

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, APRIL 5, 2016

SESSION OF 2016

200TH OF THE GENERAL ASSEMBLY

No. 19

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (MIKE TURZAI)
PRESIDING**

PRAYER

The SPEAKER. The prayer today will be offered by Pastor Dave Hyatt of the Hershey Free Church in Hershey, Pennsylvania.

Pastor.

PASTOR DAVE HYATT, Guest Chaplain of the House of Representatives, offered the following prayer:

It is fitting and right that we should call on You, loving Father and creator, for wisdom to govern well. The Holy Bible teaches us that all authority to govern rests with You and in Your generous hands. As You invest that authority in these, Your servants and servants of the public, would You visit this place today with Your presence to bless. As the author of life, would You enable these Representatives of the people to act with courage, with sacrifice, humility, and integrity. May their conversation and debate be full of grace and truth. May their interactions, their discussions, even their debates and their very lives be worthy of example for the people of Pennsylvania to follow. On behalf of these people of Pennsylvania, may all these leaders today, may everything they do contribute to justice and human flourishing.

I want to pray especially for the new members being sworn in – for Tonyelle Cook-Artis, for Eric Nelson, and for Lynwood Savage, that You would give them grace and give them wisdom. Thank You, Father, for these servants of the public. May they and their families experience grace, mercy, and a profound sense of Your presence. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, April 4, 2016, will be postponed until printed.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1022, PN 1306

By Rep. METCALFE

An Act authorizing the Department of General Services, with the approval of the Department of Human Services and the Governor, to grant and convey to the Municipal Authority of the Township of South Heidelberg, Berks County, or its assigns, a permanent sanitary sewer easement and a temporary construction easement situate in South Heidelberg Township, Berks County.

STATE GOVERNMENT.

SB 1068, PN 1405

By Rep. METCALFE

An Act authorizing the release of Project 70 restrictions on certain lands owned by the City of Lancaster, Lancaster County, in exchange for the imposition of Project 70 restrictions on other lands owned by the City of Lancaster, Lancaster County, and other consideration.

STATE GOVERNMENT.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1885 By Representatives WHITE, METCALFE, KNOWLES, READSHAW, D. COSTA, BLOOM, IRVIN, GREINER, TOEPEL, TOPPER, MILLARD, BARRAR, SANKEY, STAATS, TAYLOR, KAUFFMAN, DIAMOND, METZGAR, WARNER, ZIMMERMAN, GROVE, SAYLOR, SANTORA, GILLEN, SACCONI, RADER, ROTHMAN, EVERETT, EMRICK, GABLER, GINGRICH, PYLE, CUTLER, KLUNK, ROAE, MOUL and RAPP

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in matters affecting government units, providing for exceptions to governmental immunity related to unauthorized aliens; and, in preemptions, providing for restriction on municipal regulation of official and employee communications relating to immigration status.

Referred to Committee on STATE GOVERNMENT, April 5, 2016.

No. 1934 By Representative TRUITT

An Act authorizing the Department of General Services, with the approval of West Chester University of Pennsylvania of the State System of Higher Education and the Governor, to grant and convey to Aqua Pennsylvania, Inc., or its assigns, an existing water tower and permanent utility easement from lands of the Commonwealth at West Chester University of Pennsylvania, situate in the Borough of West Chester, Chester County, for the purpose of public water distribution.

Referred to Committee on STATE GOVERNMENT, April 5, 2016.

No. 1940 By Representatives MOUL, READSHAW, COHEN, ENGLISH, PICKETT, RADER, MATZIE, GILLEN, MURT, GABLER and GIBBONS

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act, further providing for exemptions from registration.

Referred to Committee on FINANCE, April 5, 2016.

No. 1950 By Representative PETRARCA

An Act designating a bridge on that portion of State Route 217 over the Norfolk Southern Railroad tracks and 2nd Street, in Derry Borough, Westmoreland County, as the Derry Veterans Memorial Bridge.

Referred to Committee on TRANSPORTATION, April 5, 2016.

No. 1951 By Representative DEAN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in criminal history record information, further providing for expungement.

Referred to Committee on JUDICIARY, April 5, 2016.

No. 1952 By Representatives MENTZER, GREINER, JAMES, CUTLER, WATSON, HICKERNELL, BLOOM, F. KELLER, ROSS, GROVE, TRUITT, KAUFFMAN, MILNE and FEE

An Act amending the act of July 14, 1961 (P.L.604, No.304), known as The Apprenticeship and Training Act, further providing for administration; providing for supervision; and abrogating a regulation.

