

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, NOVEMBER 17, 2015

SESSION OF 2015

199TH OF THE GENERAL ASSEMBLY

No. 83

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

HON. MICHAEL K. HANNA, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Let me ask you to bow our heads in prayer.

Lord, make me an instrument of Your Peace.
Where there is hatred, let me sow love;
Where there is injury, pardon;
Where there is doubt, faith;
Where there is despair, hope;
Where there is darkness, light;
Where there is sadness, joy.

O Divine Master,
Grant that I may not so much seek
To be consoled as to console;
To be understood, as to understand;
To be loved, as to love.

For it is in giving that we receive;
It is in pardoning that we are pardoned;
And it is in dying that we are born to Eternal Life.

In Your name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, November 16, 2015, will be postponed until printed.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the minority whip requests a leave of absence for Representative DeLUCA of Allegheny County for the day and Representative MATZIE of Beaver County for the day. Without objection, they will be granted.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 391, PN 428

By Rep. MARSICO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in forgery and fraudulent practices, defining the offense of false caller identification information display; and imposing penalties.

JUDICIARY.

HB 656, PN 755

By Rep. MARSICO

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in forgery and fraudulent practices, defining the offense of online impersonation and prescribing a penalty; and, in particular rights and immunities, providing for damages in actions for online impersonation.

JUDICIARY.

HB 1626, PN 2351

By Rep. MARSICO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juries and jurors, further providing for selection of jurors for service.

JUDICIARY.

HB 1691, PN 2537 (Amended)

By Rep. MARSICO

An Act amending Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for sex trafficking and missing and abducted children; and, in juvenile matters, further providing for definitions and for disposition of dependent child.

JUDICIARY.

SB 130, PN 77

By Rep. MARSICO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for sentence of community service.

JUDICIARY.

SB 524, PN 1412 (Amended)

By Rep. MARSICO

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, establishing the Non-narcotic Medication Assisted Substance Abuse Treatment Grant Pilot Program; and, imposing powers and duties on the Department of Corrections.

JUDICIARY.

SB 880, PN 1411 (Amended)

By Rep. SAYLOR

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for Keystone Exams.

EDUCATION.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 590 By Representatives KINSEY, HEFFLEY, THOMAS, READSHAW, DiGIROLAMO, BULLOCK, KIRKLAND, ROTHMAN, R. BROWN, ROZZI, VEREB, McNEILL, D. COSTA and STEPHENS

A Resolution directing the Department of Drug and Alcohol Programs to establish and administer a task force on access to addiction treatment through health plans and other resources.

Referred to Committee on HUMAN SERVICES, November 17, 2015.

HOUSE BILL INTRODUCED AND REFERRED

No. 1707 By Representatives CRUZ, YOUNGBLOOD, KINSEY, MURT, ROZZI, THOMAS, MILLARD, DRISCOLL, READSHAW, McCARTER, McNEILL, MULLERY, D. COSTA, SCHWEYER, V. BROWN, COHEN and WARD

An Act providing for cytomegalovirus education and newborn testing.

Referred to Committee on HEALTH, November 17, 2015.

SENATE BILLS FOR CONCURRENCE

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

SB 955, PN 1178

Referred to Committee on TRANSPORTATION, November 17, 2015.

SB 956, PN 1179

Referred to Committee on TRANSPORTATION, November 17, 2015.

SB 988, PN 1223

Referred to Committee on TRANSPORTATION, November 17, 2015.

SB 989, PN 1224

Referred to Committee on TRANSPORTATION, November 17, 2015.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 89, PN 79; HB 90, PN 251; and HB 753, PN 1052**, 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 89, PN 79

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in discipline, removal and retirement of judicial officers, further providing for automatic retirement on age.

HB 90, PN 251

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for compensation and retirement of justices, judges and justices of the peace.

HB 753, PN 1052

An Act establishing the Pennsylvania Long-term Care Council; providing for its powers and duties; and repealing related provisions of the Public Welfare Code.

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

MASTER ROLL CALL

The SPEAKER. The Chair is about to take the master roll call. The members will proceed to vote.

The following roll call was recorded:

PRESENT—201

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

DeLuca Matzie

LEAVES ADDED—2

English McCarter

LEAVES CANCELED—1

English

The SPEAKER. Two hundred and one members having voted on the master roll, a quorum is present.

LEAVE OF ABSENCE

The SPEAKER. The minority whip has indicated that Representative McCARTER wishes to be placed on leave for the day. Without objection, that request will be granted.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. LEWIS called up **HR 580, PN 2501**, entitled:

A Resolution designating November 17, 2015, as "ROHHAD Awareness Day" in Pennsylvania.

* * *

Mr. SANKEY called up **HR 586, PN 2523**, entitled:

A Resolution designating November 17, 2015, as "Coats Eye Disease Awareness Day" in Pennsylvania.

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Mr. RAVENSTAHL called up **HR 587, PN 2524**, entitled:

A Resolution recognizing the month of November 2015 as "National Family Caregivers Month" in Pennsylvania.

* * *

Mrs. BULLOCK called up **HR 589, PN 2526**, entitled:

A Resolution designating the week of November 8 through 14, 2015, as "Home Care Aide Week" in Pennsylvania in appreciation of those part-time and full-time caregivers who provide assistive and personal in-home care.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—200

Acosta	Evans	Kotik	Ravenstahl
Adolph	Everett	Krieger	Readshaw
Baker	Fabrizio	Krueger	Reed
Barbin	Farina	Lawrence	Reese
Barrar	Farry	Lewis	Regan
Benninghoff	Fee	Longietti	Roae
Bishop	Flynn	Mackenzie	Roebuck
Bizzarro	Frankel	Maher	Ross
Bloom	Freeman	Mahoney	Rothman
Boback	Gabler	Major	Rozzi
Boyle	Gainey	Maloney	Saccone
Bradford	Galloway	Markosek	Sainato
Briggs	Gergely	Marshall	Samuelson
Brown, R.	Gibbons	Marsico	Sankey
Brown, V.	Gillen	Masser	Santarsiero
Bullock	Gillespie	McClinton	Santora
Burns	Gingrich	McGinnis	Saylor
Caltagirone	Godshall	McNeill	Schemel
Carroll	Goodman	Mentzer	Schlossberg
Causser	Greiner	Metcalfe	Schreiber
Christiana	Grove	Metzgar	Schweyer
Cohen	Hahn	Miccarelli	Simmons

Conklin	Hanna	Millard	Sims
Corbin	Harhai	Miller, B.	Snyder
Costa, D.	Harhart	Miller, D.	Sonney
Costa, P.	Harkins	Milne	Staats
Cox	Harper	Moul	Stephens
Cruz	Harris, A.	Mullery	Sturla
Culver	Harris, J.	Murt	Tallman
Cutler	Heffley	Mustio	Taylor
Daley, M.	Helm	Neilson	Thomas
Daley, P.	Hennessey	Nesbit	Tobash
Davidson	Hickernell	Neuman	Toepel
Davis	Hill	O'Brien	Toohil
Dawkins	Irvin	O'Neill	Topper
Day	James	Oberlander	Truitt
Dean	Jozwiak	Ortitay	Vereb
Deasy	Kampf	Parker, C.	Vitali
DeLissio	Kaufer	Parker, D.	Ward
Delozier	Kauffman	Pashinski	Warner
Dermody	Kavulich	Payne	Watson
Diamond	Keller, F.	Peifer	Wentling
DiGirolamo	Keller, M.K.	Petrarca	Wheatley
Donatucci	Keller, W.	Petri	Wheeland
Driscoll	Killion	Pickett	White
Dunbar	Kim	Pyle	Youngblood
Dush	Kinsey	Quigley	Zimmerman
Ellis	Kirkland	Quinn	
Emrick	Klunk	Rader	Turzai,
English	Knowles	Rapp	Speaker
Evanovich	Kortz		

NAYS—0

NOT VOTING—0

EXCUSED—3

DeLuca Matzie McCarter

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

STATEMENT BY MR. LEWIS

The SPEAKER. Representative Harry Lewis is recognized to speak on HR 580 on unanimous consent. Members, I would ask everybody to please take their seats. Members, please take your seats. Members, please take your seats. All discussions should go to the anteroom. Members, Representative Lewis is going to be speaking on HR 580. Please take all conversations to the anterooms. I would ask everybody to please take your seats. All staff, please take your seats.

Representative Harry Lewis, the floor is yours, sir.

Mr. LEWIS. Thank you, Mr. Speaker.

Proclamation ROHHAD. ROHHAD is an acronym for rapid-onset obesity with hypothalamic dysfunction, hypoventilation and autonomic dysregulation. Despite its initial identification over 50 years ago, ROHHAD remains a poorly understood, rare syndrome affecting the nervous and endocrine systems in the body. The most characteristic features include dramatic weight gain during a 6- to 12-month period within the first 10 years of life, followed by multiple dysfunction and dysregulation of the nervous system throughout adulthood.

Exact treatment for ROHHAD is dependent upon the symptoms and severity of the condition displayed in an individual, and proper diagnosis of ROHHAD is essential for appropriate and immediate patient care.

While ongoing research of ROHHAD seeks to confirm genetic factors as possible contributors of the disease, its exact cause and nature of progression are still unknown. The identification of diagnostic markers may decrease morbidity and mortality of patients with ROHHAD and direct future intervention and research on the disease.

As research of ROHHAD continues, volunteers, researchers, caregivers, and medical professionals are working to improve the quality of life of persons living with ROHHAD and their families. Research, education, and community support services are needed to find more effective treatments and to provide access to quality care for those living with this disease today.

To bring awareness to this syndrome, I proclaim November 17, 2015, as ROHHAD Awareness Month and Day in Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Representative Lewis, thank you.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. TALLMAN called up **HR 555, PN 2414**, entitled:

A Resolution honoring the life and legacy of Dr. William E. DeMuth, Jr., and expressing gratitude for his contributions to this Commonwealth as a founding member of the Pennsylvania Division of the American Trauma Society.

On the question,

Will the House adopt the resolution?

The SPEAKER. Representative Tallman, the floor is yours on HR 555.

Mr. TALLMAN. Thank you, Mr. Speaker.

I would like to ask Representative Bloom to come down and join me, if he would, since both of our names are on this resolution. We can pause for a minute.

This resolution is recognizing the life of Dr. William DeMuth, and I will get into some details of that life here very quickly.

GUESTS INTRODUCED

Mr. TALLMAN. I want to introduce some folks that are with us today from the Pennsylvania Trauma Society, and on our left are Judy May, who is the CEO (chief executive officer); Dr. Webb Hersperger, who is on the board of directors; and then Dr. Cynthia DeMuth, daughter-in-law, if I have that correct. So they are with us today. And then in the back, if you will stand, we have other members of the Pennsylvania Trauma Society here with us today also. You may now be seated.

So Dr. DeMuth graduated from Franklin and Marshall with a degree in biology, a good Lancaster school, and then went to the University of Pennsylvania to get his doctorate in medicine degree. And while he was at college, he was drafted in 1943; that was the time of World War II, and Dr. DeMuth served 11 years in the United States Army, and he was chief of surgical services at the 376th Station Hospital in Japan and author of over 100 medical publications, chief of surgery at Carlisle Hospital from '53 till '71. In 1972, which is kind of how I got to

know about Dr. DeMuth, he was one of the driving forces behind founding the Pennsylvania Trauma Society, and he was one of the charter members of that, and we need to be thankful for that. So he then served a 12-year career, professor of surgery at Penn State Hershey.

So I am going to read a little piece of this "RESOLVED" section. I do not normally read "Resolves," but this is important. "RESOLVED, That the House of Representatives honor the life and legacy of Dr. William E. DeMuth, Jr., and express gratitude for his contributions to this Commonwealth as a founding member of the Pennsylvania Division of the American Trauma Society; and be it further

"RESOLVED, That the House of Representatives offer its condolences to the family of Dr. William E. DeMuth, Jr., and direct that a copy of this resolution be transmitted to his family."

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Tallman and Representative Bloom.

And to your guests, thank you so much, Karen Rowe, Dr. Webb Hersperger, and Dr. Cynthia DeMuth, and representatives of the American Trauma Society. Thank you so much for being with us today.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

Deasy	Kampf	Parker, C.	Vitali
DeLissio	Kaufer	Parker, D.	Ward
Delozier	Kauffman	Pashinski	Warner
Dermody	Kavulich	Payne	Watson
Diamond	Keller, F.	Peifer	Wentling
DiGirolamo	Keller, M.K.	Petrarca	Wheatley
Donatucci	Keller, W.	Petri	Wheeland
Driscoll	Killion	Pickett	White
Dunbar	Kim	Pyle	Youngblood
Dush	Kinsey	Quigley	Zimmerman
Ellis	Kirkland	Quinn	
Emrick	Klunk	Rader	Turzai,
English	Knowles	Rapp	Speaker
Evankovich	Kortz		

NAYS—0

NOT VOTING—0

EXCUSED—3

DeLuca Matzie McCarter

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1579, PN 2273**, entitled:

An Act designating a bridge on that portion of State Route 62 over the Allegheny River, Tionesta Borough, Forest County, as the Lt. Col. Michael McLaughlin/AMVETS Post 113 Memorial Bridge.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

At this time I would ask all members to please take your seats; all members, please take your seats.

And, Representative Rapp, the floor is yours with respect to the bill in front of us.

Ms. RAPP. Thank you, Mr. Speaker.

I would also like to thank my colleagues who are standing here with me today in support and passage of this bill to honor one of our veterans. Representative Parke Wentling, Representative Donna Oberlander, Representative Tedd Nesbit, and Representative Mark Longiotti, thank you for standing here with me today to honor Lt. Col. Michael McLaughlin.

President John F. Kennedy once said, "A nation reveals itself not only by the men it produces but also by the men it honors, the men it remembers."

Mr. Speaker, I am greatly honored to rise and ask for your support of HB 1579, which would rename the Route 62 bridge in Tionesta, Forest County, as the Lt. Col. Michael McLaughlin/AMVETS Post 113 Memorial Bridge.

Born and raised in Forest County and a graduate of West Forest High School, Michael was not only a hero in every sense of the word but also a hometown son who was beloved during his short life.

Courageously serving with the 2d Brigade, 28th Infantry Division, Michael became the first field grade officer of the Pennsylvania Army National Guard to die in action since World War II when he was killed by a suicide bomber in Ramadi, Iraq, on January 5, 2006.

Michael's highly distinguished list of military awards include the Silver Star, an Army Commendation Medal with three oak leaf clusters, the National Defense Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, and the Field Artillery Honorable Order of Saint Barbara.

Since his death almost a decade ago, the local community, especially the more than 100 members of AMVETS Post 113, have come together to make sure Michael's legacy as a true citizen soldier will be forever remembered.

GUESTS INTRODUCED

Ms. RAPP. Joining me today on the House floor in support of HB 1579 and, most importantly, to recognize the unselfish service and sacrifices of all of our veterans are the following members of AMVETS Post 113: Michael's father, Daniel McLaughlin, post quartermaster, U.S. Army, retired. Gentlemen, if you would stand when I say your names. We are very honored to have Michael's father here with us today. Also joining us are Theodore Terwilliger, post commander, U.S. Army, retired, if you would stand; Frank Lamberto, post second vice commander; Robert Mast, post adjutant, U.S. Army, retired; Lewis Cooke, post chaplain, U.S. Army, retired; Randall Busch, U.S. Army, retired – Michael is in the back and Randall; I am sorry – and Michael Hresko, U.S. Air Force captain, retired; George Wimer, U.S. Navy, retired. And also joining us here today is U.S. Navy veteran Basil Huffman, who is currently serving in his 17th year as a Forest County Commissioner and his 7th year as Forest County Director of Veterans' Affairs.

And, Mr. Speaker, I would ask that you recognize these veterans and Mr. McLaughlin, the father of our fallen soldier.

And also, Mr. Speaker, of course I ask you to join me in remembering this extraordinary young man who fulfilled his duties with honor, courage, and dignity, and willingly laid down his life upon the altar of freedom by unanimously supporting HB 1579.

And at this time I believe Representative Longietti has a few remarks as well.

The SPEAKER. Representative Longietti, the floor is yours.

Mr. LONGIETTI. Thank you, Mr. Speaker.

I want to commend the gentlelady from Forest County for her efforts in establishing this lasting tribute to Lt. Col. Michael McLaughlin for his service and sacrifice to our nation in the protection of the freedoms that we all enjoy.

Lieutenant Colonel McLaughlin was a native of Forest County, but he was also a resident of Mercer County during his service in the Pennsylvania National Guard, and Mercer Countians are certainly proud to claim him as one of our own.

His commanding officer, Col. John L. Gronski, remarked that "Mike died doing his job the only way he knew how – out front, with great enthusiasm and courage."

So today we pay tribute to that courage with a lasting memorial to Lt. Col. Michael McLaughlin. May we never forget.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

Please remain standing, members.

At this time I would ask all members to please rise for a moment of silence in memory of Lt. Col. Michael McLaughlin.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of Lt. Col. Michael McLaughlin.)

The SPEAKER. Thank you, members.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—200

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

Ellis	Kirkland	Quinn	
Emrick	Klunk	Rader	Turzai,
English	Knowles	Rapp	Speaker
Evankovich	Kortz		

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

MAJ. DANIELLE HOYLE INTRODUCED

The SPEAKER. Members, in the spirit of honoring those who serve our country, Representative Curtis Thomas has brought an outstanding guest with him today.

And, Representative Thomas, you have the floor and please introduce our guest. Thank you so much.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, as a preintroduction, you know, someone said that it is not where you started in life but where you end up that kind of determines what has happened.

And about a year and a half ago, I brought two young ladies who were born and raised in the Philadelphia projects who had to go through a lot. I had the blessing of mentoring them from middle school on, and I brought these two young ladies before you because both of them were in the service, in the United States Army, have been to Kuwait, Iraqi Freedom, freedom Iraqi, and also Afghanistan. They are sisters. One of the sisters could not be here at the original presentation, but she is here today, and she is one of the finest young women that you would ever meet.

People say that, you know, these neighborhoods can define young people. Maj. Danielle Elaine Hoyle was not defined by her neighborhood and has spent her last 14 years with the United States Army and has been involved in active duty within a few places.

Currently she is the executive officer for the United States Harrisburg Recruiting Battalion in New Cumberland, Pennsylvania. She recently redeployed for a 1-year deployment in support of Operation Enduring Freedom, serving as the chief, Strength Management Branch of the Combined Manpower Coordination Cell, directorate, the 35th Theater Tactical Signal Brigade in Fort Gordon, Georgia. As a battalion chemical officer, Maj. Danielle Hoyle has served in a number of other positions in the United States Army. She has given 14 years of her life to making sure that we are safe here at home.

And for the people from Philadelphia, the only time people talk about Harrison and Richard Allen projects in Philadelphia is when they are talking about somebody who has been killed or something else has happened. Well, this young lady comes from Harrison homes and Spring Garden homes in North Philadelphia.

And so it is my honor and my pleasure to introduce to each and every one of you a young lady who is constantly looking out for us. Maj. Danielle Elaine Hoyle, please stand.

Mr. Speaker, thank you for this opportunity, and I have asked Major Hoyle at some point to write a book so that some of these other young people and children yet unborn will know that greatness comes not from outside of us but from within us, and given the right support, we can achieve that greatness. So thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Thomas.

Major Hoyle, thank you so much for joining us today. It is really outstanding to have you here today. So thank you so much, and we will be bringing you up to the rostrum shortly.

And then in addition to Lt. Col. Michael McLaughlin's father and to those from Post 113, thank you so much for being with us here today. We are graced by your presence, and God bless you. We will be having you up to the rostrum here shortly too. Thank you so, so much.

GUESTS INTRODUCED

The SPEAKER. We are going to be introducing some guests and very, very appreciative of everybody taking the time to come to our chamber. We are always honored by having citizens from all over Pennsylvania and the world to come visit with us.

Thomas Young is a graduate of Indiana University of Pennsylvania. He led the men's basketball team to its first national championship appearance in 2010. He is the district office Chief of Staff for State Representative Donna Bullock and is visiting Harrisburg for the day. It is great to have you. He is over here in the left corner. Thank you so much for being with us. We have a number of graduates here of Indiana University of Pennsylvania. Make sure you get to see them.

And our good friend, colleague, Representative Matt Gabler, his brother, John Gabler, is here today. John, how are you? I am a good friend of John's myself. And John is with Adam Snyder, who is shadowing Representative Gabler for the day. So to John and Adam, welcome. Great to see you. Take care.

Representative Harry Lewis I know mentioned these folks, but I do not know if they were pointed out, Janka Maricova and her son, Colby Luis Palomeque. Thank you so much for being with us today. It is great to have you here. They are guests of Harry Lewis.

In the rear of the House, guests of Marcy Toepel. Representative Toepel has Susan and Brian McNeill here. Susan and Brian, do you mind standing. Thank you so much for being with us today.

STATEMENT BY MR. GAINNEY

The SPEAKER. And, Representative Gainney, I am not sure if you were going to speak on this at all, but I know you have here guests representing the Fatherhood Collaborative of Western Pennsylvania.

And, Representative Gainney, let me turn the floor over to you on unanimous consent.

Mr. GAINNEY. Thank you, Mr. Speaker.

I appreciate it. Could the Fatherhood Collaborative stand. These are men that stand up for education, justice, and they help

a lot of young fathers and all the fathers of our community with the resources that are necessary for them to be great fathers. And we know the importance of fathers in everybody's lives. So they being not only in their own children's lives but in the community's children's lives has paid great dividends. So I want to thank them for being here.

I would ask my colleagues to please stand and give them some support and let them know we appreciate all they do for fathers across the Commonwealth of Pennsylvania.

The SPEAKER. Thank you, Representative Gainey.

GUESTS INTRODUCED

The SPEAKER. In the rear of the House, Representative Schreiber has four interns that are serving in his district office. It is so great to have them here today: Maddie Miller, Jordyn Gentzler, Devon Hornberger, and Abby Yingling. Let us wave to them. It is great to have you here today. Thank you so much. I had an opportunity to meet them earlier. One is in York College, and the other three young ladies are in high school. So great to see you. I know there are a couple of York College grads here, including Representative Schreiber and I think Representative Grove.

Located in the rear of the House, Representative Heffley brings us Donna Buhosky, Allina Prutzman, and they are from the Carbon County office of BAYADA Home Health Care. If you could please rise. Thank you so much for being with us today. Thank you.

And Representative Kavulich has some guests with us today, members of our judiciary: District Judge Jillian Corbett; Magisterial Judge Amy Turk, and Magisterial Judge Maurice Saylor. If you could all please rise. They are right here in the back. Thank you so much for joining us today.

And in the well of the House, we welcome Rachel Emily Boorse, who is here as a guest page, and she is the guest of Representative Dan Truitt. Thank you so much for being with us, Rachel.

We are going to do committee announcements and caucus announcements at this time.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. At this time Chairman Adolph of the House Appropriations Committee for committee announcements.

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

Mr. Speaker, there will be an immediate meeting of the House Appropriations Committee in the majority caucus room. Thank you.

The SPEAKER. Thank you, sir.

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

HEALTH COMMITTEE MEETING

The SPEAKER. Representative Matt Baker, for a committee announcement.

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

There will be a meeting of the Health Committee immediately at the break in G-50; Health Committee meeting, G-50, immediately at the break.

The SPEAKER. Thank you, Mr. Chair.

There will be a meeting of the Health Committee immediately at the break in G-50.

REPUBLICAN CAUCUS

The SPEAKER. And our majority caucus chair, Sandra Major, for a caucus announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

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

The SPEAKER. Thank you, Madam Chair.

DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

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

RECESS

The SPEAKER. Members, the House will stand in recess until 1:30. The House will stand in recess until 1:30. Thank you.

AFTER RECESS

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

GAMING OVERSIGHT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the chair of the Gaming Oversight Committee, John Payne, for a committee announcement.

Mr. PAYNE. Thank you, Mr. Speaker.

Mr. Speaker, the House Gaming Oversight Committee will have a special voting meeting tomorrow at 9 a.m. in 39 East Wing. That is a special meeting tomorrow in 39 East Wing at 9 a.m. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

The Gaming Oversight Committee will have a special voting meeting tomorrow at 9 a.m. in 39 East Wing.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 498, PN 556

By Rep. BAKER

An Act amending the act of September 9, 1965 (P.L.497, No.251), known as the Newborn Child Testing Act, further providing for the Newborn Child Screening and Follow-up Program.

HEALTH.

HB 682, PN 2541 (Amended)

By Rep. BAKER

An Act amending the act of June 13, 2008 (P.L.182, No.27), known as the Clean Indoor Air Act, amending the title; further providing for definitions; further prohibiting smoking in public places; further providing for signage, for enforcement, for penalties and for administration; repealing provisions relating to preemption; providing for local rules and ordinances; and making a related repeal of the Fire and Panic Act.

HEALTH.

HB 1484, PN 2097

By Rep. METCALFE

An Act amending the act of October 30, 1987 (P.L.375, No.75), entitled, "An act providing for the designation of certain trees and land on the grounds of the State Capitol in Harrisburg as "Soldiers' Grove" in honor of war veterans; imposing duties upon the Department of General Services; and making an appropriation," further providing for duties of Department of General Services; and providing for preservation of "Soldiers' Grove" and for construction.

STATE GOVERNMENT.

BILLS REREPORTED FROM COMMITTEE**HB 322, PN 2508**

By Rep. ADOLPH

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

APPROPRIATIONS.

HB 1327, PN 1788

By Rep. ADOLPH

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in special funds, further providing for State Workers' Insurance Board investments and for a related expiration provision.

APPROPRIATIONS.

HB 1538, PN 2509

By Rep. ADOLPH

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, adding provisions for law enforcement activities by providing for release of law enforcement officer information when firearm discharged or use of force.

APPROPRIATIONS.

HB 1574, PN 2268

By Rep. ADOLPH

An Act amending the act of December 15, 1986 (P.L.1595, No.175), known as the Antihazing Law, further providing for definitions and for enforcement.

APPROPRIATIONS.

HB 1682, PN 2494

By Rep. ADOLPH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in obstructing governmental operations, providing for unlawful use of an audio or video device in court.

APPROPRIATIONS.

CALENDAR CONTINUED**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1455, PN 2461**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in powers of department and local authorities, further providing for specific powers of department and local authorities.

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 490, PN 853**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Pennsylvania Emergency Management Agency, further providing for organization of agency.

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 1490, PN 2462**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for cultural improvement district advisory committees and for neighborhood improvement districts; and repealing the Neighborhood Improvement District Act.

On the question,

Will the House agree to the bill on second consideration?

Mr. PETRI offered the following amendment No. **A04105**:

Amend Bill, page 6, lines 29 and 30; page 7, lines 1 through 5; by striking out all of said lines on said pages and inserting

(a) Authorization to municipalities.—Where recommended by a committee, or by an established neighborhood improvement district management association, designated and established by the municipality under Subchapter C (relating to neighborhood improvement districts), a municipality may impose, by ordinance, and subject to the provisions of section 6216, one of the following:

(1) In addition to the statutory rate limits on the general purpose

Amend Bill, page 7, lines 11 and 12, by striking out "the alternative, the municipality may by ordinance impose, in"

Amend Bill, page 7, lines 18 through 20, by striking out all of said lines and inserting

(b) Use of revenue.—Revenue from the levy may be used in one or more of the following manners:

(1) The revenue may be appropriated for the

Amend Bill, page 7, line 29, by striking out all of said line and inserting

(2) The revenue may be deposited into a cultural

Amend Bill, page 8, line 6, by striking out "(b)" and inserting

(c)

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

The SPEAKER. On that question, the Chair recognizes Representative Petri. Sir, the floor is yours.

Mr. PETRI. Thank you, Mr. Speaker.

I would urge members to adopt the amendment, which is technical in nature. Thank you.

The SPEAKER. Thank you, sir.

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

The following roll call was recorded:

YEAS—199

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

NAYS—1

Rader

NOT VOTING—0

EXCUSED—3

DeLuca

Matzie

McCarter

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. CALTAGIRONE offered the following amendment
No. **A04020**:

Amend Bill, page 10, lines 2 and 3, by striking out "either the reimposition of the open space tax under subsection (a) or"

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

The SPEAKER. On that question, the Chair recognizes Representative Tom Caltagirone. Sir, the floor is yours.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

This is an agreed-to technical amendment. It removes the language which references a local taxing option, which does not pertain to the bill, and I would respectfully request a unanimous vote. Thank you, Mr. Speaker.

The SPEAKER. Representative Petri, on the amendment.

Mr. PETRI. Thank you, Mr. Speaker.

This is an agreed-upon amendment, and I would urge the members to support it.

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

The following roll call was recorded:

YEAS—200

Acosta	Evans	Kotik	Ravenstahl
Adolph	Everett	Krieger	Readshaw
Baker	Fabrizio	Krueger	Reed
Barbin	Farina	Lawrence	Reese
Barrar	Farry	Lewis	Regan
Benninghoff	Fee	Longietti	Roae
Bishop	Flynn	Mackenzie	Roebuck
Bizzarro	Frankel	Maher	Ross
Bloom	Freeman	Mahoney	Rothman
Boback	Gabler	Major	Rozzi
Boyle	Gainey	Maloney	Saccone
Bradford	Galloway	Markosek	Sainato
Briggs	Gergely	Marshall	Samuelson
Brown, R.	Gibbons	Marsico	Sankey
Brown, V.	Gillen	Masser	Santarsiero
Bullock	Gillespie	McClinton	Santora
Burns	Gingrich	McGinnis	Saylor
Caltagirone	Godshall	McNeill	Schemel
Carroll	Goodman	Mentzer	Schlossberg
Causar	Greiner	Metcalfe	Schreiber
Christiana	Grove	Metzgar	Schweyer
Cohen	Hahn	Miccarelli	Simmons
Conklin	Hanna	Millard	Sims
Corbin	Harhai	Miller, B.	Snyder

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

NAYS—0

NOT VOTING—0

EXCUSED—3

DeLuca Matzie McCarter

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. **CALTAGIRONE** offered the following amendment
No. **A04027**:

Amend Bill, page 2, by inserting between lines 1 and 2
6202. Cities of the first class.

Amend Bill, page 2, by inserting between lines 3 and 4
§ 6202. Cities of the first class.

A city of the first class may establish, in conjunction with Subchapter B, a cultural improvement district in the same manner as a neighborhood improvement district under the act of December 21, 1998 (P.L.1307, No.174), known as the Community and Economic Improvement Act.

Amend Bill, page 4, line 8, by inserting after "districts)"
and, in relation to a city of the first class, the act of December 21, 1998 (P.L.1307, No.174), known as the Community and Economic Improvement Act

Amend Bill, page 5, line 16, by striking out the period after
"districts)" and inserting

or, in a city of the first class, section 6202
(relating to cities of the first class) and the act of
December 21, 1998 (P.L.1307, No.174), known as the
Community and Economic Improvement Act.

Amend Bill, page 5, line 30, by striking out the period after
"districts)" and inserting

or, in a city of the first class, section 6202 (relating to

cities of the first class) and the act of December 21, 1998
(P.L.1307, No.174), known as the Community and Economic
Improvement Act.

Amend Bill, page 7, line 4, by inserting after "districts)"
or, in a city of the first class, section 6202 (relating to
cities of the first class) and the act of December 21, 1998
(P.L.1307, No.174), known as the Community and Economic
Improvement Act

Amend Bill, page 11, line 26, by striking out the period after
"districts" and inserting

in municipalities. Neighborhood improvement districts in cities
of the first class shall be governed by the act of December 21, 1998
(P.L.1307, No.174), known as the Community and Economic
Improvement Act.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, Representative Caltagirone, the floor is yours.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

Again, the provisions of subchapter B of the act would pertain to the establishment of the cultural improvement districts, fully applicable to cities of the first class, which would be Philadelphia.

It also clarifies cities of the first class that remain subject to the statute under which they are presently authorized to establish neighborhood improvement districts, the Community and Economic Improvement Act of 1998.

I would respectfully request support for this amendment.
Thank you, Mr. Speaker.

The SPEAKER. Thank you. Thank you very much, sir.
Representative Petri.

Mr. PETRI. Mr. Speaker, this also is agreed to, and I would request that the members support the amendment. Thank you.

The SPEAKER. Thank you, sir.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—200

Acosta	Evans	Kotik	Ravenstahl
Adolph	Everett	Krieger	Readshaw
Baker	Fabrizio	Krueger	Reed
Barbin	Farina	Lawrence	Reese
Barrar	Farry	Lewis	Regan
Benninghoff	Fee	Longietti	Roae
Bishop	Flynn	Mackenzie	Roebuck
Bizzarro	Frankel	Maher	Ross
Bloom	Freeman	Mahoney	Rothman
Boback	Gabler	Major	Rozzi
Boyle	Gainey	Maloney	Saccone
Bradford	Galloway	Markosek	Sainato
Briggs	Gergely	Marshall	Samuelson
Brown, R.	Gibbons	Marsico	Sankey
Brown, V.	Gillen	Masser	Santarsiero
Bullock	Gillespie	McClinton	Santora
Burns	Gingrich	McGinnis	Saylor
Caltagirone	Godshall	McNeill	Schemel
Carroll	Goodman	Mentzer	Schlossberg
Causar	Greiner	Metcalfe	Schreiber
Christiana	Grove	Metzgar	Schweyer
Cohen	Hahn	Miccarelli	Simmons
Conklin	Hanna	Millard	Sims
Corbin	Harhai	Miller, B.	Snyder

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

NAYS—0

NOT VOTING—0

EXCUSED—3

DeLuca	Matzie	McCarter
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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?

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 484, PN 542**, entitled:

An Act providing for the Early Childhood Vision Care Education Program and for powers and duties of the Department of Health.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. Now, there is an amendment filed on third consideration and there needs to be a suspension motion. And, Representative Rozzi, then amendment 4157, sir, is withdrawn? Thank you, sir. Thank you.

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

RESOLUTIONS

Mr. FARRY called up **HR 424, PN 2278**, entitled:

A Resolution memorializing Congress to examine existing Federal laws relating to sober living arrangements.

On the question,
Will the House adopt the resolution?

The SPEAKER. Representative Farry, on the resolution.

Members, please take your seats. All members, please take your seats. I would ask that any conversations please be taken to the anterooms. Members, please take your seats. Staff members, I would ask staff to please take their seats as well. Members, we are going to have our colleague speak on this resolution that is in front of us, HR 424.

Representative Farry, the floor is yours, sir.

Mr. FARRY. Thank you, Mr. Speaker.

And I am joined by my colleagues, Representative Galloway and Representative Davis, on this resolution, which is a very important issue that is affecting both our communities and people that are in recovery.

As you may be aware, recovery houses, sober living homes, are popping up throughout our community. The local governments as well as State governments have their hands tied because of Federal protections both through the Fair Housing Act as well as ADA (Americans with Disabilities Act).

What this resolution does is it calls on Congress and the Federal government to take a second look at those laws and how they impact sober living homes. These homes, as I mentioned, are unregulated at the State level as well as the local level. It is important our people that are in recovery, our residents in our community, have clean and safe environments to continue their recovery from the addictions that they suffer from, and I ask for an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

LEAVE OF ABSENCE

The SPEAKER. Representative ENGLISH has indicated through the majority whip that he would like to be placed on leave. Without objection, that request will be granted.

CONSIDERATION OF HR 424 CONTINUED

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

The following roll call was recorded:

YEAS—198

Acosta	Everett	Kotik	Ravenstahl
Adolph	Fabrizio	Krieger	Readshaw
Baker	Farina	Krueger	Reed

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

NAYS—1

Day

NOT VOTING—0

EXCUSED—4

DeLuca	English	Matzie	McCarter
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

* * *

Mr. BARRAR called up **HR 527, PN 2295**, entitled:

A Resolution urging the Pennsylvania delegation to the 114th Congress of the United States to support the passage of the Toxic Exposure Research Act of 2015.

On the question,
Will the House adopt the resolution?

LEAVE OF ABSENCE CANCELED

The SPEAKER. Please mark Representative English back on the floor for this vote before we close it. Representative English is back on the floor and should be placed back on the master roll.

CONSIDERATION OF HR 527 CONTINUED

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

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

DeLuca

Matzie

McCarter

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

SUPPLEMENTAL CALENDAR A**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1327, PN 1788**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in special funds, further providing for State Workers' Insurance Board investments and for a related expiration provision.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

My understanding is, there was an amendment, 4166, filed by Representative Quinn, but that amendment has been withdrawn.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—200

Acosta	Evans	Kotik	Ravenstahl
Adolph	Everett	Krieger	Readshaw
Baker	Fabrizio	Krueger	Reed
Barbin	Farina	Lawrence	Reese
Barrar	Farry	Lewis	Regan
Benninghoff	Fee	Longietti	Roae
Bishop	Flynn	Mackenzie	Roebuck
Bizzarro	Frankel	Maher	Ross
Bloom	Freeman	Mahoney	Rothman
Boback	Gabler	Major	Rozzi
Boyle	Gainey	Maloney	Saccone
Bradford	Galloway	Markosek	Sainato
Briggs	Gergely	Marshall	Samuelson
Brown, R.	Gibbons	Marsico	Sankey
Brown, V.	Gillen	Masser	Santarsiero
Bullock	Gillespie	McClinton	Santora
Burns	Gingrich	McGinnis	Saylor
Caltagirone	Godshall	McNeill	Schemel
Carroll	Goodman	Mentzer	Schlossberg
Causar	Greiner	Metcalfe	Schreiber
Christiana	Grove	Metzgar	Schweyer

Cohen	Hahn	Miccarelli	Simmons
Conklin	Hanna	Millard	Sims
Corbin	Harhai	Miller, B.	Snyder
Costa, D.	Harhart	Miller, D.	Sonney
Costa, P.	Harkins	Milne	Staats
Cox	Harper	Moul	Stephens
Cruz	Harris, A.	Mullery	Sturla
Culver	Harris, J.	Murt	Tallman
Cutler	Heffley	Mustio	Taylor
Daley, M.	Helm	Neilson	Thomas
Daley, P.	Hennessey	Nesbit	Tobash
Davidson	Hickernell	Neuman	Toepel
Davis	Hill	O'Brien	Toohil
Dawkins	Irvin	O'Neill	Topper
Day	James	Oberlander	Truitt
Dean	Jozwiak	Ortitay	Vereb
Deasy	Kampf	Parker, C.	Vitali
DeLissio	Kaufer	Parker, D.	Ward
Delozier	Kauffman	Pashinski	Warner
Dermody	Kavulich	Payne	Watson
Diamond	Keller, F.	Peifer	Wentling
DiGirolamo	Keller, M.K.	Petrarca	Wheatley
Donatucci	Keller, W.	Petri	Wheeland
Driscoll	Killion	Pickett	White
Dunbar	Kim	Pyle	Youngblood
Dush	Kinsey	Quigley	Zimmerman
Ellis	Kirkland	Quinn	
Emrick	Klunk	Rader	Turzai,
English	Knowles	Rapp	Speaker
Evankovich	Kortz		

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

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The House proceeded to third consideration of **HB 322, PN 2508**, entitled:

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

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

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The House proceeded to third consideration of **HB 1538, PN 2509**, entitled:

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, adding provisions for law enforcement activities by providing for release of law enforcement officer information when firearm discharged or use of force.

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

The SPEAKER. There is an amendment on third consideration. On that bill it is Dom Costa. Representative Dom Costa has amendment 4201. That would require a motion to suspend.

Representative Costa, you are recognized.

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

I am going to waive on the amendment, and we are going to take up the— It is an agreement between the maker and myself. We are going to let it be taken up in the Senate. Thank you.

The SPEAKER. Thank you, Representative Costa.

So A4201 will be withdrawn, and we will proceed with third consideration.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Diamond, on the bill, please. So Representative Diamond first, and then I see Representative Thomas, Representative Sims, Representative Vitali.

Representative Diamond, you have the floor first.

Members, please take your seats. We have a number of folks that would like to speak on this particular bill. Members, please take your seats. We have a number of members who would like to speak on this bill. And, Representative Diamond, the floor is yours, sir. Members, please take your seats.

Mr. DIAMOND. Thank you, Mr. Speaker.

I rise today in opposition to HB 1538.

This legislation, while written with the best of intentions, would create a statewide policy in response to a single local example of a disagreement between the Police Commissioner of Philadelphia and rank-and-file officers. If enacted, it would force every law enforcement department in the Commonwealth to respond to certain situations in a manner that may not be in their best interests or the best interests of their respective communities. But much more important than that, Mr. Speaker, is the chilling and detrimental impact the veil of secrecy proposed by this bill, after an officer discharges a firearm or uses force, would have on the relationship between law enforcement and the general public.

We live in a society that survives by the rule of law. As makers of the law, we here in this body view law enforcement as our partners. While we create the law, they are the glue that makes the law stick. But we also live in a free society, Mr. Speaker. A free society only continues to exist when

transparency and openness in government continue to exist. This body, over the last decade or so, has gone to great lengths to enact measures to provide and ensure transparency and openness.

Mr. Speaker, we cannot forget that police officers are public servants, hired by public officials, paid for with public dollars, and are charged with using public resources to provide public safety. While I wholeheartedly disagree with this legislation, I commend my good friend, the gentlelady from Philadelphia, for providing an opportunity for this General Assembly to begin a conversation about the state of the relationship between these public servants and the public at large.

Mr. Speaker, I believe we are at a crossroads, not just in Philadelphia, not just within this Commonwealth, but throughout American society. We do not need to recount and dwell on every sensational police encounter captured on video and broadcast on cable news and the Internet to illustrate this problem. In fact, for every one of those encounters, there are hundreds if not thousands of other encounters between law enforcement and the general public that are handled professionally and without any violent outcome. To illustrate and to get to the heart of what lies beneath the crossroads we have come to only requires recounting an experience most of us, if not every single one of us in this chamber have had at one time or another.

Mr. Speaker, imagine yourself driving down the highway. You are in your car, minding your own business, breaking no laws. You look in your rearview mirror and notice that a police squad car is following you. Do you suddenly relax and think to yourself, "Thank goodness he is back there. I feel so much safer now"? No. Mr. Speaker, the typical reaction is to tense up and worry over what might happen next. This is not a healthy way to view a potential encounter with public servants charged with providing public safety. This is not an example of how we react when thinking about dealing with those we trust.

As the makers of law in a free society, we must insist that the relationship between law enforcement and the general public is a relationship built on trust. As with any other relationship, openness and transparency are the key to maintaining trust. I know of no relationship in human history that has benefited from a veil of secrecy like the one proposed in HB 1538. When any public servant is involved in a situation where the laws we are charged with making or enforcing come into play, our default position should always be openness and transparency rather than secrecy.

I share the gentlelady from Philadelphia's concern about the possibility of police officers being harassed or subjected to violence simply in response to performing their legitimate duties, and we must condemn any individual or movement that calls for open violence against law enforcement that does its job properly. However, no such threats exist in Pennsylvania. Even in arguably one of the most dangerous jurisdictions in the country — Los Angeles, California — police officials promptly release the identity of officers involved in shootings, and no such case of retaliation has been reported.

I would argue that if we mandate this veil of secrecy for every jurisdiction in the Commonwealth, we risk putting police officers in even more danger. If a questionable shooting or use of force occurs and the individual officer in question is not identified, would that not put every officer in that department under suspicion? Every police encounter is unique. Every law

enforcement jurisdiction should be free to release or not release the identifying information of officers based on the best judgment of its local leadership as to how that information may impact any given situation. I trust our local police chiefs and administrators to make that call wisely.

But in considering the discharge of firearms and the use of force, Mr. Speaker, we must also acknowledge that despite the fact that the vast majority of law enforcement officers perform their duties with professionalism and valiance, there are some that have used excessive force, abandoned professional detachment, and otherwise exceeded the authority of the badge. Our focus here should be to address the underlying causes of why these things happen, not to make a one-size-fits-all rule to eliminate public scrutiny in instances of public servants performing their public duties in providing public safety.

The discharge of a firearm or use of force by a police officer should be reserved for the most extreme of circumstances. With the advent of video footage and the instant news cycle, we are all being exposed to more and more of these cases every day. In the aftermath of many such cases, we often hear that the officer in question did it by the book. Perhaps, Mr. Speaker, just perhaps, that book should be rewritten and improved. Maybe it is time to take an objective look at how law enforcement recruits and screens new officers. Perhaps new initiatives in training those officers would be productive. Maybe we should encourage the vast majority of good and decent officers to expose those in their ranks who are not performing their duties in a professional manner, and perhaps we ought to reexamine the wisdom of turning our police departments into something visibly similar to paramilitary forces.

But to mandate a veil of secrecy when an officer discharges a firearm or uses force? No, Mr. Speaker, that would be a step in the wrong direction that would further damage the relationship between law enforcement and the general public by eliminating scrutiny and increasing suspicion. It could also serve to endanger entire police forces by putting them under a blanket of public suspicion. We need to build trust instead.

HB 1538 offers a statewide mandate to address a local issue. It does not address the core issues at hand regarding the current relationship between law enforcement and the general public. In fact, it will only serve to harm that relationship.

In a free society governed by law, public servants hired by public officials and paid for by public dollars to use public resources to provide public safety must be subjected to public scrutiny and accountability. As makers of the law, if we deny such scrutiny, we are inviting the abandonment of both the rule of law and of freedom itself.

For these reasons, Mr. Speaker, I urge a "no" vote on HB 1538. Thank you.

The SPEAKER. Representative Sims.

Mr. SIMS. Thank you, Mr. Speaker.

Would the maker of the bill please rise for interrogation?

The SPEAKER. Representative White has indicated she will stand for interrogation.

Mr. SIMS. Thank you, Mr. Speaker.

Mr. Speaker, it occurs to me that the maker of the bill hails from, in part, Philadelphia County, so I would start by asking if the maker of the bill is familiar with the statements of the Philadelphia Police Commissioner regarding this specific legislation.

The SPEAKER. Representative White.

Ms. WHITE. Yes.

The SPEAKER. If you want, you may want to proceed down here to the front of the well. It is sometimes easier in terms of being able to take questions.

Thank you. Take your time.

All members, please take your seats. We ask all members to go to the anteroom. If you will just suspend for a second, if I could.

We are just going to go at ease for just a second.

The House will come to order.

The SPEAKER. Representative Sims, you may proceed.

We are back.

Representative Sims may proceed. Representative White has agreed to answer any questions.

Mr. SIMS. Mr. Speaker, is the maker of the bill familiar with the statements of the commissioner of the largest municipal police force in Pennsylvania with regard specifically to this legislation?

Ms. WHITE. If you have something in particular that you are referencing, I would—

Mr. SIMS. Thank you.

Mr. Speaker, specifically the statement that I am looking to is in response to a question about whether or not a person could easily track down a cop once his or her name had been posted. Commissioner Ramsey stated that a scenario had never occurred since the department began identifying cops involved in shootings. Is the maker of the bill aware of this statement?

Ms. WHITE. I am now.

Mr. SIMS. Thank you.

Mr. Speaker, is the maker of this legislation aware of the statement of the president of the Fraternal Order of Police of Pittsburgh, who said that he was not aware of any specific incidents in which an officer or an officer's family has been harmed or threatened upon being investigated publicly during an investigation into a shooting or other similar situation?

The SPEAKER. Representative Sims – and I apologize – if you could just suspend for a second.

Sir, you absolutely may use those quotes in your remarks on the legislation. They are completely appropriate to be using in your remarks on the legislation. But interrogation is really to ask questions about the bill that you do not know.

I am not intimating in any way that you are off the mark in terms of your remarks on the bill. You certainly may cite all those quotes or those perspectives. But in terms of interrogation, it does need to be about the legislation in front of us.

Mr. SIMS. Thank you, Mr. Speaker.

Mr. Speaker, my only intent in asking is that those are two of the gentlemen responsible for the largest municipal police forces in the Commonwealth and I want to make sure that the maker of this bill is aware of the impact and the statements by those two ranking individuals.

To the maker of the bill, Mr. Speaker, I would like to know how many times have police officers in Philadelphia been targeted in a way that they would be protected under this legislation.

Ms. WHITE. This legislation does not have a particular number, and that is the main concern regarding this piece of legislation, is the fact that we do not ever want to have an

officer be subjected to this type of mob mentality that is transpiring across our country.

Mr. SIMS. I could not agree more, and so I am asking, can you point to any incidents of it occurring in Philadelphia, for example?

Ms. WHITE. It sounds as though, with the statements you had previously mentioned, that Pittsburgh and Philadelphia commissioners do not have examples, and therefore, there are none that I can reference, given the fact that the policy that is currently in place in Philadelphia has only been in place for a few months.

Mr. SIMS. Thank you.

Mr. Speaker, according to the legislation here, for the duration of an investigation, an individual's identity cannot be disclosed. To the maker of the legislation, how long can an investigation last?

Ms. WHITE. So you are reading your question a little fast and I did not pick up on what you said.

Mr. SIMS. Certainly. There is a qualifier in here, in your legislation, for the time period upon which an individual identified can have their information disclosed, and the qualifier is for the duration of an investigation. How long—

Ms. WHITE. Correct.

Mr. SIMS. —can that investigation last?

Ms. WHITE. Until it is completed.

Mr. SIMS. All right. Can you give me weeks, months, years? Is it safe to say that an investigation can last 10 years if it has not been completed for 10 years?

Ms. WHITE. I have not heard of a case lasting 10 years, so I could not say for sure.

Mr. SIMS. Have you heard of any cases lasting any duration?

Ms. WHITE. Of course. And—

Mr. SIMS. All right. And—

Ms. WHITE. I would say— See, the purpose of this legislation is to make sure that officers – that a full investigation is completed prior to a criminal action being brought against them and to make sure that in the event that they do – if they are not charged with a crime, then their name will be disclosed to the public as long as their lives and the lives of their immediate family members are not in jeopardy.

Mr. SIMS. And how long can an investigation last?

Ms. WHITE. As long as necessary to find out the facts and to make sure that all the facts are disclosed. Otherwise, why would we be subjecting our officers to public scrutiny when all the facts are not disclosed to begin with.

Mr. SIMS. Thank you.

Mr. Speaker, can you point to any investigations that have lasted longer than 2 weeks?

Ms. WHITE. Not directly, no.

Mr. SIMS. Can you point to any investigations that have lasted shorter than 2 weeks?

Ms. WHITE. No, I cannot.

Mr. SIMS. Thank you.

Mr. Speaker, how is this legislation to be enforced? Specifically, if an individual violates this legislation, how is it to be enforced?

Ms. WHITE. In the event— I do not really understand your question. Is it to be enforced? I would say that if an individual was to break this law when it is put in place, so say a public official was to disclose a name when they were not supposed to

do so, they could be subjected to a judge issuing an order in which they could wind up being in prison for potentially 6 months.

Mr. SIMS. And how and where would that judge take up such a case?

Ms. WHITE. In whatever judicial court that they represent.

Mr. SIMS. In whatever judicial court that they represent. How would that case make it to that judge?

Ms. WHITE. It would have to be— An officer would have to bring it to the attention of that judge.

Mr. SIMS. So an officer would just let a judge know that he believed or she believed that a violation of this legislation had occurred and that would be enough for a judge to therefore take up action and perhaps—

Ms. WHITE. No, that would be to the discretion of that judge.

Mr. SIMS. Mr. Speaker, what is the penalty for a violation of this legislation?

Ms. WHITE. I believed that I had just answered that question.

Mr. SIMS. I may have missed that; my apologies. I asked earlier about enforcement, but I am unsure about what the penalty is. If, as you say, that a referral from a police officer to a judge is enough for a judge to issue an order, what is the subject of that order? What would a penalty for a violation of that order be?

Ms. WHITE. Correct. The judge could put a sentence in place of approximately 6 months. Otherwise, a jury would be necessary for anything – a sentence longer than 6 months.

Mr. SIMS. Mr. Speaker, can you point to anywhere in the legislation where that is laid out, because I am afraid I do not see that.

Ms. WHITE. That is because it is the judicial system. It is the judge's power that they can remain in contempt for up to 6 months, so that is where that comes from.

Mr. SIMS. Thank you, Mr. Speaker.

On the underlying bill?

The SPEAKER. Yes. Thank you very much.

The interrogation has concluded.

Representative Sims, on the bill itself.

Mr. SIMS. Mr. Speaker, I am going to join with colleagues on both sides of the aisle in urging my colleagues to vote "no" on this legislation.

It is clear from interrogation that we not only do not know how many people will be impacted, but in fact, there may be nobody impacted. We have no idea how long an investigation can last. We do not know how this bill will be enforced or what the penalty will be. In fact, it sounds like this is not just bad law, that this is incomplete law, and I would urge all the members to vote "no" on it.

Thank you, Mr. Speaker.

The SPEAKER. Representative Greg Vitali, on the bill.

Representative Vitali waives off.

Representative Curtis Thomas, on the bill.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, may I interrogate the maker of the bill?

The SPEAKER. Representative White has agreed to stand for interrogation on the bill.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, in the last interrogation, you indicated that you had no examples of where police officers have been threatened

or families in jeopardy because of his or her conduct, and you acknowledged that you did not have any information.

My question is, what prompted you to author this bill?

Ms. WHITE. I believe that the Speaker had mentioned in Philadelphia—

The SPEAKER. Please suspend. Please suspend.

Members, as a rule – and this is true whether the interrogation is conducted by members from either party – it is just I feel compelled to remind everybody that interrogation is really just a measure to be able to ask questions with respect to the legislation itself. It is not designed to get to motives or, you know, to ascribe particular perspectives with respect to the maker. I just want to read this from Mason's Manual of Legislative Procedure, which we do adhere to: "It is not the person but the measure that is the subject of debate, and it is not allowable to arraign the motives of a member...."

Representative Thomas, you may proceed, but I would just say this to all members, if you have strong arguments with respect to the bill itself, those are better conveyed in your remarks on the bill than it is through an interrogative process. Interrogation is really a very limited perspective to just ask questions about the bill and its consequences. That is all it is.

Representative Thomas, you may proceed, but you must stay away from motive.

Mr. THOMAS. Mr. Speaker, let me say to you and let me say to everybody here, I am not interested in her motives. The last thing I want to know about is her motives. What I am concerned about, we come from the same county. We are faced with the same circumstances in the county, and I am just trying to find out what gave rise to the need for a police shield.

The SPEAKER. Mr. Thomas, you may proceed with your question, but please just stick to the legislation and its consequences.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, have you had a conversation with the mayor, the police commissioner, or the president of the legislative body in Philadelphia County?

The SPEAKER. Please suspend. Representative Thomas—

Mr. THOMAS. Yes.

The SPEAKER. The good maker of the bill is not on the witness stand. I am sorry. I understand if you believe that you did not think there was enough discussion with particular elected officials or positions, those are points you can absolutely make in your remarks on the legislation, but it is not designed for interrogation. I do not mean that in any way disrespectfully to you or any other member.

When members agree to stand for questions – and we all know that you do not have to submit to interrogation under the rules – nobody here is on the witness stand, Republican or Democrat, nobody is on the witness stand. So please, please, you may ask questions about the legislation or you may proceed to remarks on the bill; either is appropriate.

Do you wish to continue interrogation?

Mr. THOMAS. Mr. Speaker, no. I feel disrespected, but I know you do not intend to disrespect me, so I will just go forward with my remarks.

The SPEAKER. Sir, remarks on the bill. Thank you, sir.

Mr. THOMAS. Mr. Speaker, if any one of the 203 members in this chamber or any of the 50 members of the Pennsylvania Senate just did a review, up close or from afar, W. Curtis Thomas has supported the Philadelphia Police Department and the Pennsylvania State Police union. I know that when it comes

to police and firefighters, they represent the real anchors of safety in our communities.

So when I heard about this proposal, and, Mr. Speaker, as you know, I had an amendment yesterday that would have struck a balance between what the author wanted and I think what we needed to do, but it did not come up because when the maker found out about my amendment – and I talked to her about my amendment – my amendment, then all of a sudden the Judiciary Committee made a change which changed the printer's number, and so now my amendment was out of time because it no longer had the right printer's number.

So, Mr. Speaker, I wanted to interrogate the maker because I would like to know what the heck is going on in my county that has prompted 253 members of the General Assembly to take time out to deal with.

We have some child-care centers closing, we have some people who are not working, we have some kids who cannot go home with books, so I just wanted to know what is it – and, Representative, do not do that – I was just trying to find out what in the heck is going on. Let me also say—

The SPEAKER. Representative Thomas, just for a second, please.

Members, please, take your seats. Please, Representative Thomas does have the floor. All members, please take your seats. I would ask all conversations to please go to the anterooms. Staff, I would ask you to please take your seats. Representative Thomas is entitled to be heard on the bill. Please, members. Thank you.

Representative Thomas, on the bill, sir.

Mr. THOMAS. Mr. Speaker, I wanted to note just what was going on. I believe that the maker of the bill is well intentioned. You know something is going on. I thank each and every member of this body for standing up and supporting the courageous police officers of the 22d Police Command, which I guess about 50 of them came here to the floor of the House. My friends at the F.O.P., Fraternal Order of Police, helped make that happen.

So, Mr. Speaker, I am just trying to find out what is going on.

I know that the current police commissioner has taken a position, but I also know that the mayor-elect has announced that this police commissioner will be leaving at the end of the year. So if his policy is to release information, it is plausible that a new police commissioner might not accept that policy. Until we hear from the new police commissioner, I think that it is just bad to tie an incoming police commissioner's hands in his decisionmaking, and we will not have a new police commissioner until sometime after January 20.

Secondly, Mr. Speaker – and I have gotten a lot of calls from my friends at NAACP (National Association for the Advancement of Colored People) that have been talking to some folks in the ACLU (American Civil Liberties Union) and other legal communities because I wanted to find out whether or not this bill violates you and I's right under the Fifth Amendment of the United States Constitution and also Pennsylvania.

Do we have a right to confront our accusers under HB 1538? Because on its face, it does not appear to provide us, you and me, that basic right. So if there is a shield on information to you and me until an investigation is done, the family of the poor victim, they cannot get any information until after the investigation. If the victim is not dead, he or she cannot get any

information until after the investigation, however long that period is. So there is a fundamental question as to whether or not this bill would preclude you and me exercising our rights under the Eighth and the Fifth Amendments.

So, Mr. Speaker, I do not know whether the author of this bill had a chance to take a look at the unintentional consequences of this bill or how does this bill line up with our constitutional protections here in Pennsylvania and throughout this great country – and I wish this past Saturday, I wish the author could have joined me in my district on a police and community panel conversation, where police and young people, older people, sat down and talked about how we can support one another. Even in that conversation, this never even came up that I needed to come to Harrisburg this week and do something or participate in something that would help protect our officers.

CONSTITUTIONAL POINT OF ORDER

Mr. THOMAS. So, Mr. Speaker, let me make a motion to declare this bill unconstitutional under both Pennsylvania and the United States Constitutions as violative of our fundamental right to confront our accusers.

The SPEAKER. The gentleman, Representative Thomas, raises the point of order that HB 1538 is unconstitutional.

Under rule 4, the Speaker is required to submit questions affecting the constitutionality of a bill to the House for decision, which the Chair now does. Representative Thomas has put that on the table, or excuse me, has brought that to the floor.

On the question,
Will the House sustain the constitutionality of the bill?

Mr. THOMAS. When they got me yesterday on that printer's number thing, it woke me up.

The SPEAKER. Representative Thomas, everybody is entitled to speak on constitutionality once, only once. You may speak on the issue of constitutionality.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, in this great country where you and I can have differences, but our joy can be found in how much we are alike as opposed to being apart. Mr. Speaker, if we look at what is going on around this country, and I extend my deepest sympathy to the families of the 100-and-some families in Paris who have children that will not come home, that have mothers and fathers that will no longer come home because of folks who believe that the freedom that we have in America is not right.

Mr. Speaker, in this Keystone model of democracy in the United States, we have a fundamental right to confront those who have brought harm to us or lies and accusation against us. Mr. Speaker, HB 1538, in the absence of some additional clarification, would provide a broad shield, a broad wall, to you and I being able – if you and I become a victim of an arrest or a detainment that just goes wrong – and it can happen. We have a very good department of 6,000-and-some folks in Philadelphia, but in everything there are going to be some problems, so we recognize that.

But on the face of HB 1538, you and I, if we become victimized by a bad arrest or bad detainment or bad analysis of reasonableness or probable cause, then this bill will prevent us from knowing who made the bad shot or who was responsible for the detainment and the arrest going bad.

So, Mr. Speaker, as we embrace the fundamentals of our experiment of democracy in this great country and in this great Keystone State, we have to declare HB 1538 unconstitutional.

The SPEAKER. On the issue of constitutionality, the Chair recognizes Representative Cutler.

If anybody else wishes to speak on constitutionality, please let us know if anybody else wishes to speak on it.

Right now Representative Cutler has the floor.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, the gentlemen has raised the issue of constitutionality with regards to the rights to confront your accusers. Mr. Speaker, the Sixth Amendment of the U.S. Constitution and section 9, Article I, of the Pennsylvania Constitution essentially read and preserve the same rights, and I would like to read it in part because I think it is important in making a determination for this bill. It says, "In all criminal prosecutions the accused hath a right to be heard by himself and his counsel, to demand the nature and cause of the accusation against him...."

Mr. Speaker, the bill before us does not do anything to prevent access to your accused or access to that information at the time of prosecution. This bill solely deals with protecting the investigatory process which would proceed at prosecution.

Furthermore, in the event that there are further attempts to declare the bill unconstitutional, I think it is also worth noting that anything regarding the 14th Amendment, which I believe the gentleman also brought up, the equal protection clause ensures that people are equally situated to be treated equally. Reasonable classifications can be made if there is a legitimate government interest, unless the discrimination involves classifications based on a suspect class. This legislation affords greater rights to police officers during the investigation than the average citizen, but that distinction in and of itself does not involve invidious discrimination. The government has a legitimate and compelling reason to make this distinction in order to protect the lives and the safety of the police officers.

Mr. Speaker, this bill is constitutional, and I would urge that this motion be defeated. Thank you.

The SPEAKER. All those who believe that the bill is constitutional will be voting "aye"; those who believe the bill to be unconstitutional will be voting "nay."

On the question recurring,
Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—176

Adolph	Flynn	Mackenzie	Reed
Baker	Freeman	Maher	Reese
Barbin	Gabler	Mahoney	Regan
Barrar	Galloway	Major	Roae
Benninghoff	Gergely	Maloney	Ross
Bizzarro	Gibbons	Markosek	Rothman
Bloom	Gillen	Marshall	Rozzi
Boback	Gillespie	Marsico	Sacccone
Boyle	Gingrich	Masser	Sainato
Brown, R.	Godshall	McGinnis	Samuelson
Burns	Goodman	McNeill	Sankey
Caltagirone	Greiner	Mentzer	Santarsiero
Carroll	Grove	Metcalfe	Santora
Causar	Hahn	Metzgar	Saylor
Christiana	Harhai	Miccarelli	Schemel
Cohen	Harhart	Millard	Schlossberg

Conklin	Harkins	Miller, B.	Schreiber
Corbin	Harper	Miller, D.	Schweyer
Costa, D.	Harris, A.	Milne	Simmons
Costa, P.	Heffley	Moul	Sims
Cox	Helm	Mullery	Snyder
Cruz	Hennessey	Murt	Sonney
Culver	Hickernell	Mustio	Staats
Cutler	Hill	Neilson	Stephens
Daley, P.	Irvin	Nesbit	Sturla
Davis	James	Neuman	Tallman
Day	Jozwiak	O'Brien	Taylor
Deasy	Kampf	O'Neill	Tobash
Delozier	Kaufer	Oberlander	Toepel
Diamond	Kauffman	Ortitay	Toohil
DiGirolamo	Kavulich	Parker, D.	Topper
Donatucci	Keller, F.	Pashinski	Verbe
Driscoll	Keller, M.K.	Payne	Vitali
Dunbar	Keller, W.	Peifer	Ward
Dush	Killion	Petrarca	Warner
Ellis	Kim	Petri	Watson
Emrick	Klunk	Pickett	Wentling
English	Knowles	Pyle	Wheatley
Evankovich	Kortz	Quigley	Wheeland
Evans	Kotik	Quinn	White
Everett	Krieger	Rader	Zimmerman
Fabrizio	Krueger	Rapp	
Farina	Lawrence	Ravenstahl	Turzai,
Farry	Lewis	Readshaw	Speaker
Fee	Longietti		

NAYS—24

Acosta	Daley, M.	Frankel	McClinton
Bishop	Davidson	Gainey	Parker, C.
Bradford	Dawkins	Hanna	Roebuck
Briggs	Dean	Harris, J.	Thomas
Brown, V.	DeLissio	Kinsey	Truitt
Bullock	Dermody	Kirkland	Youngblood

NOT VOTING—0

EXCUSED—3

DeLuca	Matzie	McCarter
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The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the bill was sustained.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. We do have other speakers. We do have other members who wish to speak on the bill.
I apologize. Representative Thomas.

We do have about six other members that would like to speak on the bill.

MOTION TO TABLE

Mr. THOMAS. I do not want to hold them up too long.

I would like to move to table the bill to give the maker of the bill an opportunity to talk with the outgoing and incoming new police commissioner along with the incoming mayor, Mayor-elect Kenney, and her legislative leaders and city council, because this bill, and we already have a hostile situation in Philadelphia County and in other parts of this great State, we do not need to aggravate it. It is important and I think

that the Fraternal Order of Police should be at the table of the conversation.

So I would like to table this bill until Monday, November the — is it the 19th? — 23d. I would like to table this bill until Monday, November, 23. I will work with this legislator in convening a meeting with the F.O.P., the current police commissioner, the incoming police commissioner, the current mayor, incoming mayor, and one of several Representatives from the legislative body in Philadelphia County. I think that it is only fair, and as my mama used to say, "bare bones respect" for people who will have responsibility for either complying or failing to comply with the basic tenets of 1538.

The SPEAKER. Members, the motion in front of us then is a motion to table to next Monday, November 23. That is the motion in front of us. The only members that may speak on the motion to table include the maker of the motion who has spoken, the maker of the bill, and the leaders. No one else may speak on this particular motion.

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

The SPEAKER. Representative Thomas, you may only speak once on the motion; I apologize.

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

The following roll call was recorded:

YEAS—38

Acosta	Dean	Harris, J.	Pashinski
Bishop	DeLissio	Kim	Roebuck
Bradford	Dermody	Kinsey	Samuelson
Briggs	Evans	Kirkland	Schweyer
Brown, V.	Frankel	Longietti	Sturla
Bullock	Freeman	McClinton	Thomas
Cruz	Gainey	Miller, D.	Vitali
Daley, M.	Galloway	O'Brien	Wheatley
Davidson	Goodman	Parker, C.	Youngblood
Dawkins	Hanna		

NAYS—162

Adolph	Farry	Lewis	Readshaw
Baker	Fee	Mackenzie	Reed
Barbin	Flynn	Maher	Reese
Barrar	Gabler	Mahoney	Regan
Benninghoff	Gergely	Major	Roae
Bizzarro	Gibbons	Maloney	Ross
Bloom	Gillen	Markosek	Rothman
Boback	Gillespie	Marshall	Rozzi
Boyle	Gingrich	Marsico	Saccone
Brown, R.	Godshall	Masser	Sainato
Burns	Greiner	McGinnis	Sankey
Caltagirone	Grove	McNeill	Santarsiero
Carroll	Hahn	Mentzer	Santora
Causar	Harhai	Metcalfe	Saylor
Christiana	Harhart	Metzgar	Schemel
Cohen	Harkins	Miccarelli	Schlossberg
Conklin	Harper	Millard	Schreiber
Corbin	Harris, A.	Miller, B.	Simmons
Costa, D.	Heffley	Milne	Sims
Costa, P.	Helm	Moul	Snyder
Cox	Hennessey	Mullery	Sonney
Culver	Hickernell	Murt	Staats
Cutler	Hill	Mustio	Stephens
Daley, P.	Irvin	Neilson	Tallman

Davis	James	Nesbit	Taylor
Day	Jozwiak	Neuman	Tobash
Deasy	Kampf	O'Neill	Toepel
Delozier	Kaufer	Oberlander	Toohil
Diamond	Kauffman	Ortitay	Topper
DiGirolamo	Kavulich	Parker, D.	Truitt
Donatucci	Keller, F.	Payne	Vereb
Driscoll	Keller, M.K.	Peifer	Ward
Dunbar	Keller, W.	Petrarca	Warner
Dush	Killion	Petri	Watson
Ellis	Klunk	Pickett	Wentling
Emrick	Knowles	Pyle	Wheeland
English	Kortz	Quigley	White
Evankovich	Kotik	Quinn	Zimmerman
Everett	Krieger	Rader	
Fabrizio	Krueger	Rapp	Turzai,
Farina	Lawrence	Ravenstahl	Speaker

NOT VOTING—0

EXCUSED—3

DeLuca Matzie McCarter

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

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Members, I have to issue an apology to Representative Thomas. I was corrected. On the motion to table, unlike the motion for constitutionality, you may speak a second time, and I do apologize. I presumed that it was the same as the motion of constitutionality.

Representative Thomas, you still have the floor, however, on the bill itself. The floor is yours. You may proceed.

Mr. THOMAS. Thank you, Mr. Speaker.

I did not want you and I to have an adversarial relationship, so I did not challenge that, and I knew you would do the right thing before it was over with. I thank you for this opportunity.

Especially to the people of Philadelphia County, to the people of Philadelphia County, should the incoming police commissioner, mayor, and a new legislative body – I mean, one of our members is on her way to that legislative body. The author of this bill never even said anything to her.

It is not good business to bind people to policies that they have never had an opportunity to say anything about. That is not right. That is not right. No one in this room would want Curt Thomas engaging in conduct that binds your decisionmaking and never asked you how you feel about it, because what that says is, I do not care nothing about you; I do not care nothing about how you feel about this. I am just going to run over you.

Part of what has happened in Philadelphia and happened in many other places, we have gotten away from respecting the dignity of humanity, respecting the dignity that each and every one of us should have. That basic dignity requires that you at least, if you are doing something that is going to impact me or impact the people that I represent, should I not have something to say about it?

So if there are no other "no" votes on this, people from Philadelphia County should be a "no" vote. But I know that Philadelphia County is not the only place where we have some upstanding, stellar lawmakers who appreciate, who appreciate

the idea of you and me talking with one another, especially when we take steps to bind someone else's hands.

That is my biggest concern about HB 1538. We are tonight – we cannot come together fast enough to get a budget done, but we can come together fast enough to tell the police commissioner, the mayor, and the head of the legislative body in Philadelphia County that we are going to make sure that no matter how you feel about police misconduct or whatever, that we do not want to hear nothing from you. We do not even know whether you agree with the way we feel about it. That is not good.

So I ask each and every one of you who believe in the dignity of mankind, vote "no" on HB 1538.

The SPEAKER. Thank you, sir.

Representative Mike Vereb, on the bill.

Mr. VEREB. Thank you, Mr. Speaker.

You know, I raised my hand to be recognized, Mr. Speaker, and be put on the list after the good gentleman from Lebanon County was up. I have been doing a lot of thinking about how much time of my life addressing some things that were said, that if I address them on the floor I will never get that time back in my life. Looking in the rearview mirror, what does that have to do with a police-involved shooting?

All this bill does – it is not about Philadelphia. It may have been spurred in Philadelphia, but look who is supporting it. The same unions that have to defend these officers in a clean shooting, in a justified shooting. This is only a brief timeline that the officers' and their families' information does not spew across the Internet while an objective, factual-based, evidence-based investigation can be conducted.

No one here speaking supports a bill that is going to harbor cops somewhere out in some foreign land so that nothing can be addressed or dealt with. We are expecting a criminal investigation or an investigation to get conducted. In fact, even in a very well-known, video-documented police-involved shooting, there is an investigation. A car accident, there is an investigation. So no matter how clean we think a shooting is, there is still an investigation, and eventually the officer's name is going to come out in public.

Mr. Speaker, most of these shootings – I do not have the percentages – but most of these shootings end up to be grand jury cases to begin with. What happens in a grand jury? Of course, unless it is in Harrisburg, it typically does not leak out. But grand jury laws preclude names of people involved in a grand jury in any capacity from being released. We are simply putting a safeguard in place for these officers.

Veil of secrecy, are you kidding me, Mr. Speaker? Enough with the spewing skulduggery, and let us protect the police officers and their families and allow the investigators to do their job.

I urge you to vote "yes," and I urge you to stay factual on the bill and do not bring in your own history with police.

Thank you, Mr. Speaker.

THE SPEAKER PRO TEMPORE (KATHARINE M. WATSON) PRESIDING

The SPEAKER pro tempore. Thank you.

Good afternoon.

The Chair recognizes Representative Jordan Harris from Philadelphia. Mr. Harris, you have the floor, sir.

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

I rise today not to impugn the character of the maker of this bill, nor to talk about her motives. That is not my job, place, or purpose. I congratulate the lady for having the temerity to put forth a bill that she believes in. We just have a different set of beliefs when it comes to this issue.

Madam Speaker, policing, we know, is not easy; it is a hard job to do. Many of our friends and loved ones put their lives on the line every single day to protect our communities. It is a noble profession of which we should give the utmost respect. We should never talk in despair when we talk about many of the good officers across this Commonwealth who serve their communities.

My great-uncle was one of those men in Philadelphia who after being a Marine went on to the Philadelphia Police Department and retired as a detective. But the point is this: The Declaration of Independence says, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." But if you continue on, it says, "That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed..." — the consent to be governed. That simply means, Madam Speaker, that it is the will of the people to be governed that provides the police, that provides us with the authority and the ability to govern them. We consent to be governed.

The Philadelphia Police Department's mission says, "OUR MISSION is to be the model of excellence in policing by working in partnership with the community and others...."

Madam Speaker, my problem with this bill is that I think the unintended consequence is that we will create a wall between community and police which will hinder the police from executing their job. How can the community trust their police department if, when a shooting happens, the police officer who was paid with public dollars, that name is not released to the public — the people who consent to be governed?

If community does not work with police, we have anarchy. Ask any police officer; they need the help of the community in order to do their job. For me, the unintended consequence of this bill is that communities, many of which already mistrust police officers, will continue to mistrust police officers, and that mistrust of police officers will hinder police from doing the job.

Lastly, Madam Speaker, I will say this: The power of life and death should come with a high level of public oversight and scrutiny. When a police officer puts on their badge, when they put on that firearm, and when they patrol our streets, they are given the power of life and death, and anybody that is given that power should have a high level of oversight and a high level of scrutiny. If we do not have that, if we do not have that, we will not have the trust of our community, and therefore, we should vote "no" on HB 1538, because it will hinder the policing process by increasing the amount of distrust between communities and the police that are in charge of protecting and serving them. Thank you.

The SPEAKER pro tempore. Thank you, Mr. Harris.

The Speaker now recognizes the gentleman from Bucks County, Representative Petri. Mr. Petri, you have the floor.

Mr. PETRI. Thank you, Madam Speaker.

I support the Representative from Philadelphia in her efforts today.

You know, our world has changed dramatically. Now people rush to judgment. They see excerpts on TV, on film, and they begin to make judgments long before the facts are truly known. What we need to do today is balance the interest of those who have the right to know the identity of individuals who are subject to an investigation against the safety of an officer and his or her family pending the outcome of that investigation.

For me, it is not really a difficult question, because in the end, the facts will be known — all of the facts and all of the information. But until they are, I think it is very difficult for a police officer to conduct their daily lives when an incident occurs where they may be the subject of an investigation to know that they and their family are safe.

I think this is a reasonable measure. It is not forever. It is for a period of time until the investigation can be completed. Those investigations that are simple and easy to determine, the time period will be short. Those that are potentially subject to many interpretations alike may take longer. But in the end, the idea is to protect the officer in a time when people rush to judgment too quickly, oftentimes, so that that officer can fulfill their duty of public safety to the community.

I urge my members to vote in favor of this measure that is really a good sign and gesture for police officers that we want them to be able to fulfill their duties. Thank you.

The SPEAKER pro tempore. Thank you, Representative.

The Chair now recognizes Representative Dom Costa from Allegheny County. Sir, you may begin.

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

You know, I have been sitting here listening to debate back and forth. I have been listening to a lot of my colleagues on both sides of the aisle basically saying they read this, they heard this, they talked to the Pittsburgh F.O.P. Now, I am going to tell you from fact, reality, in living it 28 years and being a chief of a major city department, city of Pittsburgh, what you hear, what you read, is not what happens on the street.

I personally, in my 28 years, was involved in a deadly shoot-out and the suspect was hit. Fortunately, he did not die. That was at 2:30 in the morning. By 8:30 in the morning, my family was threatened, my life was threatened. I was still doing paperwork and worrying about my family and my kids going to school.

We are talking about a bill that only holds the name of the officer involved. It is not like the Pittsburgh Police Bureau is going to get up and leave town. It is not like there is no one looking. Every shooting in the city of Pittsburgh is overseen by the district attorney's office. They do the investigation; we support their investigation.

There is no way that an officer use of deadly force is going to make a difference if the name is not put out there. We are making way too much of this.

The Pittsburgh Fraternal Order of Police is not who we call when an officer is threatened. We notify the supervisors within the department. So saying that the F.O.P. did not know this, the president, is wrong because the F.O.P. has been there 15 years. I have been retired 9. So obviously, he did not know. I knew his father and his uncle. I will tell you, the F.O.P. in Pittsburgh supports this.

Now, we can go by what people hear, what people read. I am telling you from fact. Does anybody in here have a bullet in the base of their brain? I do not think so. I do from the line of duty. I live with that every day; my family lives with it. When we use

deadly force, your kids are going to school and they are saying, "Your dad shot somebody." There is no need for that.

If we want to support our officers, truly support them, we have to trust in our district attorneys, we have to trust in the system we have, and we have to make sure that we protect them and their family from unscrupulous people that want to drag their names and threaten their families.

I strongly support this bill, and I commend the young lady from Philadelphia for bringing it forth. Thank you.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Thank you, Representative Costa. There is so little we could add or say.

Let us move now, please, to the Representative from Philadelphia, the gentlelady, Vanessa Lowery Brown. Representative Brown, the floor is yours.

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

First, I want to thank you for your service to the colleague that spoke before me from Allegheny County. As a police brat, my father also retired from law enforcement. He was a detective in Philadelphia, retired from the homicide division. I understand that commitment, and I just want to say thank you for what you have done for our Commonwealth here in Pennsylvania.

But I do want to speak on the bill from a different perspective, and that is a perspective of transparency and what is going on in the nation right now. Right now with social media, within seconds information is displayed in the Cloud, within seconds. People are now trained that they can download an app on their phone that as you record, you do not even have to press send, the recording automatically goes into the Cloud. There are people everywhere with cell phones. I am here with one now. If I had permission, I could be recording myself through Periscope and loading this right up on the Internet.

So many people, as we know now and in social media, are uploading interactions with law enforcement. I just want to be sure that when we are drafting legislation, that we are keeping the current times at front, ahead of us. If this was 10, 20 years ago, this bill, to me, might be even more relevant, but today with social media at our fingertips, it is not as relevant as we would think.

I just want to bring up an incident in Hummelstown that happened, and in Hummelstown, PA, it was just recently on the news. This is a little, small county with a population of 4,520 people. It was recently a location of a police-involved shooting, where due to the size of the town, it did not take long for the residents of that area to know who the officer involved in that incident was. It is a small town.

During an incident like this, by not allowing the officer to have his or her name publicly disclosed would do nothing but create greater, undue suspicion about the actions of the officer involved. In fact, I am almost certain that any officer, or legal counsel representing them under this scenario, would be eager to have their name publicly disclosed just to ensure that we have good community policing relationships. We do not want anyone that we trust our public trust to, to think that we are trying to do law enforcement under cloak-and-dagger.

I just want to also share with you, I have a quote from our district attorney here in Dauphin County, Marsico, and during this case he said, and this is in the newspaper article I have, "We don't live in a vacuum, we know what's going on in this country [in regards to use of police force]."

I am not going to go into that, and as he states, we all know what he is talking about. The environment of what has been happening across our nation today, what we know is that the public trusts us. The public wants to know, they want to know who is involved. They want to know that they can trust that we will not hide information from them. If it was your child, if it was your mother, if it was your brother, and someone whom we trusted in law enforcement to protect them, did not do that in an accurate way, the first thing we would do is run down to that person's supervisor and say, "Who was it?" And that is all we are trying to display today, is we all want to know if it was our loved one, who was it?

Thank you, Madam Speaker.

The SPEAKER pro tempore. Thank you, Representative.

We now move to the gentlelady from Montgomery County, Representative Madeleine Dean. Representative Dean, you have the floor.

Mrs. DEAN. Thank you.

I wonder if the maker of the legislation would stand for brief interrogation.

The SPEAKER pro tempore. The Representative has indicated she will stand for interrogation. You may begin the interrogation.

Mrs. DEAN. Thank you.

I have some language questions, some clarification as to what some of the words mean.

So we know that this legislation would block the information about a police officer in the event of a police-involved shooting in certain circumstances, but it also would block the information in the use of force. What is the definition of "use of force"?

Ms. WHITE. Madam Speaker, the definition of "use of force" is under chapter 5, Title 18, and it is, you know, available there.

Mrs. DEAN. I apologize, I do not have that title in front of me. What is included in the use of force?

Ms. WHITE. The means necessary to enforce the law. It defines any action an officer must take in order to effectuate and enforce the law.

Mrs. DEAN. So a police officer tackling a person, a suspect or other, that would be the use of force, correct?

Ms. WHITE. Like I said, any form of force that is needed in order to effectuate the law and enforce the law.

Mrs. DEAN. So a forceful handcuffing of a person who is a little reluctant to become handcuffed, that would be the use of force, I assume, too. Am I right? Would that be right? Handcuffing?

Ms. WHITE. I do not believe so.

Mrs. DEAN. Handcuffing would not be use of force?

Okay. I do not know where I could find that kind of a delineation. How about holding somebody up against a wall or against a car? Is that the use of force?

Ms. WHITE. This bill is only regarding the instance in which an officer uses force that rises to the level in which a case would be brought forth, which a full investigation would need to be completed, and therefore that investigation would be necessary. So I hope that that clarifies—

Mrs. DEAN. But potentially any—

Ms. WHITE. —for you.

Mrs. DEAN. I appreciate that. That is fine.

Another word that I am curious about is the use of "law enforcement officer." In this case, the language does anticipate a

definition of "law enforcement officer," and it refers us to section 501. Who else is included in "law enforcement officer" or "peace officer" as our definition suggests?

Mrs. WHITE. It sounds as though you already know the answer to that question.

Mrs. DEAN. No; I wonder who else.

Mrs. WHITE. Because you just referenced the source in which it came from.

Mrs. DEAN. I am reading from the bill, but who else that I do not read in this bill?

Mrs. WHITE. A peace officer.

Mrs. DEAN. Correct. Who does that include?

Mrs. WHITE. "Any person who by virtue of his office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses, or any person on active State duty pursuant to 51 Pa.C.S. § 508 (relating to active duty for emergency). The term 'peace officer' shall also include any member of any park police department of any county of the third class."

Mrs. DEAN. Police officers, I understand. How about elected peace officers, such as sheriffs? Is a sheriff anticipated in this?

Mrs. WHITE. Like I said, you should just reference the definition of "law enforcement" as I had previously mentioned.

Mrs. DEAN. But I am unclear. Is a sheriff, an elected sheriff, anticipated, protected in this legislation?

Mrs. WHITE. Yes; as I had just mentioned, peace officer would reference that.

Mrs. DEAN. How about a constable?

Mrs. WHITE. A constable has the authority to make an arrest.

Mrs. DEAN. So constables are also protected under this. How about campus police?

Mrs. WHITE. If they are a certified police officer, then they have the authority to make an arrest.

Mrs. DEAN. So potentially lots and lots of uses of force could be blocked, information regarding those could be blocked as anticipated under a peace officer.

Mrs. WHITE. I think that you are misrepresenting the bill itself because this bill is to make sure that a full investigation is completed prior to a criminal charge being brought against an officer. And then in the instance in which the officer is not charged with a crime, their names can be disclosed as long as the lives of the officer and the lives of their immediate family members are not in jeopardy.

Mrs. DEAN. Which raises my third question on language, which has to do with the information may not be released when there is no criminal charge. If the information I am reading from the bill, and I do not understand—

Mrs. WHITE. That is inaccurate, actually.

The name of the officer can be released if there is no criminal charge brought against them.

Mrs. DEAN. Yeah; but I am reading when they cannot.

Mrs. WHITE. Except in the instance in which the— Okay. Go ahead.

Mrs. DEAN. And the language says—

The SPEAKER pro tempore. Excuse me; excuse me. Gentleladies, if I might interrupt. It seems that we are getting into something, and respectfully, my observation is, of a debate, and really, what this is to be is an interrogation, asking questions you do not know, questions you supply the answer to.

It would seem better if in your remarks you want to highlight things that you have ascertained in the interrogation.

But I would caution both of you, bright women that you are, as are the women of the House, but I would caution you to getting into that debate mode. Thank you, ladies.

Mrs. DEAN. I appreciate that.

So my final question as to the language is, what is "harm"? Because, as you said, if it is the life of the officer or his family member, I could not agree, but it does not read that way. So if it could create a risk of harm, what is the definition of "harm"?

Mrs. WHITE. That is to the discretion of the court.

Mrs. DEAN. I apologize; I did not hear.

Mrs. WHITE. It is to the discretion of the court to determine that.

Mrs. DEAN. Would economic harm be acceptable?

Mrs. WHITE. It is to the discretion of the court. I have answered your question. I am sorry if it does not satisfy you.

Mrs. DEAN. On the bill, Madam Speaker?

The SPEAKER pro tempore. Thank you.

The interrogation, Representative Dean, is ended, and now you are speaking on the bill. Please begin.

Mrs. DEAN. Thank you so much.

I appreciate the gentlelady from Philadelphia bringing up this legislation. I had hoped to offer an amendment to it that would make it a little more reasonable in terms of at what point could the information reasonably be released, and it is echoed by my own chief of police. He thought 60 days or the conclusion of the investigation, whichever came sooner. I offered an amendment that would be 90 days or the conclusion of the investigation, whichever came sooner. That amendment failed. Let us put it that way.

What I worry about is hurried legislation that has a very good intent that is drafted in a way that is vague and will create more problems, unintended consequences, than it solves. When we use language like "save the lives of the police officer," of course, but that is not what we are voting on here. We are voting on whether or not there is any kind of risk. It could be reputational risk, economic risk. When we are talking about a peace officer, if we say a sheriff or a deputy sheriff, who then makes the decision as to the release of that information? Is it the very sheriff who used the force, gets to say I am not going to release the information because I think there could be a harm?

This is vaguely written legislation intended to protect police officers and their families, and I worry very much that the unintended consequences are a total failure of transparency of what we are doing.

I ask for a "no" vote. I hope that this will be reconsidered. I hope the Senate improves this bill. Thanks.

The SPEAKER pro tempore. Thank you, Representative Dean.

May I ask our colleagues and remind you if we could have order in the House. If you have additional comments, you are concerned about the bill, will you please go to the anteroom to discuss with someone? But indeed, so that people can be heard when they are expressing their views, could we maintain order and decorum. Thank you very much.

We now move to Representative Barry Jozwiak. Representative Jozwiak, you have the floor, sir.

Mr. JOZWIAK. Thank you, Madam Speaker.

Madam Speaker, I just want to remind you that this is a very unique group of people where you have four or five former law

enforcement people in this caucus. We walked the streets. We did things. We protected people. We got threatened. Our families were threatened. We know what it is like. We know what we are telling you, protect these police officers, because we have lived it.

Today police officers, they are attacked all over the country, and when an incident occurs involving police, officers are threatened, and on occasion they are put into protective custody or hiding to protect the officer and their families. And yes, I want to tell you it is their families too because they send you pictures of your kids, they send you a picture of your house with little comments on it. Families are targets as well as the officer.

In the past, riots occurred, officers and their families were exposed to threats, bodily injury, and even burning their homes down, which occurred last year in western Montgomery County. Many times when officers' names are released, some of the public have knee-jerk reactions and they try to retaliate against the officer and the families because they jump to conclusions.

I had a deputy sheriff whose life was in imminent danger when he was trying to arrest a felon. He shot and killed a gang member, and I have got to tell you, it was a very dangerous gang member. And I have got to tell you this too; the gang promised they would retaliate. We had to release that officer's name, but we did protect him. The officer was put on administrative leave for his protection until the investigation was completed.

Now, these investigations are completed swiftly. They do not let this stuff lay around. And they are usually done by outside agencies, another police department or the district attorney's office. In this particular case, this investigation was completed within 3 days. So I heard one of our colleagues ask, how long does the investigation take and were there any other incidents anywhere? I just gave you two, and I told you about the time.

When officers are put in life-threatening situations, they have to make split-second decisions to defend themselves and the public, you. Also, this is not a Philadelphia issue; this is a Pennsylvania issue. I heard so much talk about the mayor and the commissioner of the police in Philadelphia. What about the rest of the police chiefs and the rest of the mayors and the rest of the officers? The Pennsylvania State Police and the State F.O.P. endorse this bill. Guess who is against it? The ACLU. Maybe you need to make your choice here on whom you want to back. And I will tell you this, when a shooting incident occurs, your life changes in an instant. Police officers protect us. We need to protect them.

I would vote "yes" on this bill. I urge you to vote "yes." And thank you, Representative White, for producing this bill.

The SPEAKER pro tempore. Thank you, Representative Jozwiak.

We now move to the gentlelady, newly elected from Philadelphia, Representative Bullock.

Mrs. BULLOCK. Thank you, Madam Speaker.

I agree with most of my colleagues today that we must protect our police officers. I, too, have family and friends who have served our Commonwealth and agree that we must protect them in times of these concerns. However, it is my position that this bill is particularly vague, and I keep hearing that these investigations are done quickly. I keep hearing that it is just a matter of a few weeks. However, what happens when it is not?

In October of 2012, in Ridgeway, South Carolina, Gregory McDaniel was shot by a police officer during an early morning raid. He lost a kidney in that shooting and has over \$1 million in

medical bills. Three years later, just a few weeks ago, that police department has still failed to complete its investigation and to release the name of that police officer that shot Mr. McDaniel on that October morning; 3 years and just 2 weeks away from the statute of limitations for which Mr. McDaniel can file a lawsuit against that individual. The answer that was given when his lawyer asked that police department why the investigation was not completed was simply that they had too many cases on their desks.

So my answer to the question that has been put before this body, how long does it take for an investigation, the answer is, as long as the department wants it to be, and in some cases as long as it takes to prevent that individual from filing a claim against that department or the individual police officer that shot them or used force against them.

There are many instances in this particular legislation which was pointed out by my other colleague, Representative Dean, that are vague, that do not have the specificity that is needed to actually move this legislation forward. And for that reason, in particular because we do not have a timeframe in which these investigations must be completed, I will be voting "no," and I urge my colleagues to do the same. Thank you.

The SPEAKER pro tempore. Thank you, Representative.

We now move to Representative Bill Kortz of Allegheny County. Mr. Kortz, you are recognized, sir.

Mr. KORTZ. Thank you, Madam Speaker.

Madam Speaker, my brother-in-law is a retired policeman and approximately 20 years ago he was involved in a very serious shoot-out. He was placed on administrative leave after that while the investigation took place. His house was put under surveillance. And lo and behold, the brother of the criminal decided to come over and pay him a visit, but he was intercepted before he could do any harm.

I highly recommend a "yes" vote on HB 1538, and I commend the gentlelady from Philadelphia for bringing this forward. Thank you, Madam Speaker.

The SPEAKER pro tempore. Thank you, Representative.

The Chair now recognizes Representative Harry Readshaw from Allegheny County. Representative, you may begin. Thank you.

Mr. READSHAW. Thank you, Madam Speaker.

Madam Speaker, we have heard during the testimony of several people and the remarks here today referring to the remarks made by the Representative of the 21st District in Allegheny County, based on his own personal experience, and I would like to underline personal experience as a law enforcement officer. He discharged, as he had said today, discharged his firearm out of necessity in the line of duty and the consequences of doing so. He was wounded in the line of duty. And I have to share this with you, personal feelings. This gentleman and other law enforcement officers have walked the walk and today I think we should talk the talk.

I support HB 1538 and all of law enforcement. Thank you, Madam Speaker.

The SPEAKER pro tempore. Thank you, Representative Readshaw.

The Chair now recognizes the gentlelady from Philadelphia, Representative DeLissio. Representative DeLissio, the microphone is yours.

Ms. DeLISSIO. Thank you, Madam Speaker.

Madam Speaker, will the maker of the bill stand for very brief interrogation?

The SPEAKER pro tempore. Excuse me. The gentlelady has indicated she will stand for interrogation. Representative DeLissio, you may begin your interrogation.

Ms. DeLISSIO. Thank you, Madam Speaker.

Madam Speaker, do local law enforcement currently today have the opportunity to withhold an officer's name under a situation that is being addressed by the legislation?

Ms. WHITE. Yes, they do.

Ms. DeLISSIO. They do. Then, Madam Speaker, my response is enough said. They have that opportunity to withhold the name today. I have often seen pieces of legislation come through here that are applied ubiquitously across the board.

Mr. CUTLER. Madam Speaker? Madam Speaker?

The SPEAKER pro tempore. Yes.

Mr. CUTLER. I was just wondering if the lady had concluded her interrogation and was speaking on the bill.

Ms. DeLISSIO. I have, Madam Speaker. Thank you.

On the bill?

The SPEAKER pro tempore. Let me do it the proper way, if I may, Representative DeLissio.

Ms. DeLISSIO. Sure.

The SPEAKER pro tempore. You have now finished your interrogation. You may begin speaking on the bill, for the record. Thank you.

Ms. DeLISSIO. Thank you, Madam Speaker.

Again, we just heard that law enforcement has that opportunity today to withhold an officer's name if the situation warrants it. We rely on local law enforcement to make all sorts of important, critical decisions every hour of every day, yet for some reason that I am not quite grasping, we are saying that this particular decision needs to be taken out of local law enforcement's hands and we need to make that decision for them and on their behalf when in fact that decision may not fit every situation, number one, and number two begs the question about this issue of transparency.

And I do agree it is about balance, and I do agree it is about right to know. And I think the jobs that our first responders, police officers, you name it, do are tremendously important jobs. There is no discussion about that. This discussion is about how best to go about balancing this. I do not think this legislation does that. We just heard that that opportunity already exists today.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Thank you, Representative.

That concludes our folks for the first time. So we now have Representative Sims of Philadelphia, who wishes to speak for the second time. Representative Sims, you are recognized.

Mr. SIMS. Thank you, Madam Speaker.

Madam Speaker, there have been a lot of comments today, a lot of personal stories, and a lot of questions asked, and so what I would like to do is just take a brief moment to summarize what we have heard today, and that is that there is no definition of "harm" in this legislation, no definition of "force." We do not know to whom it applies. We do not know how many people will be impacted. We do not know how long an investigation can last, how this will be enforced, or what the penalty would be. In short, Madam Speaker, we know nothing about this legislation.

And so I urge my colleagues, please do not confuse your righteous support for the F.O.P. with support for a feckless piece of legislation. Thank you, Madam Speaker.

The SPEAKER pro tempore. Thank you, Representative.

Seeing no others who wish to speak, the Chair would now recognize Representative White, the prime sponsor of the bill. Representative White, you may begin.

Ms. WHITE. You know, before I go over my prepared remarks for today, I would just like to address a few points that I believe need clarification, and also to point out the fact that this bill was voted out of the Judiciary Committee 25 to 0. It has over 50 cosponsors, and that just goes to show you the amount of support that this bill has across the Commonwealth. Apart from that, the local F.O.P., the State F.O.P., the State Troopers Association, over 40,000 active and retired Pennsylvania law enforcement officers are in support of this bill. Now, that is saying something.

With regard to the conversation about dividing communities and distrust among law enforcement, if anything, this bill will help to bridge that gap, to bring people together by disclosing more information to the public as it comes out. We need a full investigation to be completed first before criminal actions can be brought forward. Otherwise, we are just leaving our officers to be publicly scrutinized with no defense whatsoever for what really transpired when they had to use force to protect their own lives and to make sure that communities stayed safe. Instead of having the public rush to judgment and make assumptions about our officers, a full investigation would help to mitigate that issue and therefore bring people closer together.

Our police officers, they represent the law, and to enforce the law is an enormous responsibility, and we must show our men and women in blue the respect that they deserve for having the courage to risk their lives to protect us and our communities.

Their job is not only difficult, but it requires split-second decisions that can save the lives of others. I know many of us think of our local police officers as being invincible, and rightly so because they are truly modern-day heroes. What we need to remember, though, is that these men and women are human just like you and me. They have families who worry about them and wonder whether they will walk through the front door at the end of the day. They are mothers and fathers, sisters, brothers, sons and daughters, neighbors, friends, and they are fellow Americans.

As American citizens, our police are protected by the constitutional right to due process. They do not deserve to have their fate determined by the media or a mob with a political agenda. They and their families have the right to security. We must not expose our law enforcement officers to the exact situations that they try to prevent us from experiencing, such as harassment and violence.

HB 1538 is designed to fix a broken system that has left our officers and their families in a vulnerable position. This legislation, which has strong bipartisan support, is designed to protect those who protect us.

This legislation protects the identity of an officer while he or she is being investigated for discharging a firearm or using force in the line of duty until criminal charges have been brought against the officer. Once the investigation is complete, criminal charges have been filed, and the life of the officer and his or family members are not in danger, then it is to the discretion of that public official to disclose the officer's information.

Some have suggested that this bill gives police rights not available to the general public, when in fact we commonly protect the identities of crime victims when identifying them places them in harm's way.

Today police have a target on their backs. Delaying the release of their names until the threat is gone is not about special rights; it is about giving them the same measure of safety you would anyone else.

Unfortunately, criminals threaten the well-being of our officers every day. Our own public officials should not be the ones handing over officers' information that can lead criminals straight to them and to their families where they can take vengeful actions. It is wrong, and now is the time to do something about it.

Today more than ever, our law enforcement officials need to know that we, as a Commonwealth, stand with them and support them for the noble work that they do. In showing our support for the sacrifices that they make on our behalf, we are taking a position that serves to protect them and their families the way that they have always done for us.

These are the men and women who serve and protect us on a daily basis. We owe it to them to let due process take its course before we unnecessarily place them in more harm's way. Ensuring officers' safety through all reasonable measures is something we should all passionately support.

This is not about protecting our police officers from bad publicity. It is about protecting their lives and their family. In today's atmosphere of instant communication methods, we need to abundantly be cautious so as not to jeopardize the safety of our law enforcement.

And I encourage you all to vote "yes." Thank you.

The SPEAKER pro tempore. Thank you, Representative.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—162

Adolph	Fee	Lawrence	Quinn
Baker	Flynn	Lewis	Rader
Barbin	Gabler	Longietti	Rapp
Barrar	Galloway	Mackenzie	Ravenstahl
Benninghoff	Gergely	Maher	Readshaw
Bizzarro	Gibbons	Mahoney	Reed
Bloom	Gillen	Major	Reese
Boback	Gillespie	Maloney	Regan
Boyle	Gingrich	Markosek	Roae
Brown, R.	Godshall	Marshall	Ross
Burns	Goodman	Marsico	Rothman
Caltagirone	Greiner	Masser	Rozzi
Carroll	Grove	McGinnis	Saccone
Causar	Hahn	Mentzer	Sainato
Christiana	Hanna	Metcalfe	Sankey
Cohen	Harhai	Metzgar	Santarsiero
Conklin	Harhart	Miccarelli	Santora
Corbin	Harkins	Millard	Saylor
Costa, D.	Harper	Miller, B.	Schemel
Costa, P.	Harris, A.	Miller, D.	Simmons
Cox	Heffley	Milne	Snyder
Culver	Helm	Moul	Sonney
Cutler	Hennessey	Mullery	Staats
Daley, P.	Hickernell	Murt	Stephens
Davis	Hill	Mustio	Tallman
Day	Irvin	Neilson	Taylor
Deasy	James	Nesbit	Tobash
Delozier	Jozwiak	Neuman	Toepel
Dermody	Kampf	O'Brien	Toohil
DiGirolamo	Kaufer	O'Neill	Topper

Donatucci	Kauffman	Oberlander	Vereb
Driscoll	Kavulich	Ortity	Ward
Dunbar	Keller, M.K.	Parker, D.	Warner
Dush	Keller, W.	Pashinski	Watson
Ellis	Killion	Payne	Wentling
Emrick	Klunk	Peifer	Wheeland
Evankovich	Knowles	Petrarca	White
Everett	Kortz	Petri	Zimmerman
Fabrizio	Kotik	Pickett	
Farina	Krieger	Pyle	Turzai,
Farry	Krueger	Quigley	Speaker

NAYS—38

Acosta	Dean	Kim	Schreiber
Bishop	DeLissio	Kinsey	Schweyer
Bradford	Diamond	Kirkland	Sims
Briggs	English	McClinton	Sturla
Brown, V.	Evans	McNeill	Thomas
Bullock	Frankel	Parker, C.	Truitt
Cruz	Freeman	Roebuck	Vitali
Daley, M.	Gainey	Samuelson	Wheatley
Davidson	Harris, J.	Schlossberg	Youngblood
Dawkins	Keller, F.		

NOT VOTING—0

EXCUSED—3

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

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

* * *

The House proceeded to third consideration of **HB 1574, PN 2268**, entitled:

An Act amending the act of December 15, 1986 (P.L.1595, No.175), known as the Antihazing Law, further providing for definitions and for enforcement.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

Acosta	Evankovich	Kotik	Readshaw
Adolph	Evans	Krieger	Reed
Baker	Everett	Krueger	Reese
Barbin	Fabrizio	Lawrence	Regan
Barrar	Farina	Lewis	Roae

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

NAYS—3

Heffley Keller, F. McGinnis

NOT VOTING—0

EXCUSED—3

DeLuca Matzie McCarter

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

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

* * *

The House proceeded to third consideration of **HB 1682, PN 2494**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in obstructing governmental operations, providing for unlawful use of an audio or video device in court.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

DeLuca

Matzie

McCarter

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

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

COMMITTEE MEETING CANCELED

The SPEAKER pro tempore. The Chair now recognizes the gentlelady from Lebanon County, Representative Gingrich, for a committee announcement.

Mrs. GINGRICH. Thank you, Madam Speaker.

I would like to issue a reminder that we have canceled the Labor and Industry meeting, voting meeting that was scheduled at the adjournment. Thank you.

The SPEAKER pro tempore. Thank you, Representative.

COMMITTEE MEETING POSTPONED

The SPEAKER pro tempore. The Chair now recognizes Representative Causer, from McKean County, again for a committee announcement. Representative Causer.

Mr. CAUSER. Thank you, Madam Speaker.

Madam Speaker, the Agriculture and Rural Affairs Committee was scheduled to meet tomorrow, Wednesday, November 18, at 9 a.m. That meeting has been canceled. The committee will now meet on Thursday morning, November 19, at 9 a.m. in room 60, East Wing, to consider SB 352 with amendments. Thank you, Madam Speaker.

The SPEAKER pro tempore. Thank you, Representative.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. The Chair now recognizes Representative Bryan Barbin under unanimous consent. Representative Barbin.

Mr. BARBIN. Thank you, Madam Speaker.

I rise to remind all members that there will be 22 Representatives and Senators tonight participating at Grace United Methodist Church in a national call for prayer for both the nation and the Commonwealth. You are invited at 6 o'clock.

I would submit the remainder of my remarks for the record.

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

History of Prayer

God does not grant wishes. He does provide the opportunity for perfection a moment at a time. Five months into a stalemate we are faced with seemingly insurmountable obstacles, \$1 billion budget deficit, those who will not vote for any tax increase or any decrease in special interest spending. There was a similar hopeless situation in 1787 when the Constitutional Convention was on the verge of collapsing and all hope seemed lost. Franklin's appeal to God surprised the assembled. Washington adjourned services for members and returned refreshed. A new spirit arose when the convention

reconvened. A compromise was found on State representation and the framework of our government was enacted.

What is Required to Heal Our Nation

Washington is the father of our country because he had a central role in winning both independence and American nationhood. Washington was attended by God because Washington attended to God. He is frequently pictured on bended knee exhorting God to provide wisdom. He used the common prayer book daily, which he kept by his bed. You must be all in.

The Founding Fathers, in their moment of crisis, i.e., their opportunity for perfection, respected God by respecting others, with God's character of love. They subordinated their self-interest for the larger good, thereby creating a Republic of Virtue. God was with them because they humbled themselves and sought perfection for a moment, becoming cloaked in the character of God. All things work together for the good of those who are called to His purpose. We cannot move the chess pieces. We can move ourselves. The rest is up to God.

The SPEAKER pro tempore. Colleagues, there will be no further votes today, but indeed there are some housekeeping chores that need to happen.

BILLS RECOMMITTED

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

HB 1455;
HB 1490; and
SB 490.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 1690 be removed from the tabled calendar and placed on the active calendar.

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

CALENDAR CONTINUED**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 824, PN 1565**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions, providing for confidentiality of personal information of public safety officials.

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

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 824 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 824 be removed from the tabled calendar and placed on the active calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. And now, ladies and gentlemen, Representative Craig Staats, from Bucks County, moves that the House do now adjourn until Wednesday, November 18, 2015, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 3:41 p.m., e.s.t., the House adjourned.