	Miller, D.	Thomas
DeLissio	Kim	Samuelson	Vitali
Evans	Madden	Schweyer	

NOT VOTING-0

EXCUSED-3

Petri	Quigley	Toohil
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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. **ROTHMAN** offered the following amendment No. **A02500**:

Amend Bill, page 1, line 6, by striking out "prescribing a penalty;"

Amend Bill, page 5, lines 25 and 26, by striking out all of said lines

On the question,

Will the House agree to the amendment?

The **SPEAKER**. Representative **Rothman**, on the amendment, please.

Mr. **ROTHMAN**. Mr. Speaker, the issue that Representative Gillen is dealing with, the good gentleman from Berks County, has to do with, I believe, a civil dispute between a property owner and someone who wants to visit the graves of their loved ones, and that access should not be denied.

However, making it a criminal offense of a misdemeanor, I believe, brings the criminality into what should be a civil dispute, and if a court rules that the access should be granted as the bill allows and the person does not allow the access, then that person would be in contempt of court and we will let the judge deal with that. I do not believe that it should be a criminal offense for a civil matter.

So I urge you to support my bill. Thank you. Or my amendment.

The **SPEAKER**. Representative Gillen, on the amendment. Mr. **GILLEN**. Agreed to. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-194

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

NAYS-6

Evans	Kim	Schweyer	Vitali
Freeman	Neuman		

NOT VOTING-0

EXCUSED-3

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

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

Mr. **FREEMAN** offered the following amendment No. **A02556**:

Amend Bill, page 1, lines 10 through 12, by striking out all of said lines and inserting

Section 1. The definition of "cemetery" in section 101 of Title 9 of the Pennsylvania Consolidated Statutes is amended and the section is amended by adding definitions to read:

Amend Bill, page 2, by inserting between lines 6 and 7 "Cemetery." A place for the disposal or burial of deceased human beings, by cremation or in a grave, mausoleum, vault, columbarium or other receptacle, but the term does not include a private cemetery or a private family cemetery.

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

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

Mr. **FREEMAN**. Thank you, Mr. Speaker.

Mr. Speaker, this is just a technical amendment that I understand has been agreed to by the prime sponsor as well as myself and the majority chair of the Local Government Committee.

Basically what we do in amendment A02556 is insert the definition for "cemetery" as it is defined, I believe, in Title 9, and then we add a provision that does not include private cemeteries because the bill in chief actually has a separate definition for private cemeteries. So this is purely a technical amendment to make sure it is in compliance with the existing law.

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

Mr. **GILLEN**. The amendment is agreed to, and I want to thank the gentleman from Northampton County for his substantial help throughout this process as well as the gentleman from Cumberland County and especially the good lady from Montgomery County.

Thank you, Mr. Speaker.

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

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

The following roll call was recorded:

YEAS—200

Baker	Emrick	Kortz	Rapp
Barbin	English	Krueger	Ravenstahl
Barrar	Evankovich	Kulik	Readshaw
Benninghoff	Evans	Lawrence	Reed
Bernstine	Everett	Lewis	Reese
Bizzarro	Fabrizio	Longietti	Roae
Bloom	Farry	Mackenzie	Roe
Boback	Fee	Madden	Roebuck
Boyle	Fitzgerald	Maher	Rothman

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

Mr. **FREEMAN** offered the following amendment No. **A02558**:

Amend Bill, page 5, line 15, by striking out "owner" and inserting the owner of real property where a cemetery, private cemetery, private family cemetery or burial plot is located

Amend Bill, page 5, line 17, by striking out "owner" and inserting the owner of real property where a cemetery, private cemetery, private family cemetery or burial plot is located

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

The SPEAKER. On the amendment, the Chair recognizes Representative Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is also a technical amendment. What it does is it more clearly defines what is meant by the term "owner" in the body of the bill. In this case the owner is the owner of the real property where the cemetery, the private cemetery, or private family cemetery is located.

Again, this is a technical amendment. It is my understanding it is agreed to by the prime sponsor of the bill, myself, and the majority chair of the Local Government Committee. I urge a "yes" vote.

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

Mr. GILLEN. It is agreed to. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

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

The following roll call was recorded:

YEAS—200

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

DiGirolamo	Keller, M.K.	Pickett	White
Donatucci	Keller, W.	Pyle	Youngblood
Dowling	Kim	Quinn, C.	Zimmerman
Driscoll	Kinsey	Quinn, M.	
Dunbar	Kirkland	Rabb	Turzai,
Dush	Klunk	Rader	Speaker
Ellis	Knowles		

NAYS—0

NOT VOTING—0

EXCUSED—3

Petri                      Quigley                      Toohil

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

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

The SPEAKER. Now, Representative Santora has two amendments. They are 2427 and 2428. He waives off. Both amendments are waived off.

I see no other amendments on the bill.

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.

\* \* \*

The House proceeded to second consideration of **HB 1346, PN 2167**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, defining the offense of unlawful use of unmanned aircraft; and, in preemptions, prohibiting local regulation of unmanned aircraft.

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

**CONSIDERATION OF HB 1216 CONTINUED**

The SPEAKER. Members, we are going to return to HB 1216, PN 2166.

The clerk will once again read a summary of the bill.

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

The SPEAKER. The amendments in front of us are Representative Pyle's amendments.

The Chair recognizes Representative Pyle, on the amendments.

Mr. PYLE. Thank you, Mr. Speaker.  
Mr. Speaker, reluctantly I have to withdraw these amendments. Thank you.

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

Mr. P. COSTA offered the following amendment No. A02553:

Amend Bill, page 2, line 22, by inserting after "OFFICER,"  
animal control officer.

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

The SPEAKER. Representative Paul Costa, on the amendment, 2553.

Mr. P. COSTA. Thank you, Mr. Speaker.

Unfortunately, my good friend from Armstrong County, when he filed his 60 amendments, missed this group and I would like to add them in. It is the animal control officers.

In the city of Pittsburgh, for instance, the police, when there is an issue with an animal, call animal control officers. They are the ones that take care of this. They are the ones that are trained to handle animals in distress safely. So I would like to add them to the list of people that are immune.

I spoke to the maker of the bill and he is okay with this, and I hope that everybody else is too. So please support this amendment. Thank you.

The SPEAKER. Representative Farry, on the amendment, please.

Mr. FARRY. Thank you, Mr. Speaker.

This is an agreed-to amendment.

The SPEAKER. Thank you, sir.

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

The following roll call was recorded:

YEAS—195

Baker	Ellis	Kirkland	Rader
Barbin	Emrick	Klunk	Rapp
Barrar	English	Kortz	Ravenstahl
Benninghoff	Evankovich	Krueger	Readshaw
Bernstine	Evans	Kulik	Reed
Bizzarro	Everett	Lawrence	Reese
Bloom	Fabrizio	Lewis	Roe
Boback	Farry	Longietti	Roebuck
Boyle	Fee	Mackenzie	Rothman
Bradford	Fitzgerald	Madden	Rozzi
Briggs	Flynn	Maher	Ryan
Brown, R.	Frankel	Mako	Saccone
Brown, V.	Freeman	Maloney	Sainato
Bullock	Fritz	Markosek	Samuelson
Burns	Gabler	Marshall	Sankey
Caltagirone	Gainey	Marsico	Santora
Carroll	Galloway	Masser	Saylor
Causar	Gergely	Matzie	Schemel
Cephas	Gillen	McCarter	Schlossberg
Charlton	Gillespie	McClinton	Schweyer
Christiana	Godshall	McGinnis	Simmons
Comitta	Goodman	McNeill	Sims
Conklin	Greiner	Mehaffie	Snyder

Cook	Grove	Mentzer	Solomon
Corbin	Haggerty	Metzgar	Sonney
Corr	Hahn	Miccarelli	Staats
Costa, D.	Hanna	Millard	Stephens
Costa, P.	Harkins	Miller, B.	Sturla
Cox	Harper	Miller, D.	Taylor
Cruz	Harris, A.	Milne	Thomas
Culver	Harris, J.	Moul	Tobash
Cutler	Heffley	Mullery	Toepel
Daley	Helm	Murt	Topper
Davidson	Hennessey	Mustio	Vazquez
Davis	Hickernell	Neilson	Vitali
Dawkins	Hill	Nesbit	Walsh
Day	Irvin	Neuman	Ward
Dean	James	O'Brien	Warner
Deasy	Jozwiak	O'Neill	Warren
DeLissio	Kampf	Oberlander	Watson
Delozier	Kaufer	Ortitay	Wentling
DeLuca	Kauffman	Pashinski	Wheatley
Dermody	Kavulich	Peifer	Wheeland
Diamond	Keefer	Petrarca	White
DiGirolo	Keller, F.	Pickett	Youngblood
Donatucci	Keller, M.K.	Pyle	Zimmerman
Dowling	Keller, W.	Quinn, C.	
Driscoll	Kim	Quinn, M.	Turzai, Speaker
Dunbar	Kinsey	Rabb	
Dush			

NAYS—5

Knowles	Nelson	Roae	Tallman
Metcalfe			

NOT VOTING—0

EXCUSED—3

Petri	Quigley	Toohil
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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. KNOWLES offered the following amendment No. A02459:

Amend Bill, page 2, line 22, by striking out "ANIMAL" and inserting

dog or cat

Amend Bill, page 2, line 27, by striking out "AN ANIMAL" and inserting

a dog or cat

Amend Bill, page 2, line 30, by striking out "ANIMAL" and inserting

dog or cat

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

dog or cat

Amend Bill, page 3, line 12, by striking out "ANIMAL" and inserting

dog or cat

On the question,

Will the House agree to the amendment?

## AMENDMENT PASSED OVER TEMPORARILY

The SPEAKER. At this time we are going to go to a different amendment.

Representative Knowles also has amendment 2552. So we are going to do amendment 2552 first.

On the question recurring,

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

Mr. **KNOWLES** offered the following amendment No. **A02552**:

Amend Bill, page 2, lines 22 and 23, by striking out "HUMANE SOCIETY POLICE OFFICER"

Amend Bill, page 2, line 24, by striking out "HUMANE SOCIETY POLICE OFFICER"

Amend Bill, page 2, line 28, by striking out "HUMANE SOCIETY POLICE OFFICER"

On the question,

Will the House agree to the amendment?

The SPEAKER. Representative Knowles, on 2552.

Mr. KNOWLES. Thank you, Mr. Speaker.

Mr. Speaker, I want to thank the gentleman from Bucks. It is my understanding that this is an agreed-to amendment.

The SPEAKER. Representative Farry, on the amendment.

Mr. FARRY. Mr. Speaker, the amendment, the prior amendment that was read moving from animals to cats and dogs is agreed to.

Removing humane officers is not an agreed-to amendment.

## AMENDMENT PASSED OVER TEMPORARILY

The SPEAKER. Okay. It is June 30.

CONSIDERATION OF  
AMENDMENT A02459 CONTINUED

The SPEAKER. Members, we are going to go back to amendment 2459, 2459.

And I do apologize. I am going to have the clerk read the summary of 2459. Please proceed.

On the question recurring,

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

The clerk read the following amendment No. **A02459**:

Amend Bill, page 2, line 22, by striking out "ANIMAL" and inserting

dog or cat

Amend Bill, page 2, line 27, by striking out "AN ANIMAL" and inserting

a dog or cat

Amend Bill, page 2, line 30, by striking out "ANIMAL" and inserting

dog or cat

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

dog or cat

Amend Bill, page 3, line 12, by striking out "ANIMAL" and inserting

dog or cat

On the question recurring,

Will the House agree to the amendment?

The SPEAKER. Representative Knowles, on the amendment.

Mr. KNOWLES. Thank you, Mr. Speaker.

I apologize for the misunderstanding.

It is my understanding that this is an agreed-to amendment, and thanks to the gentleman from Bucks for being so gracious, we will not have to worry about smashing, someone smashing our car window to save our salamander.

The SPEAKER. Representative Farry, on the amendment, please.

Mr. FARRY. Mr. Speaker, this is an agreed-to amendment.

The SPEAKER. Representative Dawkins, you may proceed, sir, on amendment 2459.

Mr. DAWKINS. Thank you, Mr. Speaker.

We have debated this issue in committee, too, longer than I would like, but I do feel that we came to an agreement that animals should be included versus dogs and just cats. Folks have other pets. I do not know anyone who has a salamander, but I do know other folks who may have had hamsters or whatever else, other pets. I do not believe we should only limit to two particular animals when we are talking about animals being in distress in maybe an overheated car or in some type of unsafe conditions.

I mean, we worked really hard to try to get this into that particular bill in committee, and now we are going backwards, it seems to me, to only limit it to dogs and cats, because you know, for all those who may have other animals that they love, I just do not feel that it makes any sense to only limit to those two.

So I would strongly urge anyone else who has anything else besides a dog and a cat to vote "no" against this amendment. Thank you.

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

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

## YEAS—101

Baker	Farry	Lewis	Reese
Barrar	Fee	Mackenzie	Roae
Benninghoff	Fritz	Mako	Rothman
Bernstine	Gabler	Maloney	Ryan
Bloom	Godshall	Marsico	Saccone
Boback	Greiner	Masser	Sankey
Causer	Grove	McGinnis	Santora
Christiana	Hahn	Mentzer	Saylor
Cook	Harper	Metcalfe	Schemel
Corbin	Harris, A.	Metzgar	Simmons
Corr	Heffley	Miccarelli	Sonney
Cox	Helm	Miller, B.	Tallman
Culver	Hennessey	Milne	Taylor
Cutler	Hickernell	Moul	Tobash

Day	Hill	Murt	Toepel
DeLozier	Irvin	Nelson	Topper
Diamond	James	Nesbit	Walsh
DiGirolamo	Jozwiak	Oberlander	Warner
Dowling	Kampf	Ortitay	Wentling
Dunbar	Kauffman	Peifer	Wheeland
Dush	Keefer	Pickett	White
Ellis	Keller, F.	Pyle	Zimmerman
Emrick	Keller, M.K.	Quinn, C.	
English	Klunk	Rader	Turzai,
Evankovich	Knowles	Rapp	Speaker
Everett	Lawrence	Reed	

## NAYS—97

Barbin	Dermody	Kortz	Rabb
Bizzarro	Donatucci	Krueger	Ravenstahl
Boyle	Driscoll	Kulik	Readshaw
Bradford	Evans	Longietti	Roe
Briggs	Fabrizio	Madden	Roebuck
Brown, R.	Fitzgerald	Maher	Rozzi
Brown, V.	Flynn	Markosek	Sainato
Bullock	Frankel	Marshall	Samuelson
Burns	Freeman	Matzie	Schlossberg
Caltagirone	Gainey	McCarter	Schweyer
Carroll	Galloway	McClinton	Sims
Cephas	Gergely	McNeill	Snyder
Comitta	Gillen	Mehaffie	Solomon
Conklin	Goodman	Millard	Staats
Costa, D.	Haggerty	Miller, D.	Stephens
Costa, P.	Hanna	Mullery	Sturla
Cruz	Harkins	Mustio	Thomas
Daley	Harris, J.	Neilson	Vazquez
Davidson	Kaufner	Neuman	Vitali
Davis	Kavulich	O'Brien	Ward
Dawkins	Keller, W.	O'Neill	Warren
Dean	Kim	Pashinski	Watson
Deasy	Kinsey	Petrarca	Wheatley
DeLissio	Kirkland	Quinn, M.	Youngblood
DeLuca			

## NOT VOTING—2

Charlton	Gillespie
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## EXCUSED—3

Petri	Quigley	Toohil
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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?

CONSIDERATION OF  
AMENDMENT A02552 CONTINUED

The SPEAKER. Representative Knowles, do you still intend to offer amendment 2552?

You do. Okay.

The clerk will read a summary of amendment 2552.

On the question recurring,

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

The clerk read the following amendment No. **A02552**:

Amend Bill, page 2, lines 22 and 23, by striking out ".HUMANE SOCIETY POLICE OFFICER"

Amend Bill, page 2, line 24, by striking out ".HUMANE SOCIETY POLICE OFFICER"

Amend Bill, page 2, line 28, by striking out ".HUMANE SOCIETY POLICE OFFICER"

On the question recurring,

Will the House agree to the amendment?

The SPEAKER. Representative Knowles, on the amendment.

Mr. KNOWLES. Thank you, Mr. Speaker.

Mr. Speaker, humane society officers – and let us not call them police officers – have very, very limited training. If we talk about the Pennsylvania State Police, they go through 27 weeks; the Philadelphia Police go through 30 weeks; the local police, whom many of you have protect you in your communities, go through 18 weeks. It is very similar for the sheriff's department, the deputy sheriffs, the sheriffs. They do 760 hours, which is somewhere around 18, 19 weeks.

Mr. Speaker, humane society officers have far less training, far less authority, and far less experience. If this amendment fails, you will be allowing, you will be allowing these animal enforcement officers to break your window and they have full civil immunity. I mean, I find that remarkable.

The folks that we are talking about are not police officers. They represent private organizations. They represent private organizations such as animal rescue organizations and the SPCA (Society for the Prevention of Cruelty to Animals). They are not agents of the government. They are not agents of the government.

Mr. Speaker, I can go along with cops. I can go along with firemen. But I am sorry, I cannot go along with these folks. I would ask my friends to support me in this legislation, and I thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Pyle, on the amendment, sir.

Mr. PYLE. Yes, sir, Mr. Speaker.

Mr. Speaker, the gentleman from Schuylkill beautifully summarized the content of this bill. We are all concerned with people, either intentionally or hopefully unintentionally, leaving a pet – cat, dog, snake, bird, fish – locked in a hot car. It is reprehensible.

However, Mr. Speaker, what this amendment does is it makes a much better bill by removing civil immunity from a nongovernmental outside group. Now, what I feel Representative Knowles' amendment does very beautifully and why it is worthy of our support is he summarized civil immunity perfectly. Essentially if they think or suspect any of these critters are in the backseat, they are allowed to break windows out to save them. Now, if there is not an animal in there, they are still covered by civil immunity and do not have to pay for whatever they broke.

Now, Mr. Speaker, to support the Knowles' amendment, as I walked in today I noticed a gray Chevy parked right at the base of the steps of the Capitol, and I ask anyone on this floor to go look at it. You will see all the passenger windows, the rear end, everything is blacked out, factory-supplied tinting that is legal within this Commonwealth. Let us say we suspect there is

an animal in there. Without the Knowles' amendment, what he just told you is spot on. We can go throw a brick through the window, see no dog, go sorry, and walk away with no personal financial responsibility.

I would encourage the members to look very hard at the Knowles' amendment and vote for it. Thank you, Mr. Speaker.

The SPEAKER. Representative Dom Costa.

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

I stand to oppose the amendment.

As a former police officer, the training we have in a lot of things is far superior to the humane officers, but not when it comes to animals and knowing an animal in distress. I think these people see animals in distress every day. I do not think you are going to see any humane officer just take out a window of an empty car or anything. And there is no training in the police department or anywhere that tells you how to break a window on a car. I mean, you do not need a Ph.D. for that.

So I think that in an effort to really make this bill a good bill and a responsive bill, I think we need to stand up. The humane officers should be – yes, they are not police officers, but if they have to wait until a dog gets out of a hot car for someone to come and open that car somehow, the person inside is going to get a citation. If they are able to get into that car, there is a possibility no citation will be issued.

So again, I stand to oppose this amendment and I ask everyone else to do so. Thank you.

The SPEAKER. Representative Frank Farry, on the amendment.

Mr. FARRY. Thank you, Mr. Speaker.

Just a few points of clarification. The immunity only applies to the damage done to the vehicle by the first responder or humane society police officer in extricating the animal from the vehicle. This piece of legislation also requires standards. It requires that the first responder try and find the owner of the vehicle first before damaging the vehicle. Obviously, if the vehicle can be opened without damaging it, that is going to be the priority. If the first responder or the humane officer acts in a manner of gross negligence, recklessly or willfully, or performs willful or wanton misconduct, they will still be liable for the damage done.

To follow up on what the previous speaker said, as a first responder myself we have very, very limited training in how to handle pets. The humane officers are specifically trained in how to handle pets.

This bill passed this chamber unanimously last October. So a mere 8 months ago this body passed this piece of legislation unanimously with the humane officers included.

Mr. Speaker, I ask for a negative vote on the amendment. Thank you.

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

**LEAVE OF ABSENCE**

The SPEAKER. Representative WHITE wishes to be placed on leave before we record. Representative White wishes to be placed on leave.

**CONSIDERATION OF HB 1216 CONTINUED**

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

The following roll call was recorded:

**YEAS—50**

Baker	Heffley	Metzgar	Ryan
Causer	Helm	Miller, B.	Saccone
Cook	Hickernell	Nelson	Sankey
Corr	Jozwiak	Nesbit	Staats
Cox	Keefer	Peifer	Tallman
Cutler	Keller, M.K.	Pickett	Tobash
Day	Knowles	Pyle	Topper
Diamond	Mackenzie	Quinn, C.	Walsh
Dunbar	Mako	Quinn, M.	Ward
Evankovich	Maloney	Rapp	Warner
Everett	McGinnis	Reese	Wentling
Fee	Mentzer	Roae	Zimmerman
Greiner	Metcalfe		

**NAYS—149**

Barbin	Dowling	Keller, F.	Petrarca
Barrar	Driscoll	Keller, W.	Rabb
Benninghoff	Dush	Kim	Rader
Bernstine	Ellis	Kinsey	Ravenstahl
Bizzarro	Emrick	Kirkland	Readshaw
Bloom	English	Klunk	Reed
Boback	Evans	Kortz	Roe
Boyle	Fabrizio	Krueger	Roebuck
Bradford	Farry	Kulik	Rothman
Briggs	Fitzgerald	Lawrence	Rozzi
Brown, R.	Flynn	Lewis	Sainato
Brown, V.	Frankel	Longietti	Samuelson
Bullock	Freeman	Madden	Santora
Burns	Fritz	Maher	Saylor
Caltagirone	Gabler	Markosek	Schemel
Carroll	Gainey	Marshall	Schlossberg
Cephas	Galloway	Marsico	Schweyer
Charlton	Gergely	Masser	Simmons
Christiana	Gillen	Matzie	Sims
Comitta	Gillespie	McCarter	Snyder
Conklin	Godshall	McClinton	Solomon
Corbin	Goodman	McNeill	Sonney
Costa, D.	Grove	Mehaffie	Stephens
Costa, P.	Haggerty	Miccarelli	Sturla
Cruz	Hahn	Millard	Taylor
Culver	Hanna	Miller, D.	Thomas
Daley	Harkins	Milne	Toepel
Davidson	Harper	Moul	Vazquez
Davis	Harris, A.	Mullery	Vitali
Dawkins	Harris, J.	Murt	Warren
Dean	Hennessey	Mustio	Watson
Deasy	Hill	Neilson	Wheatley
DeLissio	Irvin	Neuman	Wheeland
Delozier	James	O'Brien	Youngblood
DeLuca	Kampf	O'Neill	
Dermody	Kaufman	Oberlander	Turzai,
DiGirolamo	Kauffman	Ortity	Speaker
Donatucci	Kavulich	Pashinski	

**NOT VOTING—0**

**EXCUSED—4**

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

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

**MOTION TO RECONSIDER  
AMENDMENT A02459**

The SPEAKER. Members, I have in my possession a motion to reconsider.

Pursuant to rule 26, we the undersigned move that the vote by which the House passed amendment 2459 a few minutes ago here on June 30 be reconsidered. It is signed by Representative Harris and Representative Dawkins.

We are going to take a vote on that.

Before we do, like many of you, I know it is June 30. Say hello to my family and to our family's dog, Finn. He is a wheaten terrier.

At this time Representative Jordan Harris and Representative Dawkins call up a motion to reconsider.

Representative Harris, on the motion to reconsider.

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

Mr. Speaker, I signed onto this motion to reconsider with the gentleman from Philadelphia because I just do not understand what the gentleman has against a snake or a rabbit or a cockatoo or a parrot. If we are going to provide immunity, we should provide immunity for all of our animals, and I just think to single out these animals is just cruel and unusual punishment.

Thank you, Mr. Speaker.

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

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

Mr. KNOWLES. How about fish worms? Are we going to include them too?

Mr. Speaker, Mr. Speaker, I will tell you that the Representative from Bucks County and I have gone back and forth on this bill, and I appreciate and respect him for his commonsense approach. I mean, this is just silly that you are going to bust a window on my car because there is a salamander on the front seat, because there is a frog on the front seat. I mean, Mr. Speaker, I believe in terms of this element of this legislation, this amendment is common sense.

Let us be logical, let us use common sense, and I ask for an affirmative vote.

The SPEAKER. This is a motion to reconsider an earlier vote. If you want to reconsider that vote on amendment 2459, you will be voting "aye." If you are opposed to the motion to reconsider and do not want to vote again on amendment 2459, you would vote "nay." So if you want the motion to reconsider to pass, you vote "aye"; if you do not, you vote "nay."

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

The following roll call was recorded:

YEAS—95

Barbin	DeLissio	Kinsey	Ravenstahl
Bizzarro	DeLuca	Kirkland	Readshaw
Boyle	Dermody	Kortz	Roe
Bradford	Donatucci	Krueger	Roebuck
Briggs	Driscoll	Kulik	Rozzi
Brown, R.	Evans	Longiotti	Sainato
Brown, V.	Fabrizio	Madden	Samuelson
Bullock	Fitzgerald	Maher	Santora
Burns	Flynn	Markosek	Schlossberg
Caltagirone	Frankel	Marshall	Schweyer
Carroll	Freeman	Matzie	Sims
Cephas	Gainey	McCarter	Snyder
Charlton	Galloway	McClinton	Solomon
Comitta	Gergely	McNeill	Staats
Conklin	Gillen	Millard	Stephens
Costa, D.	Gillespie	Miller, D.	Sturla
Costa, P.	Goodman	Milne	Taylor
Cruz	Haggerty	Mullery	Thomas
Daley	Hanna	Neilson	Vazquez
Davidson	Harkins	Neuman	Vitali
Davis	Harris, J.	O'Brien	Warren
Dawkins	Kavulich	Pashinski	Wheatley
Dean	Keller, W.	Petrarca	Youngblood
Deasy	Kim	Rabb	

NAYS—104

Baker	Fee	Mackenzie	Rapp
Barrar	Fritz	Mako	Reed
Benninghoff	Gabler	Maloney	Reese
Bernstine	Godshall	Marsico	Roae
Bloom	Greiner	Masser	Rothman
Boback	Grove	McGinnis	Ryan
Causar	Hahn	Mehaffie	Saccone
Christiana	Harper	Mentzer	Sankey
Cook	Harris, A.	Metcalfe	Saylor
Corbin	Heffley	Metzgar	Schemel
Corr	Helm	Miccarelli	Simmons
Cox	Hennessey	Miller, B.	Sonney
Culver	Hickernell	Moul	Tallman
Cutler	Hill	Murt	Tobash
Day	Irvin	Mustio	Toepel
Delozier	James	Nelson	Topper
Diamond	Jozwiak	Nesbit	Walsh
DiGirolamo	Kampf	O'Neill	Ward
Dowling	Kaufner	Oberlander	Warner
Dunbar	Kauffman	Ortitay	Watson
Dush	Keefer	Peifer	Wentling
Ellis	Keller, F.	Pickett	Wheeland
Emrick	Keller, M.K.	Pyle	Zimmerman
English	Klunk	Quinn, C.	
Evankovich	Knowles	Quinn, M.	Turzai,
Everett	Lawrence	Rader	Speaker
Farry	Lewis		

NOT VOTING—0

EXCUSED—4

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

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

The SPEAKER. Members, there are no other amendments on HB 1216, PN 2166.

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.

## SUPPLEMENTAL CALENDAR C

### BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 218, PN 2196**, entitled:

An Act to provide from the General Fund for the expenses of the Executive and Judicial Departments, the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2017, to June 30, 2018, for certain institutions and organizations and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Account Guaranteed Savings Program Fund, the Banking Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account, the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, the Insurance Regulation and Oversight Fund, the Pennsylvania Racehorse Development Restricted Receipt Account, the Justice Reinvestment Fund, the Multimodal Transportation Fund, the State Racing Fund and the ABLE Savings Program Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2017, to June 30, 2018; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2017, to June 30, 2018, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund money; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2017; and to provide for the additional appropriation of Federal and State funds from the General Fund, the State Lottery Fund and the Tobacco Settlement Fund for the Executive and Judicial Departments of the Commonwealth for the fiscal year July 1, 2016, to June 30, 2017, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2016.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. On the bill, as we see it, concurrence in Senate amendments.

Representative Markosek, the floor is yours.

Mr. MARKOSEK. Thank you, Mr. Speaker, and good afternoon, members.

You know, at a time when we have high-profile public officials, particularly in Washington, calling each other names, the public officials in this chamber and across the rotunda at the Pennsylvania Senate have come together to deliver a solution, a solution to our 2017-2018 spending plan.

We agreed early on that this 2017-2018 budget proposal – and I stood right here in this very same spot and said that this was a Republican-styled budget. But in the end, we have a spending map that has something we all wanted for all of our constituents. More importantly, it does not hurt Pennsylvanians.

I will vote for this budget bill, Mr. Speaker, and I am asking all of the members in this chamber to do the same. The budget bill maintains our commitment to both basic and higher education. It continues our digging out of our unfunded pension liabilities. It allows the consolidation of a few State agencies to save money and improve services through the streamlining process. The 2017-2018 budget bill increases support for PENNCARE, which will help in the delivery of attendant-care services for senior citizens. We will be providing home- and community-based services for 1,800 more seniors, and hundreds more seniors will be able to take advantage of LIFE (Living Independence For the Elderly) long-term managed-care program services.

Of course, we do not yet know how we will be paying for this \$32 billion spending plan, but if the spirit of bipartisan negotiations continues for the Fiscal Code and the revenue bill as it did for this document, we should be able to bridge the challenges that we are bridging today. And truth be told, we must continue the same bipartisanship when we talk, because we need to talk about raising new and sustainable revenue. Creative financing is one thing, but doing right is another, and we must, today and always, do the right thing.

Mr. Speaker, I stand here in a bipartisan fashion with my good friend from York County to support his bill and this bipartisan agreement for our 2017-2018 spending plan. Thank you, Mr. Speaker.

The SPEAKER. Thank you.

### LEAVE OF ABSENCE CANCELED

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

### CONSIDERATION OF HB 218 CONTINUED

The SPEAKER. Representative Stan Saylor, the majority Appropriations chair, on the bill.

Mr. SAYLOR. Thank you, Mr. Speaker.

I rise today to ask my colleagues to support HB 218, which is a responsible and sustainable budget for our current fiscal year coming up, starting tomorrow in '17-'18. The total spend number of this budget is roughly \$32 billion. This budget is the product of compromise that holds the line on spending by only growing our spending by two-tenths of 1 percent, which is far below TABOR (Taxpayers' Bill of Rights). HB 218 continues our mission to restructure State government while we still are making targeted cuts in many line items to reduce wasteful government spending.

Education is a priority of all of us in this House and the Governor. The key elements of this bill are \$100 million more for basic education, \$25 million more for special education, \$25 million more for Pre-K Counts, \$5 million for Head Start, and a \$200 million increase for our classroom teachers' pension fund. The amount proposed in HB 218 will ensure that we meet our actuarial required contribution. With the passage of this

budget, we, both sides of the aisle, will have invested more than \$1 billion in pre-K through 12 education in the last 2 years.

HB 218 provides an increase of \$8.84 million for our State-owned universities and will level-fund Penn State, Temple, Pitt, Lincoln, and our community colleges. Realizing the need for more resources to the Centers of Excellence, we increased that line item by \$10 million to treat those who are dealing with the deadly disease of opioid addiction. There is also \$7 million more to provide Narcan to our local emergency personnel and also to expand our drug courts.

Many members on both sides of the aisle have advocated for doing more to help those with intellectual disabilities and physical disabilities. HB 218 will provide services to an additional 3,910 individuals with autism or intellectual disabilities to get help and another 5,130 more individuals with physical disabilities will receive services.

This budget reflects the merger of the Departments of Human Services and Health into the Department of Health and Human Services. The Department of Aging and Department of Drug and Alcohol will continue to operate as separate agencies. HB 218 also reflects the merger of the Department of Corrections and the Board of Probation and Parole into the Department of Criminal Justice.

I am asking all members, all my colleagues here today, to support HB 218. A budget that does not raise taxes – repeat, does not raise taxes – and makes key investments in our educational system is something that people throughout Pennsylvania want and support. The budget before us is a balanced and sensible budget that takes into account issues from both sides of the aisle and many of us have advocated for.

I want to ask us all to come together in a bipartisan manner to do what is right for Pennsylvania in passing this budget. I want to thank my colleagues and the leaders on the Democratic side of the aisle. I want to thank the Governor for his being a part of this as well. I ask you to please support this bipartisan budget that will put Pennsylvania in the right direction.

Thank you, Mr. Speaker.

The SPEAKER. Members, for speakers other than the leaders, there is a 5-minute time limit under our rules for remarks on the budget.

So, Representative Curtis Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I am going to try to stay within these 5 minutes. Mr. Speaker, now, my voice is loud enough. I can do without the speaker, the mike.

But let me say this: What we have outlined in this general appropriations bill are some good goals and some good objectives, some good programs. The Governor has been stellar in his efforts to increase education, to increase human resources, to try to get in front of the opiate crisis and get in front of some of these other issues facing Pennsylvanians.

But, Mr. Speaker, the Governor stood in that box last year – this year and acknowledged that why is the Commonwealth of Pennsylvania the only State along the Northeastern corridor that has not increased minimum wage. At what point do we keep asking folks that you can take care of your family and take care of yourself with \$7.25 an hour. It is a national disgrace, and along the Northeastern corridor we should be doing better. I do not see anything in this spending plan to increase minimum wage.

Secondly, Mr. Speaker, I do not see a comprehensive job-training component in this spending plan. Mr. Speaker, there is a growing population of people that has been locked out, knocked out, and wiped out. But even though they are on the bottom, they will stand up, if given an opportunity. We have acknowledged that we need to be training people for 21st-century industries and providing people with the tools that they need, at the grade school level and in higher education. Where is that commitment in this spending plan?

I appreciate the additional dollars for the opiate problem. I have been dealing with the opiate problem in parts of my district ever since I have been in the world. Folks have been begging for help for some time now, and so I am thankful that there is an acknowledgement that there is a problem, and I respect the fact that we are dealing with this not in piecemeal, but dealing with the paradigm of going from prevention all the way to comprehensive treatment, because that is the only way we are going to turn lives around and save lives. So I appreciate that, Mr. Speaker. But, Mr. Speaker, unless there are opportunities for folks, all of it is for naught.

And last but not least, we continue to invest – we have very aggressive community economic development projects and programs, a lot of money involved in it, but, Mr. Speaker, from the beginning of this term, I submitted a testimony to the Appropriations Committee saying that we are at a point where we need to measure our outcome. We cannot keep spending money and not know whether we created jobs, had an economic impact, or turned things around. Mr. Speaker, I asked the Appropriations Committee to deal with that issue. Nowhere in this spending plan is there any evidence of that.

And last but not least, diversity and inclusion. We are spending too much money and helping some but saying "no" to others. At the Appropriations Committee, I asked to include that in the budget, make the Governor's Executive order a part of this budget. I do not see it in this spending plan.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Thomas. Representative Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to ask for a "no" vote on HB 218.

Mr. Speaker, the Democratic Appropriations chairman said something a little bit earlier when he spoke to the effect of we do not yet know how we are going to pay for it. Well, Mr. Speaker the Constitution of Pennsylvania requires that we have a balanced budget, that involves both the appropriations bill and any additional bill that might be needed to generate the revenue to pay for that spending plan and the appropriations bill, Mr. Speaker.

Now, Mr. Speaker, as the Senate sent us back HB 218, the budget bill that we had sent them 3 months ago, they failed to send back with it any of the legislation that has been sent to them to generate the revenue to pay for it. So as of right now, we do not yet know how we are going to pay for it, and, Mr. Speaker, there is not a family in this State or a taxpayer in this State or a business owner in this State that gets to operate their household, their personal finances, or their business in a way that they can spend money today and not know how they are going to pay for it without being in bankruptcy court, Mr. Speaker, and our government should operate the way the people have to. That is what they expect. That is why they want to drain the swamp in DC, and that is why they will be looking to drain the swamp here, Mr. Speaker.

Mr. Speaker, the legislation that we sent to the Senate, the appropriations bill, had a 6-percent reduction in expenditures for the House of Representatives and had a 6-percent reduction in the expenditures for the Senate of Pennsylvania, Mr. Speaker. Mr. Speaker, what did they send us back? In this bill before us today, the Senate, instead of taking a 6-percent cut, as some of their constituents have had to do in this economy, that they are struggling in still, Mr. Speaker, they increased their spending for the Senate by 6.1 percent, a 12-percent increase from what we proposed, Mr. Speaker; from a 6-percent reduction to a 6.1-percent increase. They increased the House's expenditures by 2 1/2 percent, Mr. Speaker. So they did not give the House as much of an increase as what they gave themselves, but they gave themselves far more than what we had sent to them, Mr. Speaker, and I do not think that the people of Pennsylvania appreciate that, Mr. Speaker, especially at the same time that the Governor's Office is looking at a 4.9-percent reduction. I think that is good. It is good to see the Governor's Office being willing to accept almost a 5-percent reduction, but the House and the Senate should have followed likewise, and we should be leading by example, Mr. Speaker, not spending money that the taxpayers of this State do not have to give us, not spending money that we, as a body, have not determined yet how we are going to collect it to pay for it, Mr. Speaker.

Mr. Speaker, the Democratic Appropriations chairman's point that he made was a very good reason for him to not vote for this. It was a good reason for all of us not to vote for this. On June 30 of last year, I stood and made similar arguments about the budget last year, Mr. Speaker. This is like Groundhog Day all over again. The Senate has our HB 218, our appropriations bill, for almost 3 months. On the final day that the budget is due, they send us the bill back and get ready to leave town themselves, Mr. Speaker. Mr. Speaker, the right answer is to send this bill back to the Senate with an amendment that is going to rein in the excesses that they injected here, because in addition to them increasing their own spending, there are other hidden moneys in this budget for discretionary spending, Mr. Speaker, that is going to certainly benefit some of the people that voted for this.

Mr. Speaker, it is time to remove the veil that has been erected when so many people claim they want to have transparency, and this budget process, with the money that has been injected back into here, is nothing to compare with what people expect for transparency. People expect their government to operate like they have to. We should not spend money we do not have. We should not spend money that we do not know how we are going to find it and we do not have a plan to generate it yet. We should not spend money that is actually proposed in HB 218.

We should reject this budget proposal that the Senate sent back. We should reject the Senate's effort to try and increase their own spending by 6 percent, Mr. Speaker. This is not right. It is not the vote the majority of my constituents would ask me to make, and I do not believe it is the vote that the majority of Pennsylvanians would ask any of us to make. I ask for a "no" vote, Mr. Speaker, on HB 218.

The SPEAKER. Representative Greg Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I wanted to talk about two points with regard to this budget. One relates to the continued chronic underfunding of the Department of Environmental Protection, and the other is the unconstitutional use of the Oil and Gas Lease Fund to fund

DCNR (Department of Conservation and Natural Resources), in light of the recent Supreme Court case.

Mr. Speaker, right now the Department of Environmental Protection does not have the resources at its disposal to do its mission, and in light of that, we have cut their budget an additional half million dollars. Mr. Speaker, the Department of Environmental Protection, according to a newspaper article today published by its Secretary, Patrick McDonnell, they have lost 750 positions over the past 10 years; 750 positions, 450 of which have related directly to protecting public health and the environment.

Mr. Speaker, we are not in a position right now to adequately protect the safe drinking water of Pennsylvania, the 8,500 water systems. The EPA (Environmental Protection Agency) has called our inspection system – they have said it has inadequate staffing, and that puts the public health at risk. Mr. Speaker, our Air Quality Monitoring Division, a recent EPA audit has called our Air Quality Monitoring Division severely understaffed.

Mr. Speaker, with regard to the Chesapeake Bay, we are not meeting our requirements to keep sediments phosphate and nitrogen out of it, and we simply do not have DEP personnel to work with our farmers to keep that pollution out of the bay.

Mr. Speaker, with regard to surface mining, the U.S. Department of Interior has said that DEP has an insufficient number of compliance inspectors. This is not the opinion of environmentalists. These are the objective assessments of Federal agencies.

Mr. Speaker, with regard to the oil and gas lease program, we have lost 37 positions in the oil and gas lease program over the past 10 years; 37 positions. Now, if you are wondering why the permits are not turned around fast enough, maybe that is something you could consider.

Mr. Speaker, we have over 475,000 abandoned mines in Pennsylvania and we do not have the resources to plug them. We have virtually no resources to plug abandoned mines.

Mr. Speaker, we simply are not responsibly funding this important institution. I would just like to note as an aside, for no apparent reason, we have cut in half the budgets of both the Delaware River Basin Commission and the Susquehanna River Basin Commission, cut them in half. These agencies are responsible for regulating water quality, to make sure these bodies of water are not overdrawn.

Switching to the Department of Conservation and Natural Resources, we, again, have used money from the Oil and Gas Lease Fund for operating expenses. We are taking \$50 million out for general operating expenses.

The June 20 case by the Pennsylvania Supreme Court, when it interpreted the Environmental Rights Amendment, made it clear that we are trustees of these resources, and resources such as the Oil and Gas Lease Fund should not be used for general operating expenses but to conserve the resources.

Mr. Speaker, I have just a number of environmental concerns with this budget, which I just wanted to share with the members. Thank you for your attention.

The SPEAKER. Representative Jim Christiana.

Mr. CHRISTIANA. Thank you, Mr. Speaker.

Mr. Speaker, the public has demanded that we control government spending. This budget slows the growth of our General Fund to 0.2 percent of an increase over last year's budget. That is merely an increase of two-tenths of 1 percent of an increase in government spending. The public has charged us to find and eliminate wasteful, redundant spending. This budget

realizes the savings of department consolidations and savings from eliminating wasteful spending.

The public wants bipartisanship. This budget is the result of both parties taking a give-and-take approach. Our constituents have demanded that we end the dysfunction that has crippled this Capitol in years past and capitols across the country. This budget is functionally on time, and while critics have plenty of evidence to mock and question our process, this week and our process next week, however, our general appropriations budget is on time, bipartisan, and in a time of hyperpartisanship.

While our process is far from pretty – it is borderline ridiculous – this budget product is functional. It is functional in the sense that the people relying on \$32 billion of appropriations will not be taken as political hostages next month. Yes, our process is backwards sometimes, but this budget ensures that service providers who counsel expecting mothers, funding for nursing homes will not be delayed, schools – public schools, private schools, approved private schools, charters for the deaf and blind students in Pennsylvania, pre-K – their funding will not be delayed. Their funding is going to hit a record investment in this budget.

Yes, our process requires us to come back here next week and finish the work of the State budget, but at least our vulnerable citizens will not be worried next week while we are here that their funding is going to be delayed and in jeopardy. Our desire for an improved process or an ideal process should not stand in the way of us passing an on-time budget. Our desire for improved procedures should not delay funding for autism services and funding for our veterans.

So let us pass another on-time budget that does not raise taxes, makes record investments in our education system, and is something that we can be proud of.

Thank you, Mr. Speaker.

The SPEAKER. Representative Carolyn Comitta.

Mrs. COMMITTA. Thank you, Mr. Speaker.

I stand here today in support of this proposed budget spending plan. This bipartisan plan addresses the needs of Pennsylvanians and our obligations as a government. For the last several years we have chosen not to fund basic education adequately in our attempts to streamline the budget. While the intent to cut costs has been laudable, it has proved shortsighted. We cannot expect to produce a 21st-century workforce if we do not invest in the education of our youth. It is for this reason that I fully support the increase to education in the budget and strongly support additional funds for early education. As a former educator, I have seen firsthand the impact we can have on a young life when we start the learning process earlier.

I am very pleased that this budget includes funding for our veterans and to combat the growing opioid epidemic that touches young and old across our Commonwealth. I am also very pleased that this budget includes funding to address the needs of adults with intellectual disabilities and autism. We have known this aging population was growing for some time and have failed to respond to the needs of these citizens and their families. The increase in funding here will remove individuals from our emergency wait list. This is an extremely important facet of this budget. Finally, this budget confronts our pension obligations, another item we have neglected.

It is important to note that we have to have different methods of funding to pay for this budget, such as a severance tax on gas extraction like every other gas-producing State. It is time for us to stop pushing our revenue problem down the road. The fact

that we sit on the fifth largest deposit of natural gas in the world and to not utilize this asset to provide a consistent revenue stream to our State has been a failure of this body.

I am pleased that this budget reflects a bipartisan effort and addresses many priorities of the 156th District. I am hopeful that with continued collaboration we can produce a final budget that meets the needs of our future workforce, our vulnerable populations, and encourages economic growth and stability.

Thank you, Mr. Speaker.

The SPEAKER. Representative Tom Murt.

Mr. MURT. Thank you, Mr. Speaker.

I will be brief.

Mr. Speaker, this budget is certainly not perfect, but it is a result of a great deal of compromise. Some of the line items might be disappointing to some of us and some of the line items might provide some encouragement, some hope.

One of the areas that we have been very successful in this budget is in the area of human services. One of the great challenges of this generation is caring for adults with special needs, and many of these individuals are 60, 65, 70 years old, and many of them live with parents that are 85 or 90 years old, literally, across the Commonwealth in all of our legislative districts. Their parents are struggling with age- and health-related issues, and their children, for whom they care, are struggling with their disability as well as age-related issues. As the prior speaker prudently reminded us, this is a population and this is a mission that we have overlooked for many years, decades even. We have made great progress in the last couple years catching up, and what is in the budget before us provides astounding investment in this line item.

I just want to make reference to a couple of the initiatives which should be funded from this budget before us. Perhaps the most important one is that it will create a new program for family caregivers to ensure that 1,000 individuals currently on the waiting list can continue to live in their communities and get a waiver, some sort of funding, some sort of supports for their family, for their caregivers.

In addition to that, 820 high school students graduating from a special education program will have support. This is very important because our public school districts collectively do an outstanding job caring for many of these students in the special education program, many in the life skills program. Some of them work part-time in our offices, our district offices, including my own, and we train them to a very high level of readiness, and when they age out or time out of the public school system, sometimes it is said that they graduate to their couch because there are no supports, no funding to help them get a job coach, someone to make sure that they are looking for and accepting employment in the right setting, that they are paying taxes, that they are living semi-independently or can live someday independently, and we are investing in that line item as well.

And the last one I want to make reference to, Mr. Speaker, is that this budget before us in human services provides home- and community-based services to 40 new individuals currently residing in State centers. There are still 5 State centers across our Commonwealth, and this budget before us will assist 40 of those individuals to be integrated into their communities.

Again, this budget is the result of a great deal of compromise, and specifically, in this human services mission, we have been very, very successful.

Thank you, Mr. Speaker.

The SPEAKER. Representative Mary Jo Daley.

Ms. DALEY. Thank you, Mr. Speaker.

I wanted to interrogate the maker of the bill.

The SPEAKER. Yes. He has indicated he will so stand for interrogation. He will be right at the podium.

Ms. DALEY. Thank you, Mr. Speaker.

Mr. Speaker, it was my understanding that there was going to be funding for rape kit testing, to start to, you know, get to the backlog of rape kit tests. I have not been able to find and I have gone to our staff and I actually went to your staff also to see if anybody could give me the line item that that is on and the amount that would be budgeted for that.

Mr. SAYLOR. Mr. Speaker, we are committed to doing that. We have not identified which line item with the Governor that that will be coming out of, but we are pursuing that.

Ms. DALEY. And is there some way that I can get that?

Mr. SAYLOR. We can inform you.

Ms. DALEY. I am clear on my vote today. It is not going to affect my vote today. I am just interested.

Mr. SAYLOR. We will pursue that. We will get back to you once we identify the line item with the Governor.

Ms. DALEY. Thank you very much, Mr. Speaker. Thank you.

The SPEAKER. Representative Rick Saccone.

Mr. SACCONI. Thank you, Mr. Speaker.

I rise in opposition to this budget. You know, there is good in every budget and flaws. There are plenty of things in this budget that you can go home and tell your constituents that you spent their money on, good things. As my colleague just mentioned, the increase in helping our adults with special needs, that is laudable. Increasing spending without a known mechanism to pay for it is not. We have no revenue bill. We do not know how we will pay for the spend number.

Passing a spending bill before the revenue bill is dangerous and irresponsible and a backwards policy. How do we change it if we do not take a stand on it? There will be more taxes. We just do not know what they will be yet. Remember when we raised the cigarette tax and closed hundreds of tax-paying small businesses because of it, we enacted liquor and gaming enhancements that failed to yield the expected revenues. What is next? What is next out there? We do not know. Maybe we will consider a new tax that would require a government revenue stamp embossed on every document put out in the State of Pennsylvania. Oh, wait; we did that in 1765. That was called the Stamp Act, right? That did not work. Well, maybe we will bring it back, because we all know that history repeats itself, because there will be some taxes to pay for this.

You know, that pesky Constitution that we have says in Article VIII, section 13, "...appropriations...shall not exceed the actual..." and expected "...revenues..." We need to base our budget on revenues we can rely on. We do not know what those revenues are yet. Taxpayers have a right to expect nothing less than a faithful, zealous, and fearless defense. How we got here we cannot change. You know that. Where we go from here we can change and we must change how we do business here.

Proponents of this budget might as well raise the Jolly Roger as they take hard-earned money from the taxpayer, because that is what we are doing, we are robbing it from them. And we continue to shine the shoes of the special interests with hundreds of millions of dollars of increases. But there are other

shoes, the taxpayers' shoes, that are threadbare and the soles are worn. They get no increase. They just pay the bill and we keep spending and spending and spending.

There are still too many WAMs (walking-around moneys) in this budget. Look closely; you will see them. We need to remove them and restore the cuts we voted on back in April. That was a good budget. It takes courage to do that. That is the difficult vote. I will borrow from one of my favorite conservative friends who said, "...extremism in the defense..." of the taxpayer "...is no vice." Compromise in the defense of their welfare is no virtue.

Make the tough vote in favor of the taxpayer. Let us go pass a revenue bill first, then come back and pass a budget, then we will decide how we are going to spend it, after we have locked in that there are no tax increases, because it is coming, Mr. Speaker.

Make that tough vote. Pass the revenue bill first. The people will cheer you. So I ask you to vote "no" on this budget. Thank you.

The SPEAKER. Representative Frank Ryan.

Mr. RYAN. Mr. Speaker, first off, thank you so much for allowing me to speak today.

You know, in the 6 months that I have been in the chamber here, I have ended up with a tremendous amount of respect for our Speaker, the majority leader, the minority leader, and all the members here. We think differently in many respects, but I have never met such a collective body of people that want to do well.

But this is not a time for business as usual. I saw what happened as a distant participant, merely as a voter in 2015. We saw what happened in 2016 and we see a \$1.2 billion budget deficit this year. But while all of this is going on, the people in this Commonwealth are in a great deal of pain. They are struggling. They are struggling from unfunded mandates, they are struggling from property taxes that have gone up in incredible rates, and they are struggling from health insurance rates that are going out of sight. People from Philadelphia to Pittsburgh to south central to the northeast and northwest are having great deals of difficulty. The ship of finances needs to be turned around. The iceberg that we are facing includes a great deal of things underneath the surface: unfunded mandates from Washington, DC; unfunded pensions; and unfunded infrastructure. Those three critical issues will come back to haunt us. I would not want to have to deal with the workout issues that Representative Saylor has had to deal with. He has done a phenomenal job. But we are in a crisis and we must reinvent the way we do government. We cannot approve a budget, in my mind, from my years as a C.P.A. (certified public accountant) and as a chief financial officer, without knowing where the revenue is going to come from. I do not want someone 5 to 10 days from now saying, "But you voted for this bill. Now you have to vote to fund it."

I remember all too well in my career during workouts and turnarounds in financially troubled companies that Bethlehem Steel was too big to fail, and they did and they are gone. General Motors was too big to fail; they were not and they are gone. They have been repurchased by someone else. Puerto Rico was too big to fail, but it did; and Illinois, only time will tell what will happen, but thank God they were able to get an emergency supplement so they could make payroll this week. That is right; they can make payroll.

Pennsylvania is the Keystone State. We were the Keystone State to the founding of this nation. On July 4 we will have a Declaration of Independence celebration of the 241st year of when that declaration was signed in Philadelphia, when liberty was granted to everyone in this nation, and we have come a long way since that time of liberty. What we do today and what we do going forward will determine whether or not we can continue to celebrate that liberty or whether or not our liberty is at risk. Just as the founders of our Republic knew on July 4, 1776, when they signed their names, they signed their lives and their fortunes for a cause that they believed was great. I believe everyone in this room feels the same way, but now is the time for us to stand decisively together.

I stand in opposition to this bill, despite the great work that was done. We need to do government differently, because if we do not, we will fail to be the Keystone State, and instead, we will be talking about how we can clean up Pennsylvania in the way that we are going to have to clean up Illinois and the people of Puerto Rico. Let us stand together, put our collective brains together, and resurrect this Commonwealth and make us a Commonwealth Keystone State one more time.

Mr. Speaker, thank you.

The SPEAKER. Thank you.

Representative Cris Dush.

Mr. DUSH. Thank you, Mr. Speaker.

It sounds like I am back on D Block at SCI (State Correctional Institution) Forest sometimes.

Mr. Speaker, first of all, I want to thank the members of this House and the leadership team, the Appropriations team. This session is markedly different from what it was last session. We have been actively involved. We are digging. We are finding things that needed to be found, unearthing a lot of problems in fraud, waste, and abuse, misuse and mishandling of State funds, and for that I am very grateful. I think it is because of that that the administration is awakened to the fact that there is still a lot to be found and a lot to be corrected in the way the State manages its money.

But, Mr. Speaker, again, this House was responsible in sending the vehicle over to the Senate 6 weeks ago, 6 weeks ago, and last night we got the response. The problem is constitutionally we have to have both the spending and we also have to show the means by which we are going to pay for it. That part of the bill did not – that process did not come back to us. What they did do was the 6-percent cut that we did to the legislature, they have turned into a 6 1/2-percent increase for the Senate and a 6-percent for us – or 2 1/2 percent for us, and though I appreciate the fact that the Governor has agreed to taking a cut in his operational budget for the Governor's Office, I still believe that we should be making that kind of a responsible budget as well.

Mr. Speaker, I am grateful that we have restored the money to our counties for our schools and our courts, but due to the shifting of funds in a proposed merger of Health and Human Services, without clear delineation of how that money is to be allocated, I have concerns with how it will impact our county governments, especially in the human services realm. This GA (general appropriations) bill may end up being a good deal, if we can find a responsible way to pay for it – that is, if we know we have a balanced budget, a constitutionally balanced budget. There is no way, at this point at least, if we know that we have the means to do that.

The gentlelady from Chester County indicated that one possibility would be a severance tax. The Wall Street Journal here just a couple days ago, on the 27th, headlines, "Shale Produces Oil, So Why Doesn't It Produce Cash, Too?" The margins right now are so low and the impositions that we do on the gas industry are making the returns such that property taxes are going to end up going up, because it is going to be a pass-through, and the second largest line item in any local government behind their human cost for their personnel happens to be utilities. So your electricity, your gas for heating, all of that is going up, and it is going to drive property taxes up if we do a severance tax. But if we are going to start looking at severance taxes, let us look at the industries in Pennsylvania that are making 20 percent margins, like the pharmaceutical industries. How does that sound? If you want to hurt my industry, the industry in my area, let us spread that pain.

Mr. Speaker, I just want to go back. We need to have from the Senate the indication of how we are going to pay for this, and for that reason I am a "no" at this time. Thank you, Mr. Speaker.

The SPEAKER. Representative Seth Grove.

Mr. GROVE. Thank you, Mr. Speaker.

"Being a good fiscal steward of taxpayer dollars is a yearly endeavor." That is actually one of my favorite quotes from actually the Speaker of the House, that I hear often, usually about budget time, and it is something we must accomplish every single year, because we are stewards of taxpayer dollars. Every budget comes with positives and negatives. Do we take more from taxpayers to fund the mandated expenditures, the wills and requests of the Commonwealth, or do we find alternative means to fund those? This, in front of us, is a general appropriations bill. The spending may be a little higher than I wish, but unfortunately, this is a collective body. We debate together. We make decisions together.

Ultimately, Mr. Speaker, this budget is not predicated on tax increases, because unlike some other chambers, we actually passed robust spending to fund this over the previous few weeks, which includes liquor privatization and a robust option of gaming. Most importantly, Mr. Speaker, this spending will be locked in and predictable for counties and school districts, and I am sure will continue to grow as we complete this budget over the next few weeks.

I actually recall a budget in 1992, which a \$1 billion hole took a \$3 billion tax increase to complete. If this budget passes today, Mr. Speaker, that reality will be off the table for the taxpayers of the Commonwealth, and we can get a responsible spending plan in place for the residents of Pennsylvania.

Mr. Speaker, I urge my colleagues to support this spending plan, that we could move forward and continue the good work on behalf of the taxpayers and being good fiscal stewards of the taxpayers' dollar. Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

## YEAS—173

Baker	Dunbar	Kim	Quinn, M.
Barbin	Ellis	Kinsey	Rabb
Barrar	Emrick	Kirkland	Rader
Benninghoff	English	Klunk	Ravenstahl
Bernstine	Evankovich	Knowles	Readshaw
Bloom	Evans	Kortz	Reed
Boback	Everett	Krueger	Reese
Boyle	Fabrizio	Kulik	Roae
Bradford	Farry	Lawrence	Roe
Briggs	Fee	Lewis	Roebuck
Brown, R.	Fitzgerald	Longietti	Rothman
Brown, V.	Flynn	Madden	Rozzi
Bullock	Frankel	Maher	Sainato
Burns	Freeman	Mako	Samuelson
Caltagirone	Fritz	Markosek	Sankey
Carroll	Gabler	Marshall	Santora
Causar	Gainey	Marsico	Saylor
Cephas	Galloway	Masser	Schlossberg
Charlton	Gergely	Matzie	Schweyer
Christiana	Gillen	McCarter	Sims
Comitta	Gillespie	McClinton	Snyder
Conklin	Godshall	McNeill	Solomon
Corbin	Goodman	Mehaffie	Sonney
Corr	Greiner	Mentzer	Staats
Costa, D.	Grove	Miccarelli	Stephens
Costa, P.	Hahn	Millard	Sturla
Cox	Hanna	Miller, D.	Taylor
Cruz	Harkins	Milne	Tobash
Culver	Harper	Moul	Toepel
Cutler	Harris, A.	Mullery	Topper
Daley	Harris, J.	Murt	Vazquez
Davidson	Heffley	Mustio	Walsh
Davis	Helm	Nelson	Ward
Dawkins	Hennessey	Nesbit	Warren
Day	Hickernell	Neuman	Watson
Dean	James	O'Brien	Wentling
Deasy	Jozwiak	O'Neill	Wheeland
DeLissio	Kampf	Oberlander	White
Delozier	Kaufer	Ortitay	Youngblood
DeLuca	Kauffman	Pashinski	Zimmerman
Dermody	Kavulich	Peifer	
DiGiroloamo	Keefer	Pickett	Turzai,
Donatucci	Keller, M.K.	Pyle	Speaker
Driscoll	Keller, W.	Quinn, C.	

## NAYS—27

Bizzarro	Irvin	Miller, B.	Simmons
Cook	Keller, F.	Neilson	Tallman
Diamond	Mackenzie	Petrarca	Thomas
Dowling	Maloney	Rapp	Vitali
Dush	McGinnis	Ryan	Warner
Haggerty	Metcalfe	Saccone	Wheatley
Hill	Metzgar	Schemel	

## NOT VOTING—0

## EXCUSED—3

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

Ordered, That the clerk inform the Senate accordingly.

## STATEMENT BY MR. MURT

The SPEAKER. Representative Tom Murt is recognized on unanimous consent.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, I just want to remind all the members that the interactive display regarding the Pennhurst Center is still in the East Wing Rotunda. Mr. Speaker, this traveling exhibit, "The Pennhurst Story - Tragedy to Disability Rights," is about Pennhurst, the first American institution closed via Federal court orders, but it reflects the entire disability rights movement, Mr. Speaker.

Mr. Speaker, this tragic and misguided part of human history must never be forgotten. Today, because of advocacy and legal actions, a majority of places like Pennhurst are closed and many people now live in regular homes with the supports they need. But not all. Unfortunately, only 14 States have fully closed their large State-operated institutions.

Mr. Speaker, the story of Pennhurst is being told all over the world. Article 19 of the United Nations Convention on the Rights of Persons with Disabilities, adopted by 160 nations, says that people should not, must not, grow up in or live their lives in institutional settings. Entire nations are trying to relearn what we learned at Pennhurst, and the success of citizens with disabilities living, working, and being educated in their local communities.

Thank you, Mr. Speaker.

## VOTE CORRECTION

The SPEAKER. Representative Keith Gillespie. Representative Keith Gillespie.

Mr. GILLESPIE. Thank you, Mr. Speaker.

Correct the record?

The SPEAKER. Yes, sir. You may.

Mr. GILLESPIE. HB 1216, amendment No. 02459, I had a malfunction and I wish to be recorded in the negative.

The SPEAKER. Yes, sir.

## REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Representative Tim Hennessey, for an announcement.

Mr. HENNESSEY. Thank you, Mr. Speaker.

Not for an announcement, I just have some information and comments I would like to submit to supplement the record of yesterday's debate on HB 544 and the amendment 2257.

The SPEAKER. Yes.

Mr. HENNESSEY. I would just like to submit these comments for the record.

The SPEAKER. Oh, yes, please. Those will be accepted. Thank you.

Mr. HENNESSEY. Thank you.

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

I rise to support A02257. Without this amendment, HB 544 would make a monumental change in what is referred to as the "American rule." It would overturn hundreds of years of American jurisprudence, where each party has borne its own attorney's fees. The bill would not just replace this standard with a simple "loser pays" standard, a standard which exists in some parts of the world; this bill would create a totally new standard where losing plaintiffs have to pay a defendant's legal fees, but losing defendants never have to pay plaintiffs' legal fees, even if the plaintiff wins. That creates a totally unequal playing field.

I will point out that in the bill, a judge is given no discretion. Section 7.1 of the bill states, "The court shall award attorney fees and...costs..." Those fees and costs are awarded regardless of the merits of the plaintiff's case. Current law already creates a very high standard of proof for plaintiffs to carry a win on merits. But the bill would change Pennsylvania law by adding a new and totally unprecedented obstacle by allowing attorney fees to only one side. There is no balance.

Under HB 544, just one party, the defendant, can ever be awarded attorneys' fees. Without this amendment, this bill would chill even the most justified litigation. That is really a bridge too far.

Please vote to support the amendment.

### BILL SIGNED BY SPEAKER

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

#### HB 218, PN 2196

An Act to provide from the General Fund for the expenses of the Executive and Judicial Departments, the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2017, to June 30, 2018, for certain institutions and organizations and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Account Guaranteed Savings Program Fund, the Banking Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account, the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, the Insurance Regulation and Oversight Fund, the Pennsylvania Racehorse Development Restricted Receipt Account, the Justice Reinvestment Fund, the Multimodal Transportation Fund, the State Racing Fund and the ABLE Savings Program Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2017, to June 30, 2018; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2017, to June 30, 2018, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund money; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2017; and to provide for the additional appropriation of Federal and State funds from the General Fund, the State Lottery Fund and the Tobacco Settlement Fund for the Executive and Judicial Departments of the Commonwealth for the fiscal year July 1, 2016, to June 30, 2017, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2016.

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

### HOUSE SCHEDULE

The SPEAKER. Members, the House is going to go to a 6-hour call of the Chair. The fact of the matter is, we will not be back before July 5. We will not be back before July 5, and most likely we will be called back for July 6. Okay. Thursday, July 6, is the likely date that we will be back in session. But it is a 6-hour call of the Chair. We have the potential to be here on July 5, but the likely date of return is July 6. It is July 6.

I would extend to everybody to have a great July 4th weekend to you and your families and friends.

### STATEMENT BY MR. THOMAS

The SPEAKER. At this time Curtis Thomas is recognized on, I believe, unanimous consent.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, two things: one, I ask all of my colleagues to lift up one of our veterans either in this war or a past war and put our arms around them and thank them for their contribution to this great country; and secondly, share all the love that you can with your family. We never know what tomorrow will look like. So give up the love today and stay close to your family during the holidays.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

### BILLS RECOMMENDED

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

HB 1019;  
HB 1152;  
HB 1175;  
HB 1216;  
HB 1346;  
HB 1563; and  
SB 399.

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 984;  
SB 144;  
SB 527; and  
SB 646.

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.

**RECESS**

The SPEAKER. At this time the House will stand in recess until called by the Chair. We have a 6-hour recess, with a likely return date of July 6.

We are going to recess until the call of the Chair.