Referred to Committee on LABOR AND INDUSTRY, April 5, 2016.

No. 1953 By Representative SCHLEGEL CULVER

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

Referred to Committee on STATE GOVERNMENT, April 5, 2016.

No. 1954 By Representatives ROSS, TAYLOR, D. COSTA, ROZZI, SCHLOSSBERG, HARHART, JAMES, WATSON, MASSER, MILLARD, LEWIS, STAATS, A. HARRIS, GIBBONS, HARHAI, MILNE and DeLUCA

An Act providing for the certification of mortgaged property as vacant and abandoned in an action for mortgage foreclosure, possession, quiet title or similar action to enforce an obligation in a mortgaged property, for effect of certification and for additional sheriffs' fees.

Referred to Committee on URBAN AFFAIRS, April 5, 2016.

No. 1955 By Representatives SIMMONS, BENNINGHOFF, COHEN, BAKER, HENNESSEY, DiGIROLAMO, THOMAS, SCHLOSSBERG, MILLARD, COX, HARHART, FREEMAN, DUSH, SONNEY, PAYNE, ELLIS, O'NEILL, WHEELAND, DONATUCCI, MACKENZIE, ROTHMAN, LONGIETTI, BARRAR, CALTAGIRONE, GOODMAN, READSHAW, D. COSTA, WATSON, HAHN, KINSEY, MAHONEY, GROVE, A. HARRIS, MARSICO, PHILLIPS-HILL, REGAN, MAJOR, STAATS, MURT, WARD, TOEPEL, SAYLOR, KORTZ, KIM and YOUNGBLOOD

An Act designating the intersection of State Route 309 and Passer Road in Upper Saucon Township, Lehigh County, as the Officer David M. Petzold Memorial Highway.

Referred to Committee on TRANSPORTATION, April 5, 2016.

SENATE MESSAGE

RECESS RESOLUTION FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate,
April 4, 2016

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, April 11, 2016, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, April 11, 2016, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence.

Representative Karen BOBACK of Luzerne County has requested to be placed on leave for the day. Without objection, that will be granted.

The minority whip has requested leaves of absence for the following: Pete DALEY of Washington County for the day, Adam RAVENSTAHL of Allegheny County for the day, Pam SNYDER of Greene County for the day, Representative

SANTARSIERO of Bucks County for the day, and Representative COHEN of Philadelphia County for the day. Without objection, those will be granted.

Members, we are just waiting for a few more guests of our Representatives-elect to arrive. So we are just waiting for a few more guests to arrive, and then we will proceed with the swearing-in ceremony. Members, we are going to start the ceremony here in about 3 to 5 minutes, so if you will begin to take your seats, we would certainly appreciate it. Members, if you could take your seats, please. Members, the guests have arrived but we are going to try to accommodate more people up front, so we are going to see if we can bring a few more chairs for the front. Would everybody please take their seats. We are going to proceed, and then if we need more chairs, we are going to go get some, but if everybody could just take a seat at this time. Please, just take some seats. We do also have additional chairs here on the side, the left side of the rostrum, my left side of the rostrum. All members, please take your seats. If anybody is without a seat, we do have some seats right over here at the left side, my left side of the rostrum. They are very good seats, too, for viewing the ceremonies.

SPECIAL ORDER OF BUSINESS

SWEARING-IN OF NEW MEMBERS

The SPEAKER. On behalf of the members of the House of Representatives, we are so pleased to welcome Representative-elect Tonyelle Cook-Artis of the 200th District in Philadelphia County, Representative-elect Eric Nelson of the 57th District in Westmoreland County, and Representative-elect Lynwood Savage of the 192d District in Philadelphia County.

Without objection, the House will now take up this special order of business, the swearing-in of these fine three individuals who were duly elected by the citizens in their home districts. The Speaker hears no objections.

ELECTION RETURNS PRESENTED

The SPEAKER. The Speaker recognizes the Sergeant at Arms of the House for an announcement.

The SERGEANT AT ARMS. Mr. Speaker, Marian Schneider, Deputy Secretary for Elections and Administration.

The SPEAKER. Thank you, sir.

The Speaker now recognizes the Deputy Secretary for Elections and Administration, Marian Schneider.

Ms. SCHNEIDER. Thank you.

Mr. Speaker, I have the privilege and honor of presenting the returns and the certification of campaign expense compliance for the special elections held March 15, 2016, in the 57th, 192d, and 200th Legislative Districts.

The SPEAKER. Thank you.

The Speaker thanks Deputy Secretary Schneider.

The clerk will at this time read the official returns.

The following election returns were read:

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the Special Election for Representative in the General Assembly of the Commonwealth of Pennsylvania held in the fifty-seventh Legislative District, as the same have been certified to and filed with my office by the Westmoreland County Board of Elections. Eric Nelson, having received the highest number of votes in the Special Election, and having complied with the provisions of Article XVI of the Pennsylvania Election Code pertaining to Primary and Election Expenses, was duly elected a Representative in the General Assembly.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the office of the Secretary of the Commonwealth at the city of Harrisburg, this fifth day of April in the year of our Lord two thousand sixteen and of the Commonwealth the two hundred fortieth.

Pedro A. Cortés
Secretary of the Commonwealth

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OFFICIAL RESULTS

SPECIAL ELECTION
REPRESENTATIVE IN THE GENERAL ASSEMBLY
57th Legislative District

March 15, 2016

DEMOCRATIC

Linda Iezzi
1122 Acorn Drive
Greensburg, PA 15601

VOTES

2,367

REPUBLICAN

Eric Nelson
165 Wolfe Nursery Rd
Greensburg, PA 15601

4,589

As of March 30, 2016

* * *

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the Special Election for Representative in the General Assembly of the Commonwealth of Pennsylvania held in the one hundred ninety-second Legislative District, as the same have been certified to and filed with my office by the Philadelphia County Board of Elections. Lynwood

Savage, having received the highest number of votes in the Special Election, and having complied with the provisions of Article XVI of the Pennsylvania Election Code pertaining to Primary and Election Expenses, was duly elected a Representative in the General Assembly.

(SEAL) IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the office of the Secretary of the Commonwealth at the city of Harrisburg, this fifth day of April in the year of our Lord two thousand sixteen and of the Commonwealth the two hundred fortieth.

Pedro A. Cortés
Secretary of the Commonwealth

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OFFICIAL RESULTS

SPECIAL ELECTION REPRESENTATIVE IN THE GENERAL ASSEMBLY 192nd Legislative District

March 15, 2016

DEMOCRATIC VOTES

Lynwood Savage 2,454
1404 N. 61st St.
Philadelphia, PA 19151

REPUBLICAN

Robert David Bedford, Jr. 125
7033 Brentwood Rd.
Philadelphia, PA 19151

LEON'S EDUCATION PARTY

Leon Williams 600
5705 Drexel Rd.
Philadelphia, PA 19131

As of March 30, 2016

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COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the Special Election for Representative in the General Assembly of the Commonwealth of Pennsylvania held in the two hundredth Legislative District, as the same have been certified to and filed with my office by the Philadelphia County Board of Elections. Tonyelle K. Cook-Artis, having received the highest number of votes in the Special Election, and having complied with the provisions of Article XVI of the Pennsylvania Election Code pertaining to Primary and Election Expenses, was duly elected a Representative in the General Assembly.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the office of the Secretary of the Commonwealth at the city of Harrisburg, this fifth day of April in the year of our Lord two thousand sixteen and of the Commonwealth the two hundred fortieth.

Pedro A. Cortés
Secretary of the Commonwealth

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OFFICIAL RESULTS

SPECIAL ELECTION REPRESENTATIVE IN THE GENERAL ASSEMBLY 200th Legislative District

March 15, 2016

DEMOCRATIC VOTES

Tonyelle K. Cook-Artis 3,805
7629 Forrest Ave.
Philadelphia, PA 19150

REPUBLICAN

Latryse McDowell 210
8019 Gilbert St.
Philadelphia, PA 19150

As of March 30, 2016

CERTIFICATE ON ELECTION EXPENSES

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

In accordance with the provisions of Section 1632(b) of the Pennsylvania Election Code, 25 P.S. § 3252(b), I do hereby certify that the candidate who was elected Representative in the General Assembly from the 57th District in the Special Election held March 15, 2016, Eric Nelson, has filed all of the reports and statements of contributions and expenditures required by the provisions of Article XVI of the Pennsylvania Election Code entitled "Primary and Election Expenses."

(SEAL)

Witness my hand and the seal of the office of the Secretary of the Commonwealth this fifth day of April, 2016.

Pedro A. Cortés
Secretary of the Commonwealth

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COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

In accordance with the provisions of Section 1632(b) of the Pennsylvania Election Code, 25 P.S. § 3252(b), I do hereby certify that the candidate who was elected Representative in the General Assembly from the 192nd District in the Special Election held March 15, 2016, Lynwood Savage, has filed all of the reports and statements of contributions and expenditures required by the provisions of Article XVI of the Pennsylvania Election Code entitled "Primary and Election Expenses."

(SEAL)

Witness my hand and the seal of the office of the Secretary of the Commonwealth this fifth day of April, 2016.

Pedro A. Cortés
Secretary of the Commonwealth

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COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

In accordance with the provisions of Section 1632(b) of the Pennsylvania Election Code, 25 P.S. § 3252(b), I do hereby certify that the candidate who was elected Representative in the General Assembly from the 200th District in the Special Election held March 15, 2016, Tonyelle K. Cook-Artis, has filed all of the reports and statements of contributions and expenditures required by the provisions of Article XVI of the Pennsylvania Election Code entitled "Primary and Election Expenses."

(SEAL)

Witness my hand and the seal of the office of the Secretary of the Commonwealth this fifth day of April, 2016.

Pedro A. Cortés
Secretary of the Commonwealth

OATH OF OFFICE ADMINISTERED

The SPEAKER. Thank you.

The Speaker requests that our three members-elect now come forward to the well, this area right here in front of me, to the well of the House for the purpose of taking the oath of office. Please bring your Bible, and if desired, if you have a family member or members that you would like to hold that Bible with you or during the administration of this oath, they should please come up at this time.

The oath of office required by Article VI, section 3, of the Constitution of Pennsylvania will now be administered by our former colleague and good friend, the Honorable Timothy Krieger, judge, Court of Common Pleas of Westmoreland County, Pennsylvania.

Judge Krieger, thank you for being with us today.

REMARKS BY JUDGE KRIEGER

JUDGE KRIEGER. Thank you, Mr. Speaker.

I have to say, it is a distinct honor and privilege to be here today to administer these oaths. Clancy mentioned I could say a brief word or two. I have to say, I do miss all of you very much. He also mentioned if I could say something profound. I thought on the turnpike on the way out, and all I could think of was I am glad I am not making this commute anymore. But thank you, Mr. Speaker.

To the members-elect, please place your left hand on the Bible and raise your right hand: Do you solemnly swear that you will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth and that you will discharge the duties of your office with fidelity? If so, say "I do."

(Members asserted oath.)

JUDGE KRIEGER. Congratulations.

The SPEAKER. Guests and members, please be seated. Our new members, please be seated.

REMARKS BY SPEAKER

The SPEAKER. Representative Cook-Artis, Representative Nelson, and Representative Savage, to you and your family members, we are so honored that you are going to be with us here today. It tells you something about our three members that they are ready and willing to work, taking their seats immediately.

You are joining the ranks of this august body during a historic time, the 200th Session of the Pennsylvania General Assembly. And although the House, as you may know, the history of the House goes back to 1682, when the body you are now a part of was known as the Provincial Assembly. The formation of this House predates the ratification of the United States Constitution by more than 100 years.

Congratulations on becoming a member of the first, and therefore the oldest, continually elected democratic body in the United States – in the Americas, really. We have the privilege of welcoming you to the hall of the House.

GUESTS INTRODUCED

The SPEAKER. Now, I would ask these individuals if they might stand when I call your name, because these are the guests that were with each of these fine new Representatives.

Representative Cook-Artis, if you could stand. And I understand your husband, Raimon; your son, Noah; your mother, Susan Cook; your grandmother, Elizabeth Danzy; and your mother-in-law, Linda Smith, are all here today. Additional family members include Tesha Cook; nephew, Jordan Shirer; and cousin, Barbara Gregg. Also, a mentor and great friend to the Representative is former Philadelphia Councilwoman Marian Tasco. Thank you so much for being with us today and for being part of this joyous celebration.

Representative Nelson, if you could please stand. I understand you have your wife, Susan – please stand as I call your name – your wife, Susan; and your six children, Brooke,

Randy, Liberty, Will, Kennedy, and Gretchen. Oh, that is great. The Representative's parents, Randy and Gretchen Nelson, are here, and in-laws, Thomas and Joann Miller. And I understand that Hempfield Township Supervisors Doug Weimer and Jerry Fagert are both here as well. Thank you so much for being with us here today.

Representative Lynwood Savage, if you could please stand, sir. Thank you. I understand your wife, Stephanie – Stephanie, if you could please stand – and three of his six children – another great family – Sierra, Jeremy, and Brianna are all here. And oh, I see a grandchild there. And your brother, Tyrone, I believe is also here as well. Thank you so much for joining us here today.

This is such a great day for the new members, but it is really special because you are all here. It is really unbelievably special that you are here, and they will never forget the fact that you were here with them today as they begin to serve the citizens of Pennsylvania.

Their undertaking is so important – trust me, it is so important – and without your support they would not be able to have run and arrived here, and without your support they are not going to be able to serve in the manner that they need to serve. So it is just great that you are here to offer that to them, because they have unbelievably important duties to the citizens of Pennsylvania. Thank you.

To our new members, I do want you to enjoy this day, its splendor. It is a historic day in your life, and it is a historic day in the life of this institution.

At this time our majority leader, Dave Reed, will offer remarks, and then the minority leader, Frank Dermody, will offer remarks.

REMARKS BY MAJORITY LEADER

The SPEAKER. So with that, I am going to turn it over to Dave Reed, the majority leader. Sir, the floor is yours.

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

To the friends and the family members, colleagues and mentors of our three new Representatives in this body, I say thank you for your efforts in bringing them to the Capitol, your love and support of each of them individually and collectively. We all arrive in this location not by ourselves but as the collective will and wisdom of the people that come with us. You are to be congratulated just as much as they are, because they are merely a representation of the effort, the time, and the love that you have put into their efforts over the last number of months, and I would encourage you to continue that support in the months ahead.

To our three new legislators, Representative Nelson, Representative Savage, and Representative Cook-Artis, congratulations. Although I will say you are coming into this body during very challenging times, but those challenging times do not necessarily mean they have to be difficult. You are also coming into this body at a time when you have a great opportunity. You have a great opportunity to do big things. You have a great opportunity to think of more than just present day, but think of the future. You have the opportunity, we all have the opportunity with divided government to make generational changes that can have an impact, not only on us as individuals

and our communities today, but also have an impact on what our communities will look like tomorrow.

I would encourage you to work with each other. Work with the other members of this body, Republican and Democrat. Get to know the issues. Get to know the perspectives. Understand that we are going to disagree from time to time on issues, and that is okay. That is part of what makes a democracy special. Respect each other's opinions. Work together for the collective will and wisdom of this entire body and this entire State. We face many challenges. We can overcome those challenges if we work together to do so.

Today is a day of celebration. Take the time to celebrate with your friends and family, but remember the task you have been given, the responsibility you now hold is grander than most will every feel in their lives. Cherish it. Be worthy of it. Make use of it for the greater good. Congratulations and good luck.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Leader Reed.

REMARKS BY DEMOCRATIC LEADER

The SPEAKER. The minority leader, Frank Dermody, is called upon for remarks. The floor is yours, sir.

Mr. DERMODY. Thank you, Mr. Speaker.

Judge Krieger, I think you are still here, it was great seeing you again.

I want to welcome all of you, and especially the family and friends of our newest members, to the hall of the House.

To our newest members, Representatives Tonyelle Cook-Artis, Lynwood Savage, and Eric Nelson, congratulations on your recent victories and on a special milestone in your lives. This is a job that very few Pennsylvanians seek out and fewer attain. All three of you, all three of you have already served your communities and your neighbors in a variety of ways. Your presence here today is proof of that.

But today you embark on a new level of service. This service will come with many challenges and much responsibility and some that you have never faced before, but if you do this job well, it will also come with a level of personal fulfillment and satisfaction you likely have not experienced before either.

Each of you will have the opportunity to grow as public servants and as leaders. At the same time, you can help those communities that sent you here to prosper as part of the family of cities and towns that make up the Commonwealth of Pennsylvania. These special responsibilities and opportunities are what make the Pennsylvania House of Representatives an exceptional place and the journey you begin today a unique one.

Mr. Speaker, Tonyelle Cook-Artis has given two decades of service in her community prior to coming to the House of Representatives. Most recently she served 10 years as chief of staff to our good friend and one of our most committed and passionate members, Cherelle Parker. Representative Cook-Artis knows what this job requires because she has worked side by side with Representative Parker. She understands the importance of the assistance that each and every one of us provides to our constituents back home. Now she will have the opportunity to serve those constituents as their Representative. Tonyelle also worked for former Philadelphia City Councilwoman Marian Tasco, who is with us here today. She earned a bachelor's degree in political science and a master's degree in political management. She has a great mix of

education and practical experience in government, politics, and serving the community. She is a lifelong resident of the Mount Airy section of Philadelphia. I am happy to welcome Tonyelle Cook-Artis to the House of Representatives, along with her husband, Raimon, and I think son, Noah, is with her today, and all of her family and friends that are with her today to help celebrate and share her achievement.

Mr. Speaker, Lynwood Savage was born and raised in the Overbrook section of Philadelphia. He is passionate about and committed to protecting and preserving the safety of the people in his community. He is a longtime member of the National Organization of Black Law Enforcement Executives, and his career includes service as director of the Fugitive Warrant Unit of the Philadelphia Sheriff's department and as a safety manager at the Pennsylvania Convention Center. Lynwood also volunteered with Men United for a Better Philadelphia, which focuses on reducing gang violence by assisting with conflict resolution and finding employment opportunities for young people. It is no surprise that his legislative goals include making sure all of our public school students have access to a quality education and maximizing the potential and future success of every young person in this Commonwealth. Lynwood Savage is no stranger either to government and public service. He has served 38 years as a local and State committeeman and businessman. And working along with Congressman Bob Brady and our own Bill Keller, Lynwood helped secure funding for the Delaware River Channel dredging project, which promises to generate thousands of jobs and over \$1 billion in payroll in the city of Philadelphia. All of us join Lynwood's wife, Stephanie, and his children who are with him here today, Sierra, Brianna, and Jeremy, and all the rest of the family and friends that are here today in congratulating Lynwood on his election.

And, Mr. Speaker, I want to extend a warm welcome to Representative Eric Nelson and his family and friends who are with us today. Mr. Nelson's experience as a teacher at IUP (Indiana University of Pennsylvania), as a small business owner, family farmer, and a United States Marine will bring valuable knowledge and perspective to our chamber in the next few months. He and I both come from western Pennsylvania. I look forward to getting to know him better as we work together. Congratulations, Representative Nelson.

I want to wish the best of luck to our three newest members. Our State has faced some very big challenges recently and we face even bigger challenges today. We are a large and diverse group, but you will soon find that there is no better group to work with in a tough situation. Each of us brings different ideas, perspective, experiences, and insight to this job, but I believe, and I have always believed, that each and every one of us brings the same goals to this job. We want to do what is best for the people who sent us here. We want to do what is best for the people of the Commonwealth of Pennsylvania.

To the three members joining us today and to those of us who have been here quite a bit longer, it is time for us to dedicate ourselves to doing what is best. If we work together, we can get our State, our schools, our communities, and our people back on the right track. Congratulations to all three of you. I am excited about your arrival here, and I look forward to working with you and seeing what you will do here.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

REMARKS BY SPEAKER

The SPEAKER. There was a recent letter to the editor in the Inquirer about the holding of special elections, and I must just say that in this role as Speaker, and I know many of the members in this chamber feel the same, that the people of your respective districts have the right to be represented, I believe as soon as possible, within this chamber. And I think that the 57th, 192d, and the 200th Legislative Districts are well-served by your coming to join us here today on this April 5 date. So thank you so much for being here today and going right into your jobs, because we have a lot of challenges in front of us.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. With that, we are going to conclude our ceremony, and our three new members, I would ask you to please meet up with the Chief Clerk and the Chief Clerk's staff. You are going to be going to his office to sign the oath book. It is the official writing in of your membership in this chamber.

I would ask all the family members and guests, we will help escort you out of the chamber to your celebrations, and then we have some work to put our newest members through here shortly. So thank you very, very much, everybody. We are appreciative of having you.

LEAVES OF ABSENCE

The SPEAKER. Representative QUINN, I understand, wishes to be placed on leave of absence for the day. Without objection, that will be granted.

Representative GALLOWAY wishes to be placed on leave of absence. Without objection, that will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—194

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

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

ADDITIONS—0**NOT VOTING—0****EXCUSED—9**

Boback	Galloway	Quinn	Santarsiero
Cohen	Pyle	Ravenstahl	Snyder
Daley, P.			

LEAVES ADDED—6

Baker	Evans	Thomas	Wheatley
Costa, D.	Sims		

LEAVES CANCELED—4

Boback	Daley, P.	Galloway	Santarsiero
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The SPEAKER. One hundred and ninety-four members having been present, there is a quorum.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Chairman Adolph is recognized for an announcement.

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

Mr. Speaker, the Appropriations Committee will meet at 1:45, at 1:45 in the majority caucus room; 1:45. Thank you.

The SPEAKER. Thank you, sir.

The Appropriations Committee will meet at 1:45 in the majority caucus room.

REPUBLICAN CAUCUS

The SPEAