

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, APRIL 4, 2016

SESSION OF 2016

200TH OF THE GENERAL ASSEMBLY

No. 18

### HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

#### THE SPEAKER (MIKE TURZAI) PRESIDING

#### PRAYER

The SPEAKER. We are so honored today that our colleague and friend, Representative Karen Boback, will be offering our prayer.

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

Merciful Father, bless the work of this chamber. Keep our vision straight and our intentions pure as we navigate throughout the day. May we be focused on the good of the Commonwealth, realizing the formidable tasks that lie ahead. May Your love and presence in our lives serve as a reminder that we are here to serve, not on a whim, but by the deliberate actions of those who trust us, those who sent us here to do the people's business. Please lead us in our endeavors to accomplish great things. In Your name we humbly say, 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 Wednesday, March 23, 2016, will be postponed until printed.

#### JOURNALS APPROVED

The SPEAKER. However, the following 2015 Journals are in print and, without objection, will be approved:

Monday, October 26, 2015;  
Tuesday, October 27, 2015;  
Wednesday, October 28, 2015;  
Wednesday, November 4, 2015;  
Thursday, November 5, 2015; and  
Monday, November 9, 2015.

### COMMUNICATION FROM DEPARTMENT OF ENVIRONMENTAL PROTECTION

The SPEAKER. The Speaker acknowledges receipt of the 2014 Annual Low-Level Radioactive Waste Program Report from the Pennsylvania Department of Environmental Protection. We are certainly going to have to inquire as to the efficiency of the Department of Environmental Protection, given that we are receiving a 2014 report here in March of 2016.

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

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

**HB 1906, PN 3058** (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 school directors, providing for school director training programs.

EDUCATION.

**HB 1907, PN 3059** (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 pupils and attendance, further providing for definitions and for penalties for violation of compulsory attendance requirements, providing for procedure by school when child habitually truant, for procedure upon filing of citation and for penalties for violating compulsory school attendance requirements and further providing for suspension of operating privilege.

EDUCATION.

#### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 763** By Representatives ROZZI, KINSEY, DAVIS, BURNS and O'BRIEN

A Resolution urging the district attorneys of the respective counties to request that the Office of Attorney General investigate the Roman Catholic dioceses of Pennsylvania for evidence of the sexual abuse of children and recommend any legislative remedies the office deems appropriate in order to ensure that child victims of sexual abuse find justice.

Referred to Committee on JUDICIARY, March 24, 2016.

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 1835** By Representatives D. PARKER, M. DALEY, SANTARSIERO, ROZZI, ENGLISH, DIAMOND, SAYLOR, O'BRIEN, HARHAI, BULLOCK, GILLEN, ZIMMERMAN, BRADFORD, DeLISSIO, DELOZIER, MURT, MCGINNIS and WATSON

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for legislative districts and for the Legislative Reapportionment Commission for the purpose of reapportioning and redistricting the Commonwealth of Pennsylvania.

Referred to Committee on STATE GOVERNMENT, April 1, 2016.

**No. 1888** By Representatives QUINN, PEIFER, SAYLOR, WATSON, MILNE, V. BROWN, COHEN, D. COSTA, DRISCOLL, DUSH, ENGLISH, EVERETT, GIBBONS, GROVE, HARHART, A. HARRIS, PHILLIPS-HILL, KAUFFMAN, MACKENZIE, NEILSON, READSHAW, SANTORA, THOMAS and TOOHIL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for tax amnesty program for fiscal year 2016-2017.

Referred to Committee on FINANCE, April 1, 2016.

**No. 1917** By Representatives CRUZ, SCHLOSSBERG, ROZZI, McCARTER, SCHREIBER, DAVIS, W. KELLER, YOUNGBLOOD, COHEN, V. BROWN, THOMAS, O'BRIEN, ACOSTA, DAVIDSON, KIM, BULLOCK, KAUFER, CALTAGIRONE, SIMS, SANTARSIERO, GOODMAN, BURNS, D. COSTA, MAHER, ROEBUCK, McNEILL and KINSEY

An Act providing for lead screening and related services, for health insurance coverage for lead screening and related diagnostic services and supplies and for duties of the Department of Health.

Referred to Committee on HEALTH, April 1, 2016.

**No. 1918** By Representatives CRUZ, SCHLOSSBERG, ROZZI, McCARTER, SCHREIBER, DAVIS, W. KELLER, YOUNGBLOOD, V. BROWN, THOMAS, O'BRIEN, ACOSTA, DAVIDSON, KIM, BULLOCK, KAUFER, CALTAGIRONE, SIMS, SANTARSIERO, GOODMAN, BURNS, D. COSTA, MAHER, ROEBUCK, McNEILL and KINSEY

An Act amending the act of May 1, 1984 (P.L.206, No.43), known as the Pennsylvania Safe Drinking Water Act, further providing for powers and duties of the Department of Environmental Protection.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 1, 2016.

**No. 1920** By Representatives DIAMOND, BENNINGHOFF, V. BROWN, DeLUCA, DUNBAR, ENGLISH, A. HARRIS, IRVIN, KORTZ, KOTIK, MAHONEY, MASSER, MILNE, MURT, RADER, READSHAW, TRUITT, WARD, WATSON, FARINA and ZIMMERMAN

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, further providing for the definition of "telephone solicitation call."

Referred to Committee on CONSUMER AFFAIRS, March 24, 2016.

**No. 1924** By Representatives KNOWLES, D. MILLER, THOMAS, GIBBONS, MILLARD, NEILSON, JAMES, MURT, BOBACK, D. COSTA, WARD, KAUFFMAN, PHILLIPS-HILL, SAINATO, HEFFLEY, FARRY, REED and SCHEMEL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in other required equipment, further providing for visual and audible signals on emergency vehicles.

Referred to Committee on TRANSPORTATION, March 24, 2016.

**No. 1925** By Representatives SANTORA, JOZWIAK, NEILSON, MASSER and KLUNK

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in revenues, further providing for transfers from State Gaming Fund.

Referred to Committee on GAMING OVERSIGHT, March 24, 2016.

**No. 1926** By Representatives DAVIS, THOMAS, SAMUELSON, COHEN, MILLARD, DIAMOND, DAVIDSON, PASHINSKI, V. BROWN, MURT, JAMES, GABLER, KORTZ, ROZZI, MACKENZIE, TRUITT, METCALFE and McNEILL

An Act prohibiting the use of taxpayer funds for certain contracts.

Referred to Committee on STATE GOVERNMENT, April 1, 2016.

**No. 1927** By Representatives DAVIS, KINSEY, YOUNGBLOOD, COHEN, DeLUCA, MURT and McCARTER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for Internet safety education curriculum.

Referred to Committee on EDUCATION, April 1, 2016.

**No. 1928** By Representative PICKETT

An Act authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to French Azilum, Inc., certain lands situate in Asylum Township, Bradford County.

Referred to Committee on STATE GOVERNMENT, April 1, 2016.

**No. 1929** By Representatives BENNINGHOFF, REED, ADOLPH, BARRAR, BLOOM, CAUSER, CUTLER, DELOZIER, EVERETT, GABLER, GILLESPIE, GINGRICH, GROVE, A. HARRIS, HICKERNELL, IRVIN, KAUFFMAN,

M. K. KELLER, KILLION, KNOWLES, LAWRENCE, MAJOR, MALONEY, MARSICO, METCALFE, MILLARD, MILNE, MOUL, MUSTIO, O'NEILL, PEIFER, PETRI, PICKETT, PYLE, QUINN, SAYLOR, SONNEY, STAATS, TALLMAN, TAYLOR, THOMAS, TOBASH, WARD, WATSON and ZIMMERMAN

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in Independent Fiscal Office, further providing for scope of chapter, for definitions and for duties of office; providing for actuarial notes; further providing for selection and organization committee and for appointment; abolishing the Public Employee Retirement Commission; and making a related repeal.

Referred to Committee on STATE GOVERNMENT, April 1, 2016.

**No. 1930** By Representatives BENNINGHOFF, BIZZARRO, BOBACK, COHEN, D. COSTA, DeLUCA, DUSH, ENGLISH, JAMES, KILLION, MILLARD, O'BRIEN, O'NEILL, READSHAW, ROZZI, SAYLOR, SONNEY, THOMAS, TOEPEL, WARD, WATSON and YOUNGBLOOD

An Act amending the act of October 7, 2010 (P.L.484, No.70), known as the Adult Protective Services Act, providing for Statewide adult abuse registry.

Referred to Committee on AGING AND OLDER ADULT SERVICES, April 1, 2016.

**No. 1931** By Representatives BENNINGHOFF, CAUSER, COHEN, EVERETT, GILLEN, GODSHALL, A. HARRIS, KAUFFMAN, MILLARD, MILNE, MURT, PASHINSKI, PICKETT, SCHLOSSBERG, SCHWEYER and WATSON

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in sheriff and coroner, providing for chief deputy sheriff to act as sheriff in case of a vacancy; repealing provisions related to coroners in Article XII; in coroner, providing for definitions, for deputies, for duties regarding county morgues, for removal of bodies to morgue, for coroners' vehicles, for unclaimed property of deceased and sales, for private morgue may be used, for requests for examinations and reports and for cremation or disposition authorization, imposing a penalty, providing for coroner's investigation, for drugs, for autopsy, inquest and records, for certain child deaths, for sudden death, for bodies not to be moved, for release of coroner's jurisdiction, for cooperation with district attorney, for cooperation with other counties, for certificate of cause of death, for power of subpoena and attachment, for inquests and juries, for power to administer oaths, for commitment to county prison, for inquests not public, for chief deputy coroner to act as coroner in case of vacancy, for vacancies and no fees upon commissions, for records of coroner, for certain reproduction of images of deceased prohibited, for solicitor to coroner, for anatomical gifts, for not to exercise office until commission granted and recorded and penalty, for Coroners' Education Board, for coroners' course of instruction, for elected and appointed coroners to take course of instruction and pass examination, for chief deputies and deputies to take course of instruction, for continuing education and for tuition and expenses to be paid by county; and repealing Coroners' Education Board Law.

Referred to Committee on JUDICIARY, April 1, 2016.

**No. 1932** By Representatives DAVIS, V. BROWN, KINSEY, DRISCOLL, THOMAS, MILLARD, DONATUCCI, ROZZI, BULLOCK, O'NEILL, HARHAI, COHEN, PASHINSKI, D. COSTA, KORTZ, GODSHALL and DAVIDSON

An Act establishing the Smartphone Theft Prevention Act.

Referred to Committee on CONSUMER AFFAIRS, April 1, 2016.

**No. 1933** By Representatives DAVIS, THOMAS, KAUFFMAN, MULLERY, CARROLL, MURT, SANTARSIERO, McCARTER, DEAN, VITALI, M. DALEY and KIM

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in ethics standards and financial disclosure, providing for gift ban.

Referred to Committee on STATE GOVERNMENT, April 1, 2016.

**No. 1935** By Representatives MOUL, D. COSTA, PICKETT, HELM, READSHAW, COHEN, MURT and GIBBONS

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in taxation and assessments general provisions, further defining "owner."

Referred to Committee on LOCAL GOVERNMENT, April 1, 2016.

**No. 1936** By Representatives MOUL, MILLARD, A. HARRIS, LAWRENCE, ZIMMERMAN, MILNE and JAMES

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, further providing for when transportation of pupils provided.

Referred to Committee on EDUCATION, April 1, 2016.

**No. 1937** By Representatives MOUL, HARHART, McNEILL, V. BROWN, COHEN, D. COSTA, FARINA, KINSEY, WARD, MATZIE, GILLEN, MURT, GABLER and GIBBONS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for person with disability plate and placard.

Referred to Committee on TRANSPORTATION, April 1, 2016.

**No. 1938** By Representatives MOUL, MILLARD, MATZIE, MURT, COHEN and KORTZ

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, providing for restitution for tampering with evidence or public records or information.

Referred to Committee on JUDICIARY, April 1, 2016.

**No. 1939** By Representatives MOUL, MILLARD, McNEILL, V. BROWN, COHEN, D. COSTA, GOODMAN, RADER and MURT

An Act amending Title 13 (Commercial Code) of the Pennsylvania Consolidated Statutes, in dishonor of negotiable instruments, further providing for presentment of negotiable instruments.

Referred to Committee on COMMERCE, April 1, 2016.

**No. 1941** By Representatives MOUL, DIAMOND, MILLARD, HARHART, BAKER, McNEILL, READSHAW, V. BROWN, BARRAR, PICKETT, McGINNIS, DeLUCA, GROVE, KAUFFMAN, DUNBAR, BOBACK, GODSHALL, RADER, MATZIE, STAATS, ZIMMERMAN, GILLEN, MURT, METCALFE, WATSON, GABLER and GIBBONS

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

Referred to Committee on FINANCE, April 1, 2016.

**No. 1942** By Representatives MOUL, MILLARD, HARHART, McNEILL, READSHAW, COHEN, D. COSTA, GILLEN and MURT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for an education registration plate; and, in fees, establishing the Technology in Education Fund and further providing for payments to special funds.

Referred to Committee on TRANSPORTATION, April 1, 2016.

**No. 1943** By Representatives MOUL, MATZIE, D. COSTA, HELM and COHEN

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

Referred to Committee on EDUCATION, April 1, 2016.

**No. 1944** By Representatives STURLA, THOMAS, READSHAW, V. BROWN, SCHREIBER, GERGELY, KINSEY, SCHWEYER, DRISCOLL, ROZZI, LONGIETTI, YOUNGBLOOD, O'BRIEN, CALTAGIRONE, MILNE, COHEN, DeLUCA, GIBBONS, BRADFORD, M. DALEY, KORTZ, MURT, D. PARKER, D. COSTA, DAVIDSON and BULLOCK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for payments on account of pupil transportation.

Referred to Committee on EDUCATION, April 4, 2016.

**No. 1945** By Representatives DELOZIER, KOTIK, HELM, MURT, V. BROWN, GERGELY, PHILLIPS-HILL, MAHER, NEILSON, ZIMMERMAN and RAPP

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in training and certification of inspectors, further providing for training of inspectors.

Referred to Committee on LABOR AND INDUSTRY, April 4, 2016.

**No. 1946** By Representatives GODSHALL, KOTIK, BAKER, BARRAR, KILLION, STEPHENS, ORTITAY, WHEELAND, A. HARRIS, GROVE, MAJOR and ZIMMERMAN

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in rates and distribution systems, further providing for scope of subchapter, for definitions, for long-term infrastructure improvement plan, for distribution system improvement charge, for asset optimization plans and for projects.

Referred to Committee on CONSUMER AFFAIRS, April 4, 2016.

**No. 1947** By Representatives MARSICO and PETRARCA

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for infancy, insanity or imprisonment, for no limitation applicable and for other offenses.

Referred to Committee on JUDICIARY, April 4, 2016.

**No. 1948** By Representatives RAPP, BARBIN, CUTLER, SNYDER, REED, TURZAI, MAJOR, KAVULICH, BAKER, KAUFFMAN, OBERLANDER, BENNINGHOFF, GREINER, SACCONI, WARD, TALLMAN, STEPHENS, McGINNIS, ROAE, DUSH, METZGAR, WENTLING, ORTITAY, TOPPER, B. MILLER, SCHEMEL, COX, PETRARCA, MAHONEY, HARHAI, BURNS, SONNEY, KNOWLES, D. PARKER, GABLER, EVERETT, KLUNK, LEWIS, SANKEY, WARNER, CAUSER, STAATS, METCALFE, REESE, ZIMMERMAN, PICKETT, MARSHALL, GINGRICH, PAYNE, LAWRENCE, SAYLOR, DUNBAR, FEE, MAHER, EMRICK, PEIFER, CHRISTIANA, MALONEY, F. KELLER, NESBIT, DIAMOND, QUIGLEY, MUSTIO, BOBACK, BLOOM, HELM, JOZWIAK, GILLEN, HARPER, PHILLIPS-HILL, IRVIN, DAY, HENNESSEY, GROVE, MARSICO, TOOHL, RADER, JAMES, HICKERNELL, EVANKOVICH, TOBASH, GIBBONS, HAHN, PYLE, WATSON, KORTZ, MOUL, A. HARRIS, MURT, ROTHMAN, MICCARELLI, SANTORA, REGAN, ELLIS, VEREB, KILLION, WHEELAND, KOTIK, BARRAR and M. K. KELLER

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

Referred to Committee on HEALTH, April 1, 2016.

**No. 1949** By Representatives KINSEY, LEWIS, CALTAGIRONE, ROZZI, TOOHL, FREEMAN, O'BRIEN, SCHLOSSBERG, YOUNGBLOOD, D. COSTA, COHEN, MILNE, V. BROWN, BULLOCK, J. HARRIS, MAHONEY, KIM, BRIGGS, M. DALEY, HENNESSEY, HANNA and WATSON

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, further providing for days schools not to be kept open.

Referred to Committee on EDUCATION, April 4, 2016.



**SENATE BILLS FOR CONCURRENCE**

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

**SB 983, PN 1219**

Referred to Committee on TRANSPORTATION, March 24, 2016.

**SB 1108, PN 1503**

Referred to Committee on TRANSPORTATION, March 24, 2016.

**SB 1122, PN 1536**

Referred to Committee on EDUCATION, March 24, 2016.

**SB 1123, PN 1544**

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, March 24, 2016.

**SB 1142, PN 1598**

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 24, 2016.

**SENATE MESSAGE**

HOUSE BILL  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1326, PN 2396**, with information that the Senate has passed the same without amendment.

**SENATE MESSAGE**

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

The clerk of the Senate, being introduced, returned **HB 1638, PN 3002**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**BILL SIGNED BY SPEAKER**

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

**HB 1326, PN 2396**

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in rates and distribution systems, providing for valuation of acquired water and wastewater systems for ratemaking purposes.

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

**COMMUNICATION FROM GOVERNOR****VETO OF HOUSE BILL**

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

**HB 1327, PN 2969.**

Said bills having been returned with the following messages:

Commonwealth of Pennsylvania  
Office of the Governor  
Harrisburg

March 25, 2016

TO THE HONORABLE HOUSE OF REPRESENTATIVES  
OF THE COMMONWEALTH OF PENNSYLVANIA:

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 1327, Printer's Number 2969.

This bill would continue a basic education funding distribution that I believe is one of the most inequitable in the nation. For instance, the bill's provisions permit the reduction of funds to certain school districts, which would otherwise be available, based solely on how the districts were funded earlier this year. My veto of this bill ensures that the school districts will not be subject to this undeserved treatment from a funding perspective.

Another reason for this veto concerns the \$2.5 billion bond issuance provided under the bill. One aspect of this issuance is that it will occur without addressing the structural budget deficit. This is not a responsible course of action. As a result, I cannot authorize this policy as it is not sensible for the Commonwealth to issue these bonds until we meaningfully address the structural deficit.

This bill also requires that any Clean Power Plan put forth by the Department of Environmental Protection (DEP) be submitted to the Legislature prior to its submission for federal approval. The plan could then be unilaterally disapproved by either legislative chamber. In the event of disapproval, the General Assembly would be permitted to direct DEP's amendment of the plan. This procedure not only permits an improper one-house veto, but also calls for an unwarranted intrusion upon executive authority, and I will not assent to these legislative decisions.

The oil and gas regulations relating to conventional drilling, which began in the rulemaking process over two years ago, will be invalidated under this bill. This termination of the regulatory process would present a significant obstacle to DEP's efforts to enhance environmental safeguards for conventional oil and gas development. I do not consider this legislative proposal as being in the best interests of this Commonwealth, and I will not sanction it by agreeing to this bill.

For the reasons set forth above, I must withhold my signature from House Bill 1327, Printer's Number 2969.

Sincerely,  
Tom Wolf  
Governor

**LEAVES OF ABSENCE**

The SPEAKER. We are going to turn to leaves of absence. The majority whip, Bryan Cutler, requests leaves of absence for the following: Representative DiGIROLAMO of Bucks County for the day, Representative QUINN of Bucks County for the day, Representative RADER of Monroe County for the day, Representative REGAN of York County for the day, and Representative PYLE of Armstrong County for the week. Without objection, those will be granted.

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

**MASTER ROLL CALL**

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

(Members proceeded to vote.)

**LEAVE OF ABSENCE**

The SPEAKER. Representative Tina DAVIS wishes to be placed on leave for the remainder of the day. Without objection, that will be granted.

**MASTER ROLL CALL CONTINUED**

The following roll call was recorded:

**PRESENT—188**

Acosta	Fabrizio	Kortz	Rapp
Adolph	Farina	Kotik	Readshaw
Baker	Farry	Krueger	Reed
Barbin	Fee	Lawrence	Reese
Barrar	Flynn	Lewis	Roae
Benninghoff	Frankel	Longietti	Roebuck
Bizzarro	Freeman	Mackenzie	Ross

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

**ADDITIONS—0**

**NOT VOTING—0**

**EXCUSED—12**

Cohen	DiGirolamo	Quinn	Regan
Daley, P.	Evans	Rader	Snyder
Davis	Pyle	Ravenstahl	Wheatley

**LEAVES ADDED—4**

Brown, V.	Davis	Galloway	Harper
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**LEAVES CANCELED—4**

Brown, V.	Daley, P.	Davis	Regan
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The SPEAKER. One hundred and eighty-eight members having voted on the master roll, a quorum is present.

**GUESTS INTRODUCED**

The SPEAKER. Located to the left of the rostrum, the Chair welcomes Representative Ron Marsico's granddaughter, Leah Brown, who is a senior at Central Dauphin High School. Leah, it is great to have you here along with our chair of the Judiciary Committee, your grandfather. Thank you so much for being here.

And Representative Caltagirone's granddaughter, Tiana Turner, is seated to the left of the rostrum. Where is Tiana? Great to have you. Chair, thank you so much for bringing your granddaughter as well. Great to have you.

In the well of the House we welcome Charlotte Grasa. Charlotte, do you mind standing? Charlotte is the daughter of Greg Grasa, executive director of the House Children and Youth Committee, and here today as the guest of Representative Watson and Representative Greiner. She is a sixth grader at Smoketown Elementary School in the Conestoga Valley School District represented by Representative Greiner. Thank you so much, and, Charlotte, it is great to have you here today.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. GODSHALL called up HR 733, PN 2951, entitled:

A Resolution designating the month of April 2016 as "Pennsylvania 8-1-1 Safe Digging Month."

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Mr. LONGIETTI called up HR 736, PN 2954, entitled:

A Resolution recognizing April 5, 2016, as "National Healthy Schools Day" in Pennsylvania.

On the question, Will the House adopt the resolutions?

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Tina Davis is on the floor of the House and should be placed back on the master roll.

CONSIDERATION OF RESOLUTIONS PURSUANT TO RULE 35 CONTINUED

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

The following roll call was recorded:

YEAS—189

Table with 4 columns of names: Acosta, Adolph, Baker, Barbin, Barrar, Benninghoff, Bizzarro, Bloom, Boback, Boyle, Bradford, Briggs, Brown, R., Everett, Fabrizio, Farina, Farry, Fee, Flynn, Frankel, Freeman, Gabler, Gainey, Galloway, Gergely, Gibbons, Knowles, Kortz, Kotik, Krueger, Lawrence, Lewis, Longietti, Mackenzie, Maher, Mahoney, Major, Maloney, Markosek, Rapp, Readshaw, Reed, Reese, Roae, Roebuck, Ross, Rothman, Rozzi, Saccone, Sainato, Samuelson, Sankey

Table with 4 columns of names: Brown, V., Bullock, Burns, Caltagirone, Carroll, Causer, Christiana, Conklin, Corbin, Costa, D., Costa, P., Cox, Cruz, Culver, Cutler, Daley, M., Davidson, Davis, Dawkins, Day, Dean, Deasy, DeLissio, Delozier, DeLuca, Dermody, Diamond, Donatucci, Driscoll, Dunbar, Dush, Ellis, Emrick, English, Evankovich, Gillen, Gillespie, Gingrich, Godshall, Goodman, Greiner, Grove, Hahn, Hanna, Harhai, Harhart, Harkins, Harper, Harris, A., Harris, J., Heffley, Helm, Hennessey, Hickernell, Hill, Irvin, James, Jozwiak, Kampf, Kaufe, Kauffman, Kavulich, Keller, F., Keller, M.K., Keller, W., Killion, Kim, Kinsey, Kirkland, Klunk, Marshall, Marsico, Masser, Matzie, McCarter, McClinton, McGinnis, McNeill, Mentzer, Metcalfe, Metzgar, Miccarelli, Millard, Miller, B., Miller, D., Milne, Moul, Mullery, Murd, Mustio, Neilson, Nesbit, Neuman, O'Brien, O'Neill, Oberlander, Ortitay, Parker, D., Pashinski, Payne, Peifer, Petrarca, Petri, Pickett, Quigley, Santarsiero, Santora, Saylor, Schemel, Schlossberg, Schreiber, Schweyer, Simmons, Sims, Sonney, Staats, Stephens, Sturla, Tallman, Taylor, Thomas, Tobash, Toepel, Toohil, Topper, Truitt, Vereb, Vitali, Ward, Warner, Watson, Wentling, Wheeland, White, Youngblood, Zimmerman, Turzai, Speaker

NAYS—0

NOT VOTING—0

EXCUSED—11

Table with 4 columns of names: Cohen, Daley, P., DiGirolamo, Evans, Pyle, Quinn, Rader, Ravenstahl, Regan, Snyder, Wheatley

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

UNCONTESTED SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. MATZIE called up HR 767, PN 3031, entitled:

A Resolution designating April 2016 as "Limb Loss Awareness Month" in Pennsylvania.

\* \* \*

Mr. SAYLOR called up HR 772, PN 3034, entitled:

A Resolution designating the month of April 2016 as "Pennsylvania Community College Month."

\* \* \*

Mr. FREEMAN called up **HR 777, PN 3057**, entitled:

A Resolution recognizing the month of May 2016 as "Bladder Cancer Awareness Month" in Pennsylvania.

On the question,  
Will the House adopt the resolutions?

The following roll call was recorded:

#### YEAS—189

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

#### NAYS—0

#### NOT VOTING—0

#### EXCUSED—11

Cohen	Evans	Rader	Snyder
Daley, P.	Pyle	Ravenstahl	Wheatley
DiGirolamo	Quinn	Regan	

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

The SPEAKER. We will be calling in order Representative Matzie on HR 767, followed by Representatives Saylor, Roebuck, and Marshall on HR 772, and finally, Representative Bob Freeman on HR 777. We will announce each of you individually before you speak.

#### STATEMENT BY MR. MATZIE

The SPEAKER. Representative Matzie, the floor is yours on HR 767, and, Representative Matzie, you may proceed, sir.

Mr. MATZIE. Thank you, Mr. Speaker.

I thank the members for their affirmative vote of HR 767, "Limb Loss Awareness Month." Limb loss is the loss of all or part of an arm or leg due to trauma, infection, diabetes, heart disease, cancer, or other diseases. You may know someone that has a trauma, an accident, or cancer, as I said, or in my case in my family congenital with my 14-year-old daughter, who was born as a congenital amputee and does not have a right hand.

There are nearly 2 million people living with limb loss in the United States. Approximately 185,000 amputations occur in the United States each year. That means 500 Americans lose a limb each day. African-Americans are up to four times more likely to have an amputation than White Americans, which is an important statistic to remember.

There is an obvious personal and societal cost to limb loss, but the financial cost is also great for both the patient and our health-care system. In 2009 alone, hospital costs associated with amputation totaled more than \$8.3 billion.

So I thank the members for their support.

#### REMARKS SUBMITTED FOR THE RECORD

Mr. MATZIE. I will submit the remainder of my remarks for the record. And again, thank you.

The SPEAKER. Thank you, Representative Matzie.

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

Thank you, Mr. Speaker.

Limb loss is the loss of all or part of an arm or leg due to trauma, infection, diabetes, heart disease, cancer, or other diseases.

There are nearly 2 million people living with limb loss in the United States. Approximately 185,000 amputations occur in the United States each year. That means 500 Americans lose a limb each day. African-Americans are up to four times more likely to have an amputation than White Americans.

There is an obvious personal and societal cost to limb loss, but the financial cost is also great for both the patient and our health-care system. In 2009 hospital costs associated with amputation totaled more than \$8.3 billion.

Among those living with limb loss, the main causes are vascular disease at 54 percent, including diabetes and peripheral arterial disease; trauma at 45 percent; and cancer at less than 2 percent.

While many individuals live happy and healthy lives after losing a limb, others are at continued risk for additional health issues. Nearly half of the individuals who have an amputation due to vascular disease



will die within 5 years. This is higher than the 5-year mortality rates for breast cancer, colon cancer, and prostate cancer. Of persons with diabetes who have a lower extremity amputation, up to 55 percent will require amputation of the second leg within 2 to 3 years.

In 2011 the Amputee Coalition launched a nationwide awareness campaign with April as "Limb Loss Awareness Month," and while it is a relatively new awareness month, the campaign has quickly been picking up traction.

In 2012 President Obama recognized the awareness month in a letter addressed to the public, and 40 State Governors followed suit with similar recognitions.

This year's Limb Loss Awareness Month will culminate on Saturday, April 23, which is being called "Show Your Mettle Day" by the Amputee Coalition.

The concept is simple – to show your "mettle," the ability to cope well with difficulties or to face a demanding situation in a spirited and resilient way, by showing your "metal" – whether that be a prosthetic device or a wheelchair.

I encourage all of you to seek out ways to participate in this year's Limb Loss Awareness Month. Small actions that show you stand in solidarity with the community are invaluable.

Thank you for your support of this effort.

Thank you, Mr. Speaker.

The SPEAKER. On HR 772, Representative Saylor, Representative Roebuck, and Representative Marshall are recognized.

We will hold off at this time. I will grant unanimous consent later with respect to the resolution.

#### STATEMENT BY MR. FREEMAN

The SPEAKER. Representative Bob Freeman, sir, on HR 777, and, sir, the floor is yours.

Mr. FREEMAN. Thank you, Mr. Speaker.

I want to thank the members of the House for their unanimous vote in favor of HR 777, which recognizes the month of May as "Bladder Cancer Awareness Month" here in the Commonwealth of Pennsylvania.

Over half a million Americans live with bladder cancer. It is estimated that more than 4,000 Pennsylvanians will be diagnosed with that disease in 2016 and approximately 850 residents of our Commonwealth will die from this disease.

Bladder cancer affects people of all ages and all backgrounds and is among the top 10 cancers with the highest incidence rates in the United States, and Pennsylvania, sadly, ranks fourth in new cases of bladder cancer diagnosed within the last year.

This form of cancer is a very expensive form of cancer to treat and it has a very high rate of recurrence. However, if diagnosed early, it is treatable. That is why promoting a greater awareness of this disease is so very important to save lives.

Through increased awareness we can drive home the importance of early diagnosis, which greatly enhances the chances of survival. Increased awareness of this form of cancer will hopefully generate increased public support for treating the disease and hopefully lead to an increase in the funding necessary for innovative research and development of new and better treatment options and procedures.

With us today are members of the Bladder Cancer Advocacy Network, whom I would like to recognize at this time. They are to the rear of the House. I would ask them to please stand when I call their names. They are Marge Coffin, Kyle DeMartyn, Valerie Walk, Jenifer and Tom Donnelly, Earl Geissler, and

Patrick Muller. They are to the rear of the House. I ask the House to please recognize their presence here today. Thank you for coming. You may be seated.

Each of these individuals has been touched by the disease of bladder cancer. They have either endured it themselves or had loved ones, friends, or other family members stricken by the disease. I again thank them for their presence here today, and I want to commend the members of the Bladder Cancer Advocacy Network for their hard work and dedication to raising awareness about this insidious form of cancer and for their efforts on behalf of early detection and treatment.

Again, I want to thank the members for their unanimous vote in favor of HR 777.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Freeman.

#### GUESTS INTRODUCED

The SPEAKER. In the rear of the House, the Chair welcomes guests of Representative Tina Davis. If you will please stand as I call your name: Gary and Micki Kaisinger, Marti Hollenstein, Bryan Kennedy, Jonathan Henry, Teresa Bidwell, Amber Longhitano, Patty Bailey, and Sandy Mulholland. Thank you so much for being here as guests of Representative Tina Davis. We are glad to have you.

#### MEMORIAL SERVICE IN HONOR OF HON. STEPHEN R. WOJDAK

The SPEAKER. Members, please take your seats. We are about to take up a condolence resolution on the passing of a former member of this august body. The Sergeants at Arms will close the doors of the House. All members are pleased asked to take their seats.

#### CONDOLENCE RESOLUTION

The SPEAKER. The clerk will read the resolution.

The following resolution was read:

#### COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

#### CONDOLENCE RESOLUTION

WHEREAS, The House of Representatives of Pennsylvania wishes to honor the memory of the Honorable Stephen R. Wojdak, a former member of the House of Representatives of Pennsylvania serving the 169th Legislative District in Philadelphia County, who passed away at the age of seventy-six on June 2, 2015; and WHEREAS, Born in Scranton on December 15, 1938, Mr. Wojdak was the son of the late Stephen J. and Madelyn Magnotta Wojdak and a graduate of Scranton Central High School. He earned degrees from the University of Scranton and the University of Pennsylvania Law School. Admitted to practice before the Philadelphia Court of Common Pleas, the Pennsylvania Supreme and Superior Courts, the United States District Courts and the United States Circuit Courts, Mr. Wojdak was elected to the House of Representatives of Pennsylvania in 1968, and he was reelected in 1970, 1972 and 1974. In 1977 he founded S. R. Wojdak and Associates, which he served as President and Chief Executive

Officer until his passing. An exemplary lobbyist, Mr. Wojdak was instrumental in securing permanent annual funding for SEPTA and State financing for the construction of the convention center and athletic stadiums in South Philadelphia, and he served as a member of the Board of Directors of Philadelphia City Trusts; and

WHEREAS, A beloved family man, dedicated public servant and avowed community steward, Mr. Wojdak exemplified the best qualities of the human experience. He generously gave of his heart and time to enhance the quality of life of his family and community, and his loss will be felt by the many individuals who knew, admired and loved him; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania proclaim with enduring sorrow the passing of the Honorable Stephen R. Wojdak; and extend heartfelt condolences to his wife, Elizabeth P. Wojdak; son, Nicholas; daughters, Krista, Jessi, Stacy and Madelyn; five grandchildren; brother, Joseph; sister, Angela Palmer; and many other family members, friends and colleagues; and be it further

RESOLVED, That a copy of this resolution, sponsored by the Honorable Dwight Evans on June 16, 2015, be transmitted to Elizabeth P. Wojdak.

Dwight Evans, Sponsor

Mike Turzai, Speaker of the House

ATTEST:

Anthony Frank Barbush, Chief Clerk of the House

On the question,

Will the House adopt the resolution?

The SPEAKER. Once we have adopted the resolution, I will be inviting to speak Majority Appropriations Chairman Bill Adolph as well as the Minority Leader, Representative Frank Dermody.

Those in favor of the resolution will rise and remain standing as a mark of respect for our deceased former House member. Guests, we would ask that you also please rise.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable Stephen R. Wojdak.)

The SPEAKER. Members, you may be seated.

The resolution has been unanimously adopted.

The Sergeants at Arms, please open the doors of the House.

### REMARKS BY MR. ADOLPH

The SPEAKER. I would like to call our majority Appropriations chair, Bill Adolph, for remarks with respect to this condolence resolution.

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

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

Mr. Speaker, I am privileged and honored to rise today to pay tribute to a friend of many of us in this chamber, a former member of this House, Stephen R. Wojdak. Steve served four terms in the House of Representatives, from 1968. In just a couple of years, Steve was elected by the members of the Democratic Caucus to serve as the Democratic Appropriations chairman. It is hard for me to imagine someone serving four terms and rise to leadership as fast as Steve did. It shows and demonstrates the intellect and the political prowess that Steve possessed.

After his four terms in the House, Steve left to start S. R. Wojdak & Associates. Many of our newer members always hear, "I work for Wojdak. I work for Wojdak," probably never realizing that there was a Stephen R. Wojdak behind the "Wojdak." Quite an institution.

In his role Steve quickly rose to become one of the most prominent lobbyists in the Commonwealth of Pennsylvania. I can tell you Steve's word was good. Whether you agreed with him or disagreed with him, his word was good.

Funny, my relationship really did not start with Steve in the House of Representatives, nor as Steve as a lobbyist, but because of our children. My sons were very active in boys lacrosse and so was Steve's, and I would run into Steve at all the lacrosse games throughout Delaware County and Montgomery County in the Philadelphia area, and we would talk politics and we would talk lacrosse.

The last time I had the opportunity to talk lacrosse with Steve was in my district office. Steve had just gone through an unbelievable operation and it seemed like to me that it was only like 7 days after this operation. I could not believe that he was out talking business and talking lacrosse after just 10 days after this operation. Steve was so proud of the hospital and surgeons that operated on him, and in only Steve Wojdak's way, he said, "That's because of what they believe in, and I would not be here today if it was not for those doctors and that hospital."

To his wife, Libby; his daughters, Krista, Stacy, Madelyn; and his son, Nick, I am sure we all extend our condolences and sympathy. Steve was a legacy in Harrisburg. The world around here was a better place when Steve was walking the halls talking issues. It was a privilege and an honor to call Steve Wojdak my friend. Thank you.

### REMARKS BY MINORITY LEADER

The SPEAKER. The minority leader, Frank Dermody, for his remarks.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I never had the privilege to serve with Steve Wojdak. I met Steve my very first year and that was over 25 years ago, and during the course of our conversation, I forget what the issue was, and if you knew Steve, if you were ever discussing issues with him, you really forgot the issue, because he had an effective way of dealing with them. However, during the course of the conversation, we realized we both grew up in Lackawanna County. He told me that he grew up poor in Scranton, and I told him that I grew up poor in Clarks Summit, and he looked at me and said, "Clarks Summit?" I said, "Yeah; I grew up poor in Clarks Summit." He said, "Like heck" – he did not say heck – and he said, "Dermody, Clarks Summit is the Beverly Hills of Scranton." Well, I told him not where I lived, but that is what he said, and we were friends ever since.

And you know, if you knew Steve and if you worked with Steve, he was very effective for his clients, he was very forceful on issues, but one thing about Steve, he loved working serious issues and he always knew the issue, and as the chairman just mentioned, he always told you the truth. The problem was, he did not like being disagreed with. So if you had a little argument and if you got into discussions with Steve, if you knew Steve, and if you had an argument with Steve or you had a discussion about an issue, you knew that you were going to have a fight.

You knew that the conversation would become animated, colorful, but at the end of the day, no matter where you came out on the issue, the next day you were friends.

Steve was a friend. There was not a more honorable and loyal guy in this building. So on behalf of all of us, the members of this House, we join with all of us in expressing our condolences to Steve's wife, Elizabeth, who is with us today, along with his daughters, Krista, Stacy, and Madelyn, and his son, Nicholas.

We also extend our deepest sympathy to the dozens of Wojdak Associates we have heard so much about today and friends who have joined us today that are seated at the rear of the House.

This House is a better place because Steve served here. Pennsylvania is a better State because Steve Wojdak improved it through the work he did and the ideas he fostered and the people he inspired. Thank you, Steve.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Dermody.

I would like the family members of former Representative Steve Wojdak to please rise so the members can thank you for being here today.

And for all the friends and colleagues of Steve's, please remain standing and give us a wave. It is so great to have you here in the House. Thank you for taking the time to come be with us today.

#### **BILL AND VETO MESSAGE TABLED**

The SPEAKER. Members, without objection, HB 1327 and its veto message will be placed on the table.

Members, I am asking if you will just give us a little patience here. We do have some guests who are supposed to be arriving from the Senate. If they should not be here shortly, what we will do is take announcements and break. We are just looking to get an update on where they might be.

#### **ALL-PENNSYLVANIA ACADEMIC TEAM PRESENTED**

The SPEAKER. What we are going to do is on unanimous consent, Chairman Stan Saylor, who is to be joined by Representative Jim Marshall and by Chairman Jim Roebuck. Please, you can come up to the rostrum here, Chairman Saylor, and they are recognized on unanimous consent and will be speaking on HR 772.

Chairman Saylor, the floor is yours sir, whenever you wish to proceed.

Mr. SAYLOR. Thank you, Mr. Speaker.

Today I am very proud to stand before the House to talk about the academic team here today that represents a few of the best and brightest of our community college students who are sitting in the back of the House. Each year they come to Harrisburg to receive their recognition from the Pennsylvania Commission for Community Colleges and the Phi Theta Kappa, the international honor society for 2-year colleges. These students are selected by their colleges for their academic achievement as well as leadership and service to others. The

students also compete at the national level as a part of the USA Academic Team, which is sponsored by Coca-Cola and featured in USA Today.

Among this year's 45-member all-academic team, our Pennsylvania's New Century Scholar, Maizee Zaccone of Butler Community College. We are honored to be a part of this day to recognize the accomplishments of the community college students who are here today and others throughout our Commonwealth. Please join me in welcoming the students here, the 2016 All-Pennsylvania Academic Team. Thank you for coming.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Chairman Saylor.

#### **GUESTS INTRODUCED**

The SPEAKER. Located in the rear of the House, the Chair welcomes these individuals, if you will please stand – I believe you did, but I do not know if you were introduced, and I do apologize if I am repeating: Patrick Muller, Marge Coffin, Kyle DeMartyn, Valerie Walk, Jenifer Donnelly, Tom Donnelly, and Earl Geissler, and they are all guests of Representative Freeman. He did introduce them as a group, but we were asked to introduce them by name. Thank you so much for being with us today. Thank you.

#### **LEAVE OF ABSENCE**

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

#### **TRINITY HIGH SCHOOL GIRLS SOCCER TEAM PRESENTED**

The SPEAKER. The Chair recognizes our colleague, Representative Sheryl Delozier, who is joined by Representative Greg Rothman, and they are going to be introducing some special guests that are with us today.

Representative Delozier, please, the floor is yours.

Ms. DELOZIER. Thank you, Mr. Speaker.

I am very pleased today to be joined on the House floor by the Trinity High School Girls Soccer Team. These young women are here because they captured first place in the 2015 PIAA State Class A Girls Soccer Championship.

Now, you may be experiencing a little *déjà vu*, and that is correct, because this is not the first time these gifted athletes have been honored here. In fact, this is the second year in a row that this team has captured the State title. They are no strangers to victory at all. Despite new trials, they are a well-oiled force that can work together and they strategically overcome any challenge. This time they captured first by defeating Loyalsock Township High School by a score of 3 to 1, scoring twice on corners in the second half to break a halftime tie. They ended yet another stellar season with an impressive record of 23 wins, 1 loss, and 1 tie.

I must also take a moment today to commend the Trinity High School girls soccer coaching staff, who have taken time out of their lives to serve as tremendous role models and



advisers for these athletes. Under the expert guidance of the coaching staff, Terrence Mull, Scott Mull, Zack Currier, and Terry Mull, this team has found the proper balance of talent, instinct, and heart to play at the top levels through their entire season. Also providing assistance and support was the team manager, Jonathan Holjes.

I probably told you all about this last year, but I could not be prouder of the accomplishments than as I am now. But I know that I speak on behalf of the entire Trinity community and our Commonwealth when I say that we are really proud to be calling you and your coaches two-time State champions.

I wish you all the best in your endeavors, and I ask my colleagues in the House to please join me in congratulating the Trinity High School Girls Soccer Team on being the 2015 State champs.

The SPEAKER. The rest of the team members, please stand up. Please stand up.

Congratulations. It is great to have you in the chamber and welcome.

### LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Mike Regan is back on the House floor, and he should be placed on the master roll. Without objection, that will be granted.

### LEAVE OF ABSENCE

The SPEAKER. Representative Vanessa BROWN has requested to be placed on leave. Without objection, that will be granted.

### RULES COMMITTEE MEETING

The SPEAKER. Members, the majority leader is recognized, also in his role as chair of the Rules Committee, for an announcement. And then, Madam Chair, we will follow with you and we will follow with Chairman Adolph.

Chairman Reed.

Mr. REED. Thank you, Mr. Speaker.

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

The SPEAKER. Thank you, sir.

There will be an immediate meeting upon the recess of the House Rules Committee in the Appropriations conference room.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Chairman Adolph, for an announcement. Chairman Adolph.

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

Mr. Speaker, there will be a House Appropriations Committee meeting at 2 o'clock in the majority caucus room, 2 o'clock. Thank you.

The SPEAKER. There will be a House Appropriations Committee meeting at 2 o'clock in the majority caucus room.

### MAJ. GEN. JOHN GRONSKI INTRODUCED

The SPEAKER. Members, we were waiting on a guest. I am going to be calling on announcements shortly. We are going to immediately proceed to our guests.

Maj. Gen. John Gronski is with us. We were going to bring him to the rostrum when we come back, but he has just joined us from the Senate, and I am going to quickly call Representatives Barrar and Sainato and Representative Miccarelli.

We may have to extend the times for the Rules Committee and the Appropriations Committee meetings, given the fact that the Major General has now arrived, and I will recall the chairs up respectively. So thank you so much for your patience.

Chairman Barrar, the floor is yours, sir.

Mr. BARRAR. Thank you, Mr. Speaker.

With me today are Maj. Gen. John Gronski and his wife, Bertie. Major Gronski currently serves as the Commander of Pennsylvania's National Guard's 28th Infantry Division.

General Gronski was recently promoted to active duty as Deputy Commanding General of the United States Army in Europe in Weisbaden, Germany. His appointment to this new command is indeed well deserved. General Gronski has a reputation in the Pennsylvania National Guard as a true warrior, and it speaks volumes about how valuable his service was to our Pennsylvania National Guard.

General Gronski, you will be missed and we are sad to see you go, but it was indeed a pleasure to work with you all these years and on so many different issues important to our guardsmen and their families and they have been fortunate to have such a commander like you.

I ask my colleagues to stand with me and give General Gronski a traditional House of Representatives salute.

The SPEAKER. Major General Gronski, we do have some others who would like to say some remarks. So thank you very much.

At this time the minority chair, Representative Chris Sainato, is recognized for remarks.

Mr. SAINATO. Thank you, Mr. Speaker.

General Gronski, on behalf of the House and all Pennsylvanians, we thank you for your service, your outstanding service you gave us in Pennsylvania. As Chairman Barrar says, we hate to lose you, but our country is gaining you for your experience and knowledge, knowing our troops are going to be in great hands overseas. So we thank you for everything you have done for Pennsylvania, and we wish you the best, and we know our troops are going to be in great hands with you in charge.

Thank you, General.

The SPEAKER. Representative Matt Gabler.

And, Representative Gabler, tell everybody your background too, and Representative Miccarelli will as well.

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

It is my pleasure to be here. You know when we stand here in the House chamber, we stand before all of our bosses. We all serve the citizens of Pennsylvania. Here I get to stand in front of my boss in a very different way. General Gronski is four levels up in my rating chain. I have the pleasure of serving as a member of the staff of the 28th Infantry Division Surgeon, and



it is really a pleasure to serve on the General's staff and to be able to serve the citizens of Pennsylvania and the Iron Division. And I want to say it has been such a pleasure and an honor to serve under General Gronski's command, and it certainly will be a sad farewell to say goodbye to the General, but certainly, we will be very pleased and very honored to know that we will have one of our own serving in Europe.

So, sir, congratulations. All the best to you.

Iron Division, roll on.

Thank you very much.

The SPEAKER. Representative Nick Miccarelli.

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

I am very impressed. I believe General Gronski was supposed to be on the floor at 1:15. It is now almost 2 o'clock, proving that the State Senate can slow almost anything down, including a major general. That is definitely, definitely proven today.

Mr. Speaker, I rise just to relate to everyone as someone who has served under General Gronski in combat and in garrison back home in Pennsylvania, the reputation that Representative Barrar talked about, it is well earned and it is nearly unanimous in the division for anyone that you talk to.

General Gronski leads from the front, and it does not matter if we are at Indiantown Gap doing a ruck march, it does not matter if we are overseas in combat, he leads from the front.

Just two very quick stories. I talked about being here at Indiantown Gap. Well, our soldiers were out on a ruck march one early, early Saturday morning. We were heading along and we had heard that the general and the sergeant major were going to be out as part of the ruck march, which essentially means no shortcuts, and you know, you have to finish the whole thing, and you know, there is going to be brass around.

Anyhow, from the beginning of that march, Major General Gronski was out front, leading the charge. I was kind of a few guys back with the division sergeant major, my former first sergeant when I came in, Chris Kepner, and we had realized that we were a little bit past our first point on kind of the wrong heading. Now, General Gronski was out front, but he was not the map guy. So I explained to the sergeant major, "We have got a problem here. We are about a mile past our checkpoint." He said, "Well, go ahead and tell the General, Miccarelli."

Now, I am a lowly staff sergeant, and Matt talked about, you know, being about four levels – I am way below that, so I am very scared. I finally approached him, and he said, "Okay. We're past checkpoint one. This is the new checkpoint one. Everybody turn around and go back the right way." Long story short, even with that delay, General Gronski and Sergeant Major Kepner were the first people on the top of the hill. They led the entire squadron in that ruck march. We are talking 19-to-20-year-old kids, and even at their age, they were leading from the front.

And overseas in Iraq, we had an observation point called 293 out on Route Michigan. On May 3, 2006, we took casualties, a couple members of our team were killed, and after that time we really did not see too many officers aside from our very own that were coming around.

Just a few days after that attack, myself and a guy by the name of Sergeant Tomlinson were out defending that post. We assumed that we would not see too many officers or too many higher ranking NCOs (noncommissioned officers). So I started growing some lamb chops, sideburns and a goatee, which are

completely unauthorized, and my partner, Tomlinson, had a full beard, and unless you are a SEAL (Sea, Air, and Land) or something cool like that, you are really not supposed to grow any of that.

So Tomlinson starts hollering at me, "Miccarelli, there's antennas coming in." Now, anybody that served in the military – I see Representative Dush understands what I am about to say – if you see antennas coming in, that means brass. That means a general, a colonel, some officer is coming in. And sadly, Tomlinson and I did not have time to shave before General Gronski got to our point. And we were almost as scared of what he was about to do to us as we were of anything else. But he came out, kind of gave us a smile, kind of brushed his hand on his face a little bit, let us know, but the first thing he asked us was, "How are you guys doing out here? What do you need to defend this point? What can I do to help you complete your mission?"

That is a leader, ladies and gentlemen. That is a leader who leads from the front. And I am honored to have served under his command. Hopefully, as he continues to move, there will be times when we can continue to serve under him, but, ladies and gentlemen, this son of Pennsylvania, a town called Moosic that I certainly cannot find on a map, makes everyone in this chamber proud and continues the reputation of Pennsylvania's great military history.

Thank you, Mr. Speaker.

The SPEAKER. Representative Miccarelli, outstanding remarks, and also, thank you for your service too.

General Gronski, I have one more set of remarks; someone who knows you from many years past.

Representative Kavulich, the floor is yours, sir.

Mr. KAVULICH. Thank you, Mr. Speaker.

While I do not have the stories, I never served under General Gronski, or I do not have the stories of my good friend from Delaware County, I have some other stories I could tell you, because I have had the pleasure of knowing General Gronski since we were in high school. We played basketball together, we went to class together, we graduated together, and again, my good friend from Delaware County, I could show you exactly where Moosic is on the map, because it is in my district. I can show you exactly where Moosic is on the map and where General Gronski grew up, because we have been friends a long time.

And may I say that I am truly honored to be able to say that we have been friends for most of our lives. He has always been a man of integrity, a man of truth, a man of honesty, and a man who was focused on his goals, and he has proved that by achieving the goals that he has.

Again, Major General Gronski, congratulations. I am proud to say that I am a friend of yours, and I wish you all the luck and success in the world.

Thank you and God bless you.

The SPEAKER. General, if you will just give us a second to finish up some business, we would like to invite you to the rostrum for some photos.

I know that the majority leader, chair of the Rules Committee, that was immediate for the Rules Committee. So that will be immediately for the Rules Committee in the Appropriations conference room, for the Rules Committee.

Then that will be followed immediately by an Appropriations Committee meeting down in the majority caucus room, as the Appropriations chair indicated.

So first, it will be Rules in the Appropriations conference room, then will be the Appropriations Committee downstairs in the majority caucus room.

### REPUBLICAN CAUCUS

The SPEAKER. The Chair turns it over to Madam Chair, Sandra Major, the majority caucus chair, for an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 2:30. I would ask our Republican members to please report to our caucus room at 2:30. We would be prepared to come back on the floor, Mr. Speaker, at 3:30. Thank you.

The SPEAKER. Thank you, Madam Chair.

### DEMOCRATIC CAUCUS

The SPEAKER. The minority caucus chair, Representative Dan Frankel, is recognized for a caucus announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will also caucus at 2:30. Democrats will caucus at 2:30. Thank you.

### HEALTH COMMITTEE MEETING

The SPEAKER. Representative Baker, the chair of the Health Committee, for a committee announcement.

Mr. BAKER. Thank you, Mr. Speaker.

There will be an immediate meeting of the Health Committee in room G-50, a Health Committee meeting immediately in room G-50.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Do any other chairs wish to be recognized for any announcements, for any committee announcements?

### RECESS

The SPEAKER. With that, the House will stand in recess until 3:30, unless sooner recalled by the Speaker.

### RECESS EXTENDED

The time of recess was extended until 3:45 p.m.

### AFTER RECESS

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

### LEAVES OF ABSENCE CANCELED

The SPEAKER. It is my understanding Representative Tina Davis is back on the House floor. She should be placed on the master roll. Representative Vanessa Brown is back on the House floor and should be placed on the master roll. And Representative Pete Daley is back and should be placed on the master roll. Without objection, those individual members will be placed on the master roll.

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

**HB 479, PN 3070** (Amended)

By Rep. BAKER

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, providing for delegation of functions necessary for the support of nursing services.

HEALTH.

**HB 1948, PN 3056**

By Rep. BAKER

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

HEALTH.

### BILLS REREPORTED FROM COMMITTEE

**HB 544, PN 3018**

By Rep. ADOLPH

An Act amending the act of February 2, 1966 (1965 P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further providing for liability for landowners to recreational users; and providing for attorney fees and court costs.

APPROPRIATIONS.

**HB 577, PN 646**

By Rep. ADOLPH

An Act amending the act of May 29, 1945 (P.L.1134, No.405), entitled "An act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland, the Commonwealth of Virginia and the District of Columbia, which, together with three members to be appointed by the President of the United States, shall constitute the Interstate Commission on the Potomac River Basin, with power to cooperate in the abatement of the existing pollution, and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia, the Commonwealth of Virginia and the District of Columbia; to authorize the Governor of the State to execute on behalf of this State a compact with representatives of other states for the purpose of forming the above-mentioned commission; and creating a Potomac Valley Conservancy District; providing for the appointment of the Pennsylvania members of said commission for the Commonwealth of Pennsylvania, and their terms of office; and providing an appropriation," further providing for membership of commission and for appointments.

APPROPRIATIONS.

**HB 1171, PN 1519**

By Rep. ADOLPH

An Act designating an overpass on State Route 49 over State Route 15, Lawrence Township, Tioga County, as the Lance Corporal Michael G. Plank Memorial Bridge.

APPROPRIATIONS.

**HB 1685, PN 2505**

By Rep. ADOLPH

An Act designating a bridge on that portion of State Route 1026, Section 004 over the Cocalico Creek, Denver Borough, and West Cocalico Township, Lancaster County, as the Samuel L. Snyder Memorial Bridge.

APPROPRIATIONS.

**HB 1762, PN 2672**

By Rep. ADOLPH

An Act designating a bridge on that portion of Greenwood Avenue over the SEPTA tracks in Cheltenham Township and Jenkintown Borough, Montgomery County, as the Honorable Lawrence H. Curry Bridge.

APPROPRIATIONS.

**HB 1841, PN 2877**

By Rep. ADOLPH

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for perfusionist.

APPROPRIATIONS.

**HB 1842, PN 2878**

By Rep. ADOLPH

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for perfusionist.

APPROPRIATIONS.

**HB 1864, PN 2880**

By Rep. ADOLPH

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for student practice upon the public for pay prohibited.

APPROPRIATIONS.

**HB 1895, PN 2971**

By Rep. ADOLPH

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

APPROPRIATIONS.

**BILL ON CONCURRENCE  
REPORTED FROM COMMITTEE**

**HB 1638, PN 3002**

By Rep. REED

An Act amending the act of December 29, 1972 (P.L.1713, No.367), known as the Motor Vehicle Physical Damage Appraiser Act, further providing for compliance with act.

RULES.

**CALENDAR****BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 220, PN 217**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in serious traffic offenses, further providing for fleeing or attempting to elude police officer.

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 443, PN 488**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in dispositions independent of letters, further providing for payments to family and funeral directors.

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 1353, PN 1930**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for suspension of operating privilege; and, in miscellaneous provisions, further providing for the offense of homicide by vehicle while driving under influence.

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 1589, PN 2811**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in additional special funds, further providing for distributions from the Pennsylvania Racehorse Development Fund; and providing for allocations from the Pennsylvania Racehorse Development Restricted Receipt Account.

On the question,

Will the House agree to the bill on second consideration?

Mr. **ADOLPH** offered the following amendment No. **A06275**:

Amend Bill, page 2, line 1, by inserting after "Commonwealth," in special funds, further providing for deposit into the Budget

Stabilization Reserve Fund;

Amend Bill, page 2, lines 7 through 9, by striking out all of said lines and inserting

Section 1. Sections 1702-A and 1723-A.1 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, amended July 10, 2014 (P.L.1053, No.126), are amended to read:

Section 1702-A. Funding.

(a) Intent.—It is hereby declared as the intent and goal of the General Assembly to create a stabilization reserve in an eventual amount of 6% of the revenues of the General Fund of the Commonwealth.

(b) Transfer of portion of surplus.—

(1) Except as may be provided in paragraph (2), for fiscal years beginning after June 30, 2002, the following apply:

(i) Except as set forth in this paragraph, if the Secretary of the Budget certifies that there is a surplus in the General Fund for a specific fiscal year, 25% of the surplus shall be deposited by the end of the next succeeding quarter into the Budget Stabilization Reserve Fund.

(ii) If the Secretary of the Budget certifies, after June 30, 2005, that there is a surplus in the General Fund for the fiscal year 2004-2005, 15% of the surplus shall be deposited by the end of the next succeeding quarter into the Budget Stabilization Reserve Fund.

(iii) No amount of the surplus in the General Fund for fiscal year 2007-2008 may be deposited into the Budget Stabilization Reserve Fund.

(iv) No amount of the surplus in the General Fund for fiscal year 2010-2011 may be deposited into the Budget Stabilization Reserve Fund.

(v) No amount of the surplus in the General Fund for fiscal year 2011-2012 may be deposited into the Budget Stabilization Reserve Fund.

(vi) No amount of the surplus in the General Fund for fiscal year 2012-2013 may be deposited into the Budget Stabilization Reserve Fund.

(vii) No amount of the surplus in the General Fund for fiscal year 2013-2014 may be deposited into the Budget Stabilization Reserve Fund.

(viii) No amount of the surplus in the General Fund for fiscal year 2014-2015 may be deposited into the Budget Stabilization Reserve Fund.

(2) If, at the end of any fiscal year, the ending balance of the Budget Stabilization Reserve Fund equals or exceeds 6% of the actual General Fund revenues received for the fiscal year in which the surplus occurs, 10% of the surplus shall be deposited by the end of the next succeeding quarter into the Budget Reserve Stabilization Fund.

(c) Appropriated funds.—The General Assembly may at any time provide additional amounts from any funds available to this Commonwealth as an appropriation to the Budget Stabilization Reserve Fund.

On the question,

Will the House agree to the amendment?

#### AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Chair recognizes Chairman Adolph on the amendment, 6275.

Mr. ADOLPH. Mr. Speaker, I am going to be withdrawing this amendment. Thank you.

The SPEAKER. Thank you, Chairman Adolph.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **ADOLPH** offered the following amendment  
No. **A06304**:

Amend Bill, page 8, lines 9 through 30; page 9, lines 1 through 3; by striking out all of said lines on said pages

Amend Bill, page 9, line 4, by striking out "3" and inserting  
2

On the question,

Will the House agree to the amendment?

#### AMENDMENT WITHDRAWN

The SPEAKER. On the question, the Chair recognizes Chairman Adolph.

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

I also will be withdrawing this amendment.

The SPEAKER. Chairman Adolph has also withdrawn amendment 6306, 6306.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **STEPHENS** offered the following amendment  
No. **A06286**:

Amend Bill, page 2, lines 3 and 4, by striking out "; and providing for allocations from the Pennsylvania Racehorse Development Restricted Receipt Account"

Amend Bill, page 2, line 12, by inserting a bracket before "Funds"

Amend Bill, page 2, line 12, by inserting after "Funds"

] (a) Distributions.—Except as provided under subsection (b), money

Amend Bill, page 2, line 12, by inserting a bracket before "are"

Amend Bill, page 2, line 12, by inserting after "are"

] is

Amend Bill, page 4, line 30, by striking out "(A)"

Amend Bill, page 5, lines 2 and 3, by striking out "an amount in the fund" in line 2 and all of line 3 and inserting

100% of the money in the fund

Amend Bill, page 5, lines 4 through 19, by striking out "account. The transfer" in line 4 and all of lines 5 through 19 and inserting

General Fund.

Amend Bill, page 8, lines 9 through 30; page 9, lines 1 through 3; by striking out all of said lines on said pages and inserting

(b) Transfer.—For the 2016-2017 fiscal year and each fiscal year thereafter, 100% of the money in the fund shall be transferred to the General Fund on a weekly basis.

Amend Bill, page 9, line 4, by striking out "3" and inserting  
2

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes Representative Todd Stephens.

Members, please take your seats. Members, please take your seats. Please take any conversations to the rooms off the House floor.

And, Representative Stephens, the floor is yours, sir.



Mr. STEPHENS. Mr. Speaker, this amendment was offered— Look, we have to make priority decisions as we approach each of these years' budgets, '15-'16 and '16-'17, and when we prioritize things— Obviously, we have all heard about the great needs across this Commonwealth as it relates to our pensions, as it relates to our debt service and our mounting, mounting expenditures, and we have to take a look at priorities. Mr. Speaker, I think when it comes down to priorities, giveaways to certain industries, giveaways to certain corporate welfare initiatives need to yield to some of the other necessary spending that is within the General Fund, and as a result, Mr. Speaker, I would urge the members to support this amendment.

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

Representative Moul, followed by Representative Carroll.

Mr. MOUL. Thank you, Mr. Speaker.

The result of this amendment would, for the most part, end horse racing in Pennsylvania as we know it today and along with tens of thousands of jobs either directly or ancillary to the industry.

I would certainly hope that everyone would vote "no" on this amendment. Thank you, Mr. Speaker.

The SPEAKER. Representative Mike Carroll, on the amendment.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, consistent with the gentleman from Adams, I think it is important that we know that despite the intentions, the good intentions of the sponsor of this amendment, this really would have a detrimental effect that would be wide-ranging beyond the equine industry and affect all sorts of economic activities in our Commonwealth. For that reason, Mr. Speaker, I oppose the Stephens amendment.

The SPEAKER. Representative Mark Keller, on the amendment.

Mr. M. KELLER. Just to reiterate, Mr. Speaker, what the past two speakers have said, this particular amendment goes further than what people really realize, and I think that the gentleman had good intentions. Unfortunately, I think the benefits are going to be hurting the horserace industry, and then when the Commonwealth wants more money from them, it will not be there. So I would suggest a "no" vote on the Stephens amendment.

The SPEAKER. Representative Marty Causer, on the amendment.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask the members to oppose the Stephens amendment.

I respect the gentleman and his position on this issue. However, the horse racing industry is something that is very important. I think this amendment would actually be damaging and would ask the members to oppose the amendment. Thank you, Mr. Speaker.

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

(Members proceeded to vote.)

## LEAVE OF ABSENCE

The SPEAKER. Representative GALLOWAY has requested to be placed on leave of absence. Without objection, that will be granted.

## CONSIDERATION OF HB 1589 CONTINUED

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

The following roll call was recorded:

### YEAS—14

Brown, R.	Heffley	Millard	Roae
Dush	Kaufner	O'Neill	Stephens
Everett	Masser	Parker, D.	Vitali
Godshall	McGinnis		

### NAYS—176

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

NOT VOTING—0

## EXCUSED—10

Cohen	Galloway	Rader	Snyder
DiGirolamo	Pyle	Ravenstahl	Wheatley
Evans	Quinn		

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

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

Mr. **STEPHENS** offered the following amendment No. **A06295**:

Amend Bill, page 2, line 12, by inserting a bracket before "Funds"

Amend Bill, page 2, line 12, by inserting after "Funds"

] Except as provided in section 1724-A.1, funds

Amend Bill, page 9, by inserting between lines 3 and 4

(c) Transfer.—Notwithstanding any provision of law to the contrary, beginning July 1, 2016, and continuing thereafter, each week, 100% of the money in the fund, up to \$250,000,000 for any one fiscal year, shall be transferred to the State Racing Fund for further distribution to the Basic Education Augmentation Fund, which is hereby established as a restricted revenue account within the State Treasury. Money in the Basic Education Augmentation Fund shall be used for distributions to school districts in accordance with the formula for basic education funding.

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

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

Members, Representative Stephens has the floor. I would ask you to please take your seats.

Mr. STEPHENS. Thank you, Mr. Speaker.

Mr. Speaker, this is similar to the last amendment inasmuch as it, again, deals with priorities. Our Constitution provides that the State shall provide for a thorough and efficient school system for our students. This bill recognizes that there is no constitutional provision to ensuring that the State funds our racehorse industry in Pennsylvania. So I believe that reflecting the priorities that are inherent within our Constitution, this amendment is well placed to focus our resources on our constitutional obligations to our students, and this amendment will do just that by redirecting the funding to basic education in the Commonwealth of Pennsylvania.

I would urge the members to support the amendment. Thank you, Mr. Speaker.

The SPEAKER. Thank you.

Does anybody wish to be recognized on the amendment?

Representative Causer and then Representative Moul.

Mr. CAUSER. Thank you, Mr. Speaker.

Once again I respect the gentleman's position on this issue. This is a much more difficult amendment because we all support additional funding for schools, but to take 100 percent of the funding from the Race Horse Development Fund for basic education and at the same time not stipulate how it would be distributed I think is a real problem. So this is an argument for another day and not for this particular legislation.

So I would ask the members to oppose this amendment. Thank you, Mr. Speaker.

The SPEAKER. Representative Dan Moul, on the amendment, followed by Representative Carroll, I believe.

Mr. MOUL. Thank you, Mr. Speaker.

For the same reasons on his last amendment, I stand before you again asking for a "no" vote as this would kill tens of thousands of jobs, most of them agriculture across the Commonwealth of Pennsylvania.

So I ask for a "no" vote on this amendment. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Carroll, on the amendment.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, I have great faith in the Appropriations Committee with respect to how the unfolding budget process will occur over the next 3 months, and I am hopeful that we can have a serious discussion relative to school funding that does not rely on a transfer like this that would be a one-time transfer. So for that reason, Mr. Speaker, I oppose this amendment.

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

Representative Stephens, do you wish to withdraw this amendment, is my understanding? Do you wish to withdraw this amendment?

Mr. STEPHENS. No, Mr. Speaker.

## AMENDMENT PASSED OVER TEMPORARILY

The SPEAKER. We are going to go over the amendment.

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

Mr. **MILLARD** offered the following amendment No. **A06297**:

Amend Bill, page 5, by inserting between lines 19 and 20

(i.3) Beginning July 1, 2016, and annually thereafter, each week, \$200,000 shall be transferred from the Race Horse Development Fund to the State Racing Fund for distribution to agricultural fairs pursuant to the act of July 8, 1986 (P.L.437, No.92), known as the Pennsylvania Agricultural Fair Act. The total transfer under this paragraph shall not exceed \$5,000,000.

Amend Bill, page 5, line 22, by striking out "and (i.2)" and inserting

, (i.2) and (i.3)

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

## AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Chair recognizes Representative Dave Millard.

Mr. MILLARD. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is intended to deliver the necessary funds to 109 agricultural institutions across the Commonwealth that serve our youth in 4-H and FFA (Future Farmers of America) and serve all of our friends and neighbors who are exhibitors in all of our agricultural fairs, the fairs that are economic engines in all the communities in which they are

held, fairs that return somewhere in the neighborhood of \$21 in economics for every dollar that is invested in them.

However, I understand that the language that is contained within this amendment will be factored in another way within the Fiscal Code, so I will be withdrawing this amendment at this time.

The SPEAKER. Thank you, Representative Millard. Amendment 6297 will be withdrawn.

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

The SPEAKER. Representative Millard calls up amendment 6298, and the gentleman has indicated that will be withdrawn as well, sir? So Representative Millard has withdrawn amendments 6297 and 6298.

After consultation with the Parliamentarian, we are ruling that amendments 6288 and 6293 are out of order based on single subject; 6288 and 6293 are out of order based on single subject.

**BILL PASSED OVER TEMPORARILY**

The SPEAKER. We are going to go over HB 1589, PN 2811, temporarily.

\* \* \*

**BILL PASSED OVER TEMPORARILY**

The SPEAKER. We are going to go over HB 869 temporarily.

**LEAVE OF ABSENCE**

The SPEAKER. Representative Vanessa BROWN has indicated that she would like to be placed on leave for the remainder of the day. Without objection, that will be granted.

**SUPPLEMENTAL CALENDAR B**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 577, PN 646**, entitled:

An Act amending the act of May 29, 1945 (P.L.1134, No.405), entitled "An act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland, the Commonwealth of Virginia and the District of Columbia, which, together with three members to be appointed by the President of the United States, shall constitute the Interstate Commission on the Potomac River Basin, with power to cooperate in the abatement of the existing pollution, and in the control of future pollution of the waters of the drainage basin of the Potomac River within the States of Maryland and West Virginia, the Commonwealth of Virginia and the District of Columbia; to authorize the Governor of the State to execute on behalf of this State a compact with representatives of other states for the purpose of forming the above-mentioned commission; and creating a Potomac Valley Conservancy District; providing for the appointment of the Pennsylvania members of said commission for the Commonwealth of Pennsylvania, and their terms of office; and providing an appropriation," further providing for membership of commission and for appointments.

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—189**

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

**NAYS—0**

**NOT VOTING—0**

EXCUSED—11

Brown, V.	Evans	Quinn	Snyder
Cohen	Galloway	Rader	Wheatley
DiGirolamo	Pyle	Ravenstahl	

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 1895, PN 2971**, entitled:

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

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—189

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

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Brown, V.	Evans	Quinn	Snyder
Cohen	Galloway	Rader	Wheatley
DiGirolamo	Pyle	Ravenstahl	

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 1841, PN 2877**, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for perfusionist.

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—189

Acosta	Everett	Kortz	Readshaw
Adolph	Fabrizio	Kotik	Reed
Baker	Farina	Krueger	Reese
Barbin	Farry	Lawrence	Regan
Barrar	Fee	Lewis	Roae
Benninghoff	Flynn	Longietti	Roebuck
Bizzarro	Frankel	Mackenzie	Ross
Bloom	Freeman	Maher	Rothman
Boback	Gabler	Mahoney	Rozzi
Boyle	Gainey	Major	Saccone



Bradford	Gergely	Maloney	Sainato
Briggs	Gibbons	Markosek	Samuelson
Brown, R.	Gillen	Marshall	Sankey
Bullock	Gillespie	Marsico	Santarsiero
Burns	Gingrich	Masser	Santora
Caltagirone	Godshall	Matzie	Saylor
Carroll	Goodman	McCarter	Schemel
Causar	Greiner	McClinton	Schlossberg
Christiana	Grove	McGinnis	Schreiber
Conklin	Hahn	McNeill	Schweyer
Corbin	Hanna	Mentzer	Simmons
Costa, D.	Harhai	Metcalfe	Sims
Costa, P.	Harhart	Metzgar	Sonney
Cox	Harkins	Miccarelli	Staats
Cruz	Harper	Millard	Stephens
Culver	Harris, A.	Miller, B.	Sturla
Cutler	Harris, J.	Miller, D.	Tallman
Daley, M.	Heffley	Milne	Taylor
Daley, P.	Helm	Moul	Thomas
Davidson	Hennessey	Mullery	Tobash
Davis	Hickernell	Murt	Toepel
Dawkins	Hill	Mustio	Toohil
Day	Irvin	Neilson	Topper
Dean	James	Nesbit	Truitt
Deasy	Jozwiak	Neuman	Vereb
DeLissio	Kampf	O'Brien	Vitali
Delozier	Kaufner	O'Neill	Ward
DeLuca	Kauffman	Oberlander	Warner
Dermody	Kavulich	Ortitay	Watson
Diamond	Keller, F.	Parker, D.	Wentling
Donatucci	Keller, M.K.	Pashinski	Wheeland
Driscoll	Keller, W.	Payne	White
Dunbar	Killion	Peifer	Youngblood
Dush	Kim	Petrarca	Zimmerman
Ellis	Kinsey	Petri	
Emrick	Kirkland	Pickett	Turzai,
English	Klunk	Quigley	Speaker
Evankovich	Knowles	Rapp	

NAYS-0

NOT VOTING-0

EXCUSED-11

Brown, V.	Evans	Quinn	Snyder
Cohen	Galloway	Rader	Wheatley
DiGirolamo	Pyle	Ravenstahl	

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 1842, PN 2878**, entitled:

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for perfusionist.

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-189

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

NAYS-0

NOT VOTING-0

EXCUSED-11

Brown, V.	Evans	Quinn	Snyder
Cohen	Galloway	Rader	Wheatley
DiGirolamo	Pyle	Ravenstahl	

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 1864, PN 2880**, entitled:

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for student practice upon the public for pay prohibited.

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—189

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

Dush	Kim	Petrarca	Zimmerman
Ellis	Kinsey	Petri	
Emrick	Kirkland	Pickett	Turzai,
English	Klunk	Quigley	Speaker
Evankovich	Knowles	Rapp	

NAYS—0

NOT VOTING—0

EXCUSED—11

Brown, V.	Evans	Quinn	Snyder
Cohen	Galloway	Rader	Wheatley
DiGirolamo	Pyle	Ravenstahl	

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 544, PN 3018**, entitled:

An Act amending the act of February 2, 1966 (1965 P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further providing for liability for landowners to recreational users; and providing for attorney fees and court costs.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—187

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

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

NAYS—2

Dean	Neilson
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NOT VOTING—0

EXCUSED—11

Brown, V.	Evans	Quinn	Snyder
Cohen	Galloway	Rader	Wheatley
DiGirolamo	Pyle	Ravenstahl	

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

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

**REMARKS SUBMITTED FOR THE RECORD**

The SPEAKER. Representative Moul, you are recognized on unanimous consent.

Mr. MOUL. Thank you, Mr. Speaker.

I will be very, very brief. I just want to thank everyone for their vote to get HB 544 passed. This will go a long way to opening up a lot of recreational land for recreational purposes or private land for recreational purposes in Pennsylvania, and I will submit my remarks for the record. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir. They will be accepted.

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

HB 544 as amended reinforces the purpose of the Recreational Use of Land and Water Act. Additionally, it protects and safeguards land that owners provide the public for free expression of their recreational choice, whether improved or not, and regardless of its size or location in the Commonwealth.

The bill would also add a significant provision by providing a refund of attorney fees when the court decides that the owner was not responsible for the accident or injury.

I would appreciate an affirmative vote. Thank you.

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1171, PN 1519**, entitled:

An Act designating an overpass on State Route 49 over State Route 15, Lawrence Township, Tioga County, as the Lance Corporal Michael G. Plank 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?

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

The following roll call was recorded:

YEAS—189

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

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

NAYS-0

NOT VOTING-0

EXCUSED-11

Brown, V.	Evans	Quinn	Snyder
Cohen	Galloway	Rader	Wheatley
DiGirolamo	Pyle	Ravenstahl	

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 1685, PN 2505**, entitled:

An Act designating a bridge on that portion of State Route 1026, Section 004 over the Cocalico Creek, Denver Borough, and West Cocalico Township, Lancaster County, as the Samuel L. Snyder 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?

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

The following roll call was recorded:

YEAS-189

Acosta	Everett	Kortz	Readshaw
Adolph	Fabrizio	Kotik	Reed
Baker	Farina	Krueger	Reese
Barbin	Farry	Lawrence	Regan
Barrar	Fee	Lewis	Roae
Benninghoff	Flynn	Longietti	Roebuck
Bizzarro	Frankel	Mackenzie	Ross

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

NAYS-0

NOT VOTING-0

EXCUSED-11

Brown, V.	Evans	Quinn	Snyder
Cohen	Galloway	Rader	Wheatley
DiGirolamo	Pyle	Ravenstahl	

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 1762, PN 2672**, entitled:

An Act designating a bridge on that portion of Greenwood Avenue over the SEPTA tracks in Cheltenham Township and Jenkintown Borough, Montgomery County, as the Honorable Lawrence H. Curry 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?

Members, Representative McCarter is being recognized. As you know, this bill, I understand, honors a former member and a good friend and colleague of many of ours.

Representative McCarter, the floor is yours, sir.

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

And again, thank you. Thank you for supporting this bill today honoring State Representative Lawrence Curry by designating a bridge on the portion of Greenwood Avenue that passes over the SEPTA (Southeastern Pennsylvania Transportation Authority) tracks in Cheltenham Township and Jenkintown Borough in Montgomery County as the Honorable Lawrence H. Curry Bridge.

State Representative Lawrence Curry represented the 154th Legislative District from his election in 1992 until 2012. His district office then was just a stone's throw away from what I hope will be the Honorable Lawrence Curry Bridge.

During his 20 years in the House, Curry held several leadership positions, including—

The SPEAKER. Sir, please suspend.

Members, please take your seats. Members, please take your seats. It is my understanding this is our last bill on third consideration. I would ask you to please take your seats, and let us give Representative McCarter and former Representative Curry the respect that they both deserve. If members could please take their conversations to the rooms outside of the floor. All members, please take your seats; staff, too, please.

Representative McCarter, you may proceed, sir.

Mr. McCARTER. Thank you, Mr. Speaker.

Curry held several leadership positions, including chairman of the Aging and Older Adult Services Committee, and he was frequently at the forefront of issues affecting working families, senior citizens, and children, especially tax reform, equal opportunity, environmental protection, health, and education.

Before his election to the Pennsylvania House of Representatives, Representative Curry taught government, politics, U.S. history, and the value of civic engagement – something to which his life is really a testament – at numerous universities throughout the Philadelphia area. He served as a Jenkintown Borough councilman and two terms as a Montgomery County commissioner.

In 1965 during the most turbulent time of the civil rights movement, Representative Curry responded to Rev. Martin Luther King's appeal to join him in standing for equality and justice in Selma, Alabama. This was a time when the call for civil rights was often met with violence, but Representative Curry went to Selma to march for what he believed was right.

In 2006 Representative Curry fought vigorously against what he felt was an attempt to target college professors with specific political viewpoints. He introduced legislation that would ensure new parents are given information on risk factors associated with sudden infant death syndrome and sudden unexpected death of infants and set standards of care for hemophilia patients in Pennsylvania. And he also introduced legislation that would have prohibited the manufacture or sale in

Pennsylvania of baby bottles and other child-care items that contain BPA (bisphenol A), later to be done by the EPA (Environmental Protection Agency).

Representative Curry actively cared for the well-being of his constituents and for all citizens of the Commonwealth. He strived to provide them a safe way forward, and he willingly and with great purpose reached across the aisles here in Harrisburg to do so. He was and still is a model of great civility and professionalism. It would be especially fitting to have his name placed on a bridge, which, by definition, spans two sides, as a reminder of these very qualities and of the many contributions he made to his community and to the Commonwealth of Pennsylvania.

Representative Curry is beloved, an iconic figure in our community, and again, I thank you very much for supporting HB 1762. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

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—189

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

Dunbar	Killion	Peifer	Youngblood
Dush	Kim	Petrarca	Zimmerman
Ellis	Kinsey	Petri	
Emrick	Kirkland	Pickett	Turzai,
English	Klunk	Quigley	Speaker
Evankovich	Knowles	Rapp	

NAYS—0

NOT VOTING—0

EXCUSED—11

Brown, V.	Evans	Quinn	Snyder
Cohen	Galloway	Rader	Wheatley
DiGirolamo	Pyle	Ravenstahl	

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.

## CALENDAR CONTINUED

### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 869, PN 3013**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, further providing for cruelty to animals.

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

Mr. **VEREB** offered the following amendment No. **A06265**:

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Section 5511(m) of Title 18 of the Pennsylvania Consolidated Statutes is amended, subsection (q) is amended by adding a definition and the section is amended by adding a subsection to read:

Amend Bill, page 1, by inserting after line 16

(c.1) Use of live pigeons for targets at trap shoot or block shoot prohibited.—

(1) A person commits a summary offense if that person willfully organizes, operates or conducts a trap shoot or block shoot in which live pigeons are used as targets.

(2) Nothing in this subsection shall be construed to apply to activity which is authorized or permitted under 34 Pa.C.S. (relating to game) or a special permit under 58 Pa. Code Ch. 147 (relating to special permits) or to the training of dogs for activity which is authorized or permitted under 34 Pa.C.S.

Amend Bill, page 2, by inserting between lines 16 and 17

(q) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

\* \* \*

"Trap shoot" or "block shoot." A contest event during which participants shoot or attempt to shoot targets for either amusement or as a test of skill in marksmanship that are launched or otherwise immediately presented to the shooter either manually or with electronic or mechanical assistance from a fixed location or locations within a predefined shooting field.

\* \* \*

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

AMENDMENT WITHDRAWN

The SPEAKER. On the question, the Chair recognizes the good gentleman, Representative Vereb.

Mr. VEREB. Thank you, Mr. Speaker.

This amendment has to do with tethering, animal tethering, and it is one of these issues that just continuously comes back to us—

The SPEAKER. Representative Vereb, I apologize. I believe that is 6281, but we were going to call up 6265 first. Were you going to withdraw that amendment, 6265?

Mr. VEREB. I got my numbers backwards. I have been tethered as a youth, Mr. Speaker. Yes, I will be withdrawing that amendment.

The SPEAKER. Amendment 6265 is withdrawn.

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

Mr. **VEREB** offered the following amendment No. **A06281**:

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Section 5511(c)(2) and (m) of Title 18 of the Pennsylvania Consolidated Statutes are amended and the section is amended by adding subsections to read:

Amend Bill, page 1, by inserting between lines 9 and 10

(c) Cruelty to animals.—

\* \* \*

(2) (i) Except as provided in [subparagraph] subparagraphs (ii) and (iii), a person convicted of violating paragraph (1) commits a summary offense.

(ii) A person convicted for a second or subsequent time of violating paragraph (1) commits a misdemeanor of the third degree if all of the following occurred:

(A) The action or omission for which the person was convicted for a subsequent time was performed on a dog or cat.

(B) The dog or cat was seriously injured, suffered severe physical distress or was placed at imminent risk of serious physical harm as the result of the person's action or omission.

(iii) A person convicted of violating paragraph (1) in combination with a first violation of subsection (c.1) or (c.2) commits a misdemeanor of the third degree.

\* \* \*

(c.1) Tethering of dogs.—

(1) Except as otherwise provided under subsection (c)(2) or paragraph (2), a person commits a summary offense if the person tethers an unattended dog, by use of a physical restraint, to any stationary or highly immobile object unless all of the following apply:

(i) The tethering is not for a longer period of time than is reasonably necessary for the dog or person to complete a temporary task that requires the dog to be physically restrained.

(ii) The dog is periodically monitored while tethered.

(iii) The tether is attached to the dog by a nonchoke-type collar and is attached to the object by swivel anchors, latches or similar devices in a manner which prevents the tether from:

(A) becoming entangled around any object so as to limit the dog's freedom; or

(B) entangling the dog or any of the dog's appendages.

(iv) The tether used to restrain the dog is of a type commonly used for the dog involved and is not thicker than one-eighth of an inch.

(v) The tether is at least three times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, but not less than 10 feet in length.

(vi) The dog has easy access to potable drinking water, edible food and adequate shade and shelter within the tethered area, unless the dog is being directly supervised.

(vii) The dog is not tethered outdoors:

(A) during any period in which a severe weather warning has been issued for the area by the National Weather Service; or

(B) for a continuous period of time greater than 30 minutes if the temperature is below 32 degrees Fahrenheit or above 90 degrees Fahrenheit.

(2) A person convicted for a second or subsequent time of violating paragraph (1) commits a misdemeanor of the third degree.

(3) A person who commits an offense under this subsection shall, upon conviction, be sentenced to pay:

(i) a fine of not less than \$200 nor more than \$750;

(ii) all veterinary costs;

(iii) shelter costs, which may not exceed \$15 per day per dog; and

(iv) court costs.

(c.2) Shelters for dogs.—

(1) A person in charge or control of a dog which is kept outdoors or in an unheated enclosure shall, at a minimum, provide the dog with shelter and bedding as follows:

(i) The following shall apply:

(A) The shelter must be a moisture-proof and wind-proof structure of suitable size to accommodate the dog and allow retention of body heat. At minimum, a shelter must meet the following dimensions:

(I) Depth - dog's length plus 12 inches.

(II) Width - dog's length plus 18 inches.

(III) Height - dog's height plus 3 inches on the low side of the shelter and dog's height plus 9 inches on the high side of the shelter.

(B) The shelter must be made of durable material with a solid, moisture-proof floor raised at least three inches from the ground.

(C) The roof must extend eight inches over the doorway to keep out rain.

(D) The shelter may not be constructed of any material that readily conducts heat or cold.

(ii) Between May 1 and October 31, the person in charge or control of the dog must ensure that the dog is provided with shade from the direct rays of the sun.

(iii) Between November 1 and March 31, the structure must have a windbreak at the entrance. The person in charge or control of the dog must provide a sufficient quantity of suitable bedding material to provide insulation and protection against cold and dampness and promote retention of body heat. Hay, blankets, rags or other material that retains moisture may not be utilized

for bedding.

(2) (i) Except as provided under subsection (c)(2) or subparagraph (ii), a person convicted of violating paragraph (1) commits a summary offense.

(ii) A person convicted for a second or subsequent time of violating paragraph (1) commits a misdemeanor of the third degree.

(3) A person who commits an offense under this subsection shall, upon conviction, be sentenced to pay:

(i) a fine of not less than \$200 nor more than \$750;

(ii) all veterinary costs;

(iii) shelter costs, which may not exceed \$15 per day per dog; and

(iv) court costs.

\* \* \*

Amend Bill, page 2, line 17, by striking out "in 60 days." and inserting

as follows:

(1) The following provisions shall take effect immediately:

(i) This section.

(ii) The amendment or addition of 18 Pa.C.S. § 5511(c)(2), (c.1) and (c.2).

(2) The remainder of this act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

#### AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes Representative Mike Vereb.

Mr. VEREB. Thank you, Mr. Speaker.

As I was just told, I was untethered.

So this bill, obviously, has to do with dog tethering, and this recent large storm that we received in southeastern Pennsylvania led to a major news story of a businessman who thought it was a great idea to have tethered dogs with frozen water bowls, no food, and snow frozen to the animals as they protect his business.

This issue keeps coming back and back and back, and it needs to get done. I realize there is an issue with hunting, I realize there are some other issues out there that this bill could encompass, and with respect to that and speaking with my good friend from Perry County, just talking with him about the language they are working on, I will withdraw this amendment with the understanding, Mr. Speaker, that we will address tethering before the end of this session. Thank you.

The SPEAKER. Thank you, Representative Vereb.

Amendment 6281 will be withdrawn.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **PARKER** offered the following amendment No. **A06285**:

Amend Bill, page 1, line 3, by inserting after "for" the offense of

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Section 5511(c)(1) and (m) of Title 18 of the Pennsylvania Consolidated Statutes are amended and the section is amended by adding a subsection to read:

Amend Bill, page 1, by inserting after line 16

(c) Cruelty to animals.—

(1) A person commits an offense if he wantonly or cruelly illtreats, overloads, beats, otherwise abuses any animal, or neglects any animal as to which he has a duty of care, whether belonging to himself or otherwise, or abandons any animal, or deprives any animal of necessary sustenance, potable drink, shelter or veterinary care, or access to clean and sanitary shelter which will protect the animal against inclement weather and preserve the animal's body heat and keep it dry.

\* \* \*

(c.1) Tethering of dogs.—

(1) Except as otherwise provided under paragraph (2), a person commits a summary offense if the person tethers a dog outside and unattended to any stationary object by use of a restraint between the hours of 10 p.m. and 6 a.m. or fails to satisfy the following:

(i) The tether must be placed or attached so that the dog cannot become entangled with other objects and to allow the dog to roam the full range of the tether. The tether must be of a type commonly used for the size of dog involved. No tow chain may be used.

(ii) The tether must be attached to the dog by means of a well-fitted collar or body harness that will not cause trauma or injury to the dog. No choke, pinch, prong or other chain collar may be used.

(iii) The tether must be a minimum of six feet long or at least five times the length of the dog as measured from the tip of its nose to the base of its tail, whichever is longer, and must allow the dog convenient and unfettered access to shelter and food and water containers. The tether may not become wrapped around any appendage such that it restricts the dog's movement.

(iv) While tethered, the dog must be provided with protection from the direct rays of the sun and at least one area of shade other than the shelter must be provided.

(v) A tethered dog must be free of open sores or wounds on its body.

(vi) A dog may not be tethered outside during periods of temperature below 32 degrees Fahrenheit or above 90 degrees Fahrenheit or when a weather advisory or warning has been issued by the National Weather Service.

(2) The following activity shall not result in an offense under paragraph (1):

(i) Tethering a dog for a period not to exceed 15 minutes, as long as the dog is not in danger or a nuisance or does not put the public in danger.

(ii) Tethering a dog while actively engaged in or actively training for an activity that is conducted pursuant to a valid license issued by the Commonwealth, if the activity for which the license is issued is associated with the use or presence of a dog.

(iii) Tethering a dog that is used in the course of commercial agricultural production or for the protection of commercial farm property, agricultural supplies or products.

(iv) Tethering a dog while actively participating in or attending an organized dog show, field trial, agility event, herding contest or other similar exposition or event, of a limited duration, that involves the judging or evaluation of dogs.

(v) Tethering a dog being raised, trained or utilized for sled racing, as long as the dog is regularly untethered for exercise and training.

(vi) Tethering a dog pursuant to the requirements of a camping or recreational area.

(3) A person who commits an offense under this subsection may, upon conviction, and in addition to any other penalty authorized by law, be subject to forfeiture of the dog.

\* \* \*

On the question,

Will the House agree to the amendment?

#### AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Chair recognizes Representative Dave Parker.

Mr. PARKER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to echo the remarks of the gentleman from Montgomery County. I, too, am concerned. I get a lot of calls about tethered dogs with frozen water bowls and too short of a tether or being tethered out 24/7 in all kinds of conditions, and there is not enough teeth in our current law to remedy it. In fact, I have a constituent who has been told the only thing you can do is steal the dog. So we certainly do not want to do that. But I was glad to hear and speak with the gentleman from Perry County, who is on the Judiciary Committee, who is working on legislation which, hopefully, will be introduced soon to remedy this.

So I will withdraw this amendment. In light of that, I will also withdraw amendment A06299 so that the full bill can go forward clean and we can begin helping animals with the author's bill.

The SPEAKER. Thank you, sir.

So amendments 6285 and 6299 will be withdrawn. Thank you.

On the question recurring,

Will the House agree to the bill on second consideration?

The SPEAKER. Representative Rozzi, my understanding is that amendment 6283, 6283, has been withdrawn. Thank you, sir.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

#### FORMER MEMBER WELCOMED

The SPEAKER. Members, we are pleased to have as a guest today a former member of this House, Kent Shelhamer, who served from 1965 to 1976, and he also served as Secretary of Agriculture for the Commonwealth. Sir, please stand. He is with Representative David Millard, with David Millard. A former member and former Secretary of Agriculture is seated next to a present member and someday, I suspect, will be Secretary of Agriculture. So thank you so much for being with us today.



## SUPPLEMENTAL CALENDAR C

### BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1638, PN 3002**, entitled:

An Act amending the act of December 29, 1972 (P.L.1713, No.367), known as the Motor Vehicle Physical Damage Appraiser Act, further providing for compliance with act.

On the question,  
Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Representative Tobash, that the House concur in the amendments inserted by the Senate.

We now call upon Representative Tobash for a brief description of the Senate amendments along with any remarks on the bill, both the underlying bill and the bill as amended.

Representative Tobash, you are recognized.

Mr. TOBASH. Thank you, Mr. Speaker.

The Senate amended HB 1638 to include language that would require a personal inspection if a supplement is disputed between the body shop and the appraiser. So if there was a dispute, a photograph would not be required but a personal inspection would be required.

After that amendment was inserted, the Senate voted on that bill 47 in favor, 1 opposed. There was also some opposition prior to that amendment from the Pennsylvania Collision Trade Guild on March 22. They issued a statement that the guild now maintains a neutral position on this bill.

I would ask my colleagues to vote in favor of concurrence on HB 1638. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Becky Corbin, followed by Representative Steve Barrar.

Mrs. CORBIN. Thank you, Mr. Speaker.

The average vehicle owner does not have the expertise to identify safety-related items while providing photos for insurance estimates. Today's vehicles are such highly technical automobiles that carry 30 or more onboard computers that help manage the steering and suspension components as well as air bag sensors and seat belt restraint systems that cannot be identified by photo-estimating.

We would never permit vehicle photos for our annual Pennsylvania mechanical State inspection because the program is focused on safety and a physical inspection. Why would we legislate photo estimates for insurance claims? Is not safety our paramount concern?

The Appraiser Act identifies safety as paramount, which emphasizes the need for a physical inspection by a licensed physical damage appraiser. The Appraiser Act calls for an independent, unbiased appraisal process by a State-licensed physical damage appraiser. This is completely opposite to a photo estimate executed by an insurance company-employed desk-estimator utilizing a preloaded database of automated insurance-endorsed line items.

Compliance of the Appraiser Act calls for the appraiser to approach the appraisal of damaged property without prejudice against or favoritism towards any party involved in order to

make fair and impartial assessments. Photo-estimating totally eliminates compliance due to the desk-estimator being an employee of the insurance company.

The Appraiser Act was enacted to protect Pennsylvania consumers and assure a safe and proper automobile settlement. HB 1638 weakens the law that is put in place to protect consumers. We should not vote for concurrence of a law that eliminates the physical inspection requirement. This is the very same industry the law was written to regulate.

The Appraiser Act is a pro-consumer law that has withstood 40 years without controversy. The strength of the act is the physical inspection requirement that the insurance industry is asking you to weaken. Without compliance of the physical inspection requirement, there will be no consumer protection in regards to vehicle safety and proper claim settlement.

I ask you to join me in voting against concurrence for HB 1638. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Corbin.

### MOTION TO SUSPEND RULES

The SPEAKER. Representative Steve Barrar, followed by Representative Mark Mustio.

Mr. BARRAR. Thank you, Mr. Speaker.

Mr. Speaker, I rise to make a motion to suspend the rules so that I could offer two amendments.

The SPEAKER. The gentleman is offering a motion to suspend the rules to be able to offer amendment 6238 or – excuse me; 1638.

Mr. BARRAR. Yes. It would be A06328.

The SPEAKER. I apologize. So the amendments are 06328 and 06329. Those are the two amendments, Representative Barrar?

Mr. BARRAR. That is right, Mr. Speaker. Thank you.

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

The SPEAKER. You may proceed on the motion, sir.

Mr. BARRAR. Thank you, Mr. Speaker.

Mr. Speaker, I rise to offer these amendments.

The first amendment, A6328, would basically make a change in this current bill and would require any person who does an appraisal must be a Pennsylvania State-licensed appraiser. And the second amendment that I have offered basically says that on the occasion that a vehicle is a total loss – okay? – that that total loss is determined by only photo means, then the physical inspection would be required by an appraisal to declare that vehicle as a total loss.

I would ask the members to support this. I think this is a way of making the bill a little bit better.

The SPEAKER. On the motion to suspend, Representative Tobash.

Mr. TOBASH. Thank you, Mr. Speaker.

I would ask my colleagues to oppose the motion to suspend.

This bill in its current form is set up as a consumer-friendly bill to help speed up the claims process. Particularly in a situation where someone might have a vehicle that is not drivable and potentially totaled, it is advantageous for them to be able to send a photograph to the appraiser and get payment as quickly as possible, number one.

Number two, we have talked to the Insurance Department and the language already exists within the law. We are not changing the definition of who an appraiser is and we are not changing the requirement that exists right now that an appraiser's license is required in the disposition of these claims.

So I stand in opposition of the motion to suspend the rules. Thank you, Mr. Speaker.

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

The following roll call was recorded:

## YEAS—51

Barrar	Dush	Lawrence	Quigley
Benninghoff	Farry	Longiotti	Saccone
Boback	Freeman	Mahoney	Samuelson
Brown, R.	Gabler	Maloney	Sankey
Burns	Hanna	Miccarelli	Santora
Causar	Harhai	Milne	Schweyer
Christiana	Harhart	Moul	Staats
Conklin	Harper	Murt	Tallman
Corbin	Hennessey	Neilson	Taylor
Culver	Jozwiak	O'Neill	Toepel
Day	Killion	Parker, D.	Watson
Diamond	Kirkland	Peifer	White
Driscoll	Krueger	Petri	

## NAYS—138

Acosta	Fabrizio	Knowles	Reed
Adolph	Farina	Kortz	Reese
Baker	Fee	Kotik	Regan
Barbin	Flynn	Lewis	Roae
Bizzarro	Frankel	Mackenzie	Roebuck
Bloom	Gainey	Maher	Ross
Boyle	Gergely	Major	Rothman
Bradford	Gibbons	Markosek	Rozzi
Briggs	Gillen	Marshall	Sainato
Bullock	Gillespie	Marsico	Santarsiero
Caltagirone	Gingrich	Masser	Saylor
Carroll	Godshall	Matzie	Schemel
Costa, D.	Goodman	McCarter	Schlossberg
Costa, P.	Greiner	McClinton	Schreiber
Cox	Grove	McGinnis	Simmons
Cruz	Hahn	McNeill	Sims
Cutler	Harkins	Mentzer	Sonney
Daley, M.	Harris, A.	Metcalfe	Stephens
Daley, P.	Harris, J.	Metzgar	Sturla
Davidson	Heffley	Millard	Thomas
Davis	Helm	Miller, B.	Tobash
Dawkins	Hickernell	Miller, D.	Toohil
Dean	Hill	Mullery	Topper
Deasy	Irvin	Mustio	Truitt
DeLissio	James	Nesbit	Vereb
Delozier	Kampf	Neuman	Vitali
DeLuca	Kaufer	O'Brien	Ward
Dermody	Kauffman	Oberlander	Warner
Donatucci	Kavulich	Ortitay	Wentling
Dunbar	Keller, F.	Pashinski	Wheeland
Ellis	Keller, M.K.	Payne	Youngblood
Emrick	Keller, W.	Petrarca	Zimmerman
English	Kim	Pickett	
Evankovich	Kinsey	Rapp	Turzai,
Everett	Klunk	Readshaw	Speaker

## NOT VOTING—0

## EXCUSED—11

Brown, V.	Evans	Quinn	Snyder
Cohen	Galloway	Rader	Wheatley
DiGirolamo	Pyle	Ravenstahl	

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,  
Will the House concur in Senate amendments?

The SPEAKER. At this time Representative Mustio is recognized and then followed by Chairwoman Pickett.

Representative Mustio, the floor, on the bill, is yours.

Mr. MUSTIO. Thank you, Mr. Speaker.

I would like to interrogate the maker of the bill.

The SPEAKER. Yes, sir. Representative Tobash has indicated he will stand for interrogation, sir.

Mr. MUSTIO. Thank you, Mr. Speaker.

Under the current Pennsylvania law, can a photo be taken and submitted to an insurance company to potentially adjust a claim without the adjuster seeing the vehicle?

Mr. TOBASH. Thank you, Mr. Speaker.

In the State of Pennsylvania, unlike 47 other States right now that allow a photograph to be taken to facilitate the claims process, you cannot utilize photographs to adjust claims.

Mr. MUSTIO. Does this legislation require that all claims be adjusted without an in-person examination of the vehicle?

Mr. TOBASH. It absolutely does not. As I mentioned earlier, with the amendment in the Senate, if there is a dispute for a supplement, then a physical appraisal needs to be done. It is also, at the policyholder's request, an option. In other words, if the policyholder would like a physical inspection of the vehicle, it is their option within this bill.

Mr. MUSTIO. One of the previous speakers spoke about the concern of adjusting electronics in the computer systems on our vehicles via photograph. I would suspect that that is highly irregular and would not be one of the requirements. Do you want to speak to that?

Mr. TOBASH. Yes. Look, the intent of this bill is simple, and again, as I mentioned, 47 other States allow the use of modern technology to adjust claims to try and lower costs to speed up the claims process. It only makes sense that there are some claims that are minor and with a photograph the adjustment process can begin.

You know, the ability to use a photograph to estimate and to adjust electronic-type claims, I think it is ridiculous. I mean, at this point in time the use of photographs to see what physical damage exists and to start to speed up the claim will be utilized. It is not meant to adjust claims that might utilize equipment that cannot be easily adjusted through a photograph.

Mr. MUSTIO. Under the legislation, can the body shop who is repairing the vehicle in a supplemental situation, as you previously described, send a photograph to the insurance company?

Mr. TOBASH. So, you know, with this legislation they have got the opportunity to do it. You can only imagine that as a vehicle is sitting at a body shop – and this happens all the time – that the body shop discovers that there is additional damage. It would be to everyone's advantage to allow that body shop to take a photograph, forward it to the adjuster, and speed up the claims process. So it will allow body shops to utilize photographs.

Mr. MUSTIO. Under the current scenario, without being able to take the photograph and send it in, how would that additional damage be seen?

Mr. TOBASH. It would require a physical inspection by an appraiser to come out there, take a look at the vehicle, and write the supplement. With this legislation a photograph could be utilized.

Mr. MUSTIO. So they would have to come back out. Is that correct?

Mr. TOBASH. Absolutely.

Mr. MUSTIO. Thank you, Mr. Speaker.

On the legislation.

The SPEAKER. Yes, sir; you may proceed, Representative Mustio.

Mr. MUSTIO. I rise in support of the bill.

I also would like to remind members that as part of the process, you have the body shop that you have entrusted your vehicle to do the repairs. In most cases this is somebody that we know, and they are certainly not going to let that vehicle leave without pointing out to you the potential that perhaps there is some other damage, and that is where the Representative's legislation will help expedite the process. But if we have additional damage, rather than waiting a weekend, until Monday, to have the adjuster come out, let us take the picture on Friday, send it to the company, get the work started on Friday, and get the check in the mail, all this to get our constituents, the insurance company's policyholders, the use of their vehicle so they can get on with their lives.

I would also speak to the fact that with technology and applications that we have on our phones now, we are depositing checks by taking pictures. It is really all we are going to be doing here, is taking a picture from our phone and submitting it to the insurance company, in most cases, on an application.

So I would encourage the members to vote for this legislation. Thank you.

The SPEAKER. Representative Pickett, followed by Chairman Barrar.

Representative Pickett, on the underlying— Okay.

Chairman Barrar.

Mr. BARRAR. Thank you, Mr. Speaker.

Could I ask the maker of the bill to stand for just one question of interrogation?

The SPEAKER. He will so stand. You may proceed.

Mr. BARRAR. Thank you, Mr. Speaker.

What is the penalty if the insurance company uses at the other end of that phone or computer when those photos are sent in, what is the penalty for the insurance company or for that appraiser if he is not a Pennsylvania State-licensed appraiser?

Mr. TOBASH. Thank you, Mr. Speaker.

At this point in time the legislation that we have submitted here does not address the penalties for someone who does not hold an appraiser's license within the Commonwealth to do an inspection on the vehicle. This legislation does not address that. It is addressed in current law. All it says is that with this change

in the law, like in 47 other States, appraisers will be able to use photographs in the adjusting and appraisal process.

Mr. BARRAR. Thank you.

Mr. Speaker, on the bill?

The SPEAKER. Yes, sir; you may proceed.

Chairman Barrar, on the bill.

Mr. BARRAR. Thank you, Mr. Speaker.

I am a little surprised that there is no penalty for the insurance industry using a nonlicensed appraiser at the other end of that computer that sends out the appraisal. I think we have seen the insurance industry in the past has taken advantage of every loophole possible. It is not even legal yet for them to do these photo appraisals and they are doing it. Okay? It is not even legal, it is not legal for them to steer customers to their preferred shops, and they do it every single day.

Mr. Speaker, I rise to oppose concurrence of HB 1638 because it is a bad bill. It is bad for our Commonwealth and it is bad for the consumers and will jeopardize the safety of our constituents. So far it has been repealed by two States.

HB 1638 will dilute a very important safeguard put into law to protect our citizens when they have their car repaired after an auto accident. Our appraiser law is one of the best in the nation, and we are going to make changes to weaken that law.

Also, the appraiser law is not an insurance bill, but the insurance industry is heavily invested in diluting this bill. I ask you, what kind of a legislature are we, one that would dilute a provision in State law that says safety is paramount? Who does this benefit? The physical inspection requirement of the State-licensed Physical Damage Appraiser Act is being diluted through the elimination of the required hands-on examination by a State-certified licensed appraiser. Who would sacrifice the safety-is-paramount provision of the act to allow telephone photos, desk reviews, and video inspections? Why would we change the law that was put in place because the insurance industry violated our laws of the Commonwealth and the trust of the consumers of Pennsylvania?

The Physical Appraiser Act is key to making sure that damaged cars are repaired to the highest standard. There is no way to know who is doing the appraisal with this change of procedures being proposed in HB 1638. Ask yourself, where are these appraisals being done and who is doing them? There is no requirement in this bill to require a Pennsylvania-licensed appraiser to do the damage assessments. All references in this bill refer to the licensed appraiser during the physical inspection of the damaged vehicle.

Mr. Speaker, I have reviewed hundreds of e-mails from collision repair shops all around the State where the insurance companies used photos to do damage assessments and not one of them came even close in any way, shape, or form to uncovering the extent of that damage. One had an estimate of \$144 and the actual repair came out to over \$4,000.

This bill benefits no one but the profits of the insurance industry. Please remember that back in 1972 the appraisers law was passed by this legislature because of the corruption between the insurance industry and their appraisers that resulted in 500 insurance companies nationwide being sued by the Federal government signing a consent decree order saying that they will never, ever again interfere in the auto trade business.

Many insurance companies have already begun to do photo estimates even though it has not been passed into law, and we all know they will just do what they want to do anyway. I was told it does not matter, that not debating it goes to the heart of

the argument. It is about trust, and they have violated our trust many, many times, Mr. Speaker. We all understand and recognize the influence of the insurance industry in this building. It is no secret. It is sad that it is being used to steamroll over our consumers and small body shops around the State.

Please vote "no" on concurrence. Thank you, Mr. Speaker.

The SPEAKER. Representative Will Tallman.

Mr. TALLMAN. Thank you, Mr. Speaker.

This will be a brief inquiry of the prime sponsor of the bill, please.

The SPEAKER. Yes; Representative Tobash has indicated he will stand for interrogation.

Mr. TALLMAN. Thank you, Mr. Speaker.

So in this bill I am just thinking of the suspension and the drivability of a car. How will taking a photograph, unless we raise it up in the air and take all those pictures underneath, are we going to know there is damage to the suspension? I am particularly thinking of a bent frame.

Mr. TOBASH. Thank you, Mr. Speaker.

Mr. Speaker, you are making an assumption that a photograph is required in the appraisal process. This is an option. It exists within our law right now. It does not exist that we can utilize current photographic technologies to help facilitate the claims process. So not every claim will be settled through a photo. In fact, within this legislation there are two points. The first is that the policyholder, the consumer, can choose to have a physical inspection of the vehicle done if they so choose.

Number two, if there is a supplement, meaning the body shop sees additional damage, they can also request a physical inspection for that physical damage. So this bill is not meant to have every claim settled through a photograph. It is only enabling the option within the Commonwealth of Pennsylvania as it exists within 47 other States. Thank you.

The SPEAKER. Representative Tom Murt, on the bill.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this concurrence vote.

Mr. Speaker, one of my colleagues on the Democratic side likes to say that good information leads to good decisions and good decisions lead to good policy. This is not good policy, Mr. Speaker. There has been no hearing on this bill that makes a very significant change to State statute. Automobiles, especially the modern genre, are very complicated and sophisticated machines. A reliable, good-faith, and quality estimate through pictures is simply not possible.

I want to read a quote from the Society of Collision Repair Specialists: "...advanced automotive design, architecture and functionality requires even more trained expertise to capture the necessary repair operations than ever before," not less. "While some claims settlement processes that avoid a physical inspection may appear to provide the advantage of convenience to consumers interested in settling their claim quickly, these same processes can lead to lower appraisals from insurance companies and claims settlements that don't reflect the costs of repair. Consumers are best served by a process that protects them with thorough diagnosis of damage at the onset of claim and repair process."

Again, Mr. Speaker, I remind my colleagues that a hearing was not held on this bill to thoroughly vet the attributes of the bill.

I oppose this. Thank you, Mr. Speaker.

The SPEAKER. Representative Tina Pickett.

Ms. PICKETT. Thank you, Mr. Speaker.

I rise in support of this bill. This is a commonsense consumer bill that is an option available for speeding up the recovery of the automobile back to the owner.

I urge a "yes" vote on this. It is true that this bill does not change the fact that an appraiser has to be a Pennsylvania-licensed appraiser and it also is an option, an option of choice by the consumer themselves. Thank you, Mr. Speaker.

The SPEAKER. Representative Cris Dush.

Mr. DUSH. Thank you, Mr. Speaker.

While I appreciate the fact that the Senate made the situation optional, which I applaud, one of the prime concerns that I have is something that we deal with every day in our district offices, basically that our constituents come into our office because either big business or big government has left them feeling powerless, and with the big business of the insurance companies trying to drive them towards these photo options and pretty much forcing the issue with them, it is very much a concern for me, and that is why I am in opposition, along with the concerns that I raised at the initial consideration. Thank you.

The SPEAKER. Representative Jamie Santora.

Mr. SANTORA. Thank you, Mr. Speaker.

Would the maker please stand for brief interrogation?

The SPEAKER. Representative Tobash has indicated he will stand for brief interrogation. You may proceed.

Mr. SANTORA. Thank you.

Mr. Speaker, you mentioned that there is an option for the consumer to have an on-site appraisal versus a photo appraisal. Is there anything in the bill that prevents an insurance company from charging for that on-site appraisal back to the consumer?

Mr. TOBASH. Thank you, Mr. Speaker.

Look, the premise of this bill is with the ability to utilize technology – take a photograph and get it sent to an appraiser – we can help reduce costs, we can speed up the time of the claims process. Right now a physical inspection is a requirement and that goes into the costs of insurance. There is no mention in this bill of the ability for an insurer to charge more for a physical inspection than not doing a physical inspection. So your question is not addressed in this piece of legislation. The legislation simply allows the use of a more cost-effective method in adjusting claims.

Mr. SANTORA. On the bill.

The SPEAKER. Yes; on the bill, please. You may proceed.

Mr. SANTORA. Mr. Speaker, I oppose this bill for many reasons. What was just discussed would be just another one. I believe that there is an opportunity for insurance companies to put into their insurance policies that if you do not take a photo inspection up front, that they could charge back to the consumer if that on-site inspection was not required and it could have been settled through a photo inspection. It should be the consumer's option, and that is what I believe and I think that we are going to dramatically affect what could happen to consumers here with this bill. What looks like a minor accident could actually be major damage to a car. If you send your photo into the insurance company and you continue to drive that car, we could be causing more harm to the car and possibly to the passengers and other passengers on the road because they could possibly cause the car to malfunction and cause an accident. And I, just again, reiterate that I am opposed to this bill for those reasons. Thank you.



The SPEAKER. There are two more speakers on this bill, Chairman DeLuca followed by Representative Day. At that time we will be running the bill unless anybody else wishes to be recognized. Chairman DeLuca and then Representative Day.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to concur with House bill – the House bill that is up on the board right now.

Let me just make sure that everybody understands, this is just another option for the consumer. This is a consumer piece of legislation. Let me also say that we are— Every one of us worries about our constituents, the same as 47 other States worry about their constituents. This is just another option. Some of my members thought this was a mandatory thing, but no, it is a "may" provision, another option to give them an opportunity to use the photos. So I stand in support of this bill, and I ask my members to support this bill too. Thank you.

The SPEAKER. Thank you, Representative DeLuca. Representative Day. Day is off.

Representative Fred Keller. Representative Keller, you will be the last speaker, I understand, on the bill.

Mr. F. KELLER. Thank you, Mr. Speaker.

I rise in support of HB 1638. This is simply bringing the appraisal process into the 21st century. We now have doctors that diagnose patients over a teleprompter. We have all these things that happen with technology, and yet we do not embrace it when it comes to our everyday driving. They are making life-and-death decisions as far as diagnosis in medicine and care of patients. Why cannot we do that with our car?

Furthermore, the people that do not support this technology in the use of their automobile when they drive on the freeway and their car breaks down, do they use their cell phone to call the tow truck or do they get out and thumb it all the way to the garage to get somebody to come back and fix their car? It is about time we start embracing technology to make things more efficient and effective for the people that are doing this work on the cars. So I say let us get the appraisal process into the 21st century. Let us support HB 1638. Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

(Members proceeded to vote.)

### LEAVE OF ABSENCE

The SPEAKER. It is my understanding that Representative HARPER wishes to be placed on leave for the rest of the day. Without objection, that will be granted. Representative Harper wishes to be placed on leave.

### CONSIDERATION OF HB 1638 CONTINUED

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

#### YEAS—129

Acosta	Everett	Kotik	Readshaw
Adolph	Fabrizio	Lawrence	Reed
Baker	Farina	Maher	Reese
Barbin	Fee	Mahoney	Regan
Bizzarro	Flynn	Major	Roae
Bloom	Frankel	Markosek	Roebuck
Bradford	Gainey	Marsico	Ross
Briggs	Gergely	Masser	Rothman
Brown, R.	Gillespie	Matzie	Saccone
Caltagirone	Gingrich	McClinton	Santarsiero
Carroll	Godshall	McGinnis	Saylor
Christiana	Goodman	McNeill	Schemel
Costa, D.	Greiner	Mentzer	Schlossberg
Costa, P.	Grove	Metcalfe	Simmons
Culver	Harris, A.	Metzgar	Sonney
Cutler	Heffley	Millard	Stephens
Daley, M.	Helm	Miller, B.	Sturla
Daley, P.	Hennessey	Miller, D.	Taylor
Davidson	Hickernell	Milne	Thomas
Davis	Hill	Moul	Tobash
Dawkins	Irvin	Mullery	Toepel
Day	James	Mustio	Topper
Dean	Kampf	Nesbit	Truitt
Deasy	Kaufner	Neuman	Vitali
DeLissio	Kauffman	O'Brien	Warner
Delozier	Kavulich	O'Neill	Wentling
DeLuca	Keller, F.	Oberlander	Whealand
Dermody	Keller, M.K.	Ortitay	White
Dunbar	Kim	Pashinski	Zimmerman
Ellis	Kinsey	Payne	
Emrick	Klunk	Peifer	Turzai,
English	Knowles	Pickett	Speaker
Evankovich	Kortz	Rapp	

#### NAYS—59

Barrar	Farry	Krueger	Sainato
Benninghoff	Freeman	Lewis	Samuelson
Boback	Gabler	Longietti	Sankey
Boyle	Gibbons	Mackenzie	Santora
Bullock	Gillen	Maloney	Schreiber
Burns	Hahn	Marshall	Schweyer
Causar	Hanna	McCarter	Sims
Conklin	Harhai	Miccarelli	Staats
Corbin	Harhart	Murt	Tallman
Cox	Harkins	Neilson	Toohil
Cruz	Harris, J.	Parker, D.	Vereb
Diamond	Jozwiak	Petrarca	Ward
Donatucci	Keller, W.	Petri	Watson
Driscoll	Killion	Quigley	Youngblood
Dush	Kirkland	Rozzi	

#### NOT VOTING—0

#### EXCUSED—12

Brown, V.	Evans	Pyle	Ravenstahl
Cohen	Galloway	Quinn	Snyder
DiGirolamo	Harper	Rader	Wheatley

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

Ordered, That the clerk inform the Senate accordingly.

**BILL SIGNED BY SPEAKER**

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

**HB 1638, PN 3002**

An Act amending the act of December 29, 1972 (P.L.1713, No.367), known as the Motor Vehicle Physical Damage Appraiser Act, further providing for compliance with act.

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

**CALENDAR CONTINUED****CONSIDERATION OF HB 1589 CONTINUED****AMENDMENT WITHDRAWN**

The SPEAKER. Representative Stephens had been offering amendment 6295. Representative Stephens, my understanding is that amendment has been withdrawn. Amendment 6295 has been withdrawn.

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

The SPEAKER. Representative Madeleine Dean. I apologize; Representative Dean, that will be on another bill; I apologize.

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

**STATEMENT BY MRS. DEAN**

The SPEAKER. Now, on unanimous consent. I am sorry; I thought it was on the last bill. On unanimous consent, Representative Dean is recognized. You may proceed.

Mrs. DEAN. Thank you, Mr. Speaker.

Earlier I offered an amendment, I filed an amendment to HB 869 that was overlooked in our debate and discussion. So I appreciate your offering me this chance at unanimous consent conversation to just tell you what that amendment would have done. It would have banned the sale and import of ivory in Pennsylvania. We know that 33,000 elephants a year are slaughtered in the illegal global trade of ivory, and we also know that those dollars, many of them, go directly toward terrorism. I would like Pennsylvania to be a leader in that antiterrorism fight, and I hope that we will later this session consider my legislation to ban the sale and import of ivory in Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

**ANNOUNCEMENT BY MR. DAY**

The SPEAKER. Representative Gary Day, on unanimous consent. You may proceed.

Mr. DAY. Thank you, Mr. Speaker.

Mr. Speaker, at the risk of putting all the rest of my colleagues in harm's way, today I stand to say thank you to my spouse, my wife, Susan, because today is the day, 24 years ago, that my wife said "I do" and I said "I do" as well. Today is our anniversary, and I just would like to say happy anniversary to my wife, Susan.

Thank you very much.

**STATEMENT BY MR. VEREB**

The SPEAKER. Representative Vereb, on unanimous consent.

Mr. VEREB. Thank you, Mr. Speaker.

It is kind of hard to follow that act. But I would like to concur in the statements made by the gentelady from Montgomery County, that particular ivory bill we both cosponsored. We hope to get moving on that bill in the future. And today, I guess, there was a lot about animal rights, but that bill in particular is a major issue and we look forward to working together.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

**HOUSE RESOLUTION  
INTRODUCED AND REFERRED**

**No. 783** By Representatives HARPER and MARSICO

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

Referred to Committee on JUDICIARY, April 4, 2016.

**GAMING OVERSIGHT  
COMMITTEE MEETING**

The SPEAKER. Representative John Payne, chairman of Gaming Oversight, is recognized for a committee announcement.

Mr. PAYNE. Thank you, Mr. Speaker.

Mr. Speaker, the House Gaming Oversight Committee will meet tomorrow, 9 a.m., in 60 East Wing; 9 a.m., 60 East Wing, for a public hearing on HB 1887 and HB 1925. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

The Gaming Oversight Committee will meet tomorrow morning in 60 East Wing at 9 a.m.

**BILLS RECOMMITTED**

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

HB 220;  
 HB 443;  
 HB 869;  
 HB 1353; and  
 HB 1589.

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

#### **BILLS REMOVED FROM TABLE**

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

HB 791;  
 HB 1184;  
 HB 1409;  
 HB 1500;  
 HB 1501;  
 HB 1600;  
 HB 1683;  
 HB 1788;  
 HB 1823; and  
 HB 1877.

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

#### **BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1551**, **PN 2636**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in other required equipment, further providing for restraint systems; and making an editorial change.

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

#### **BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1551 be removed from the active calendar and placed on the tabled calendar.

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

#### **BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1551 be removed from the tabled calendar and placed on the active calendar.

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

#### **BILLS AND RESOLUTIONS PASSED OVER**

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

#### **ADJOURNMENT**

The SPEAKER. Representative David Millard moves that the House now be adjourned until Tuesday, April 5, 2016, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
 Will the House agree to the motion?  
 Motion was agreed to, and at 5:14 p.m., e.d.t., the House adjourned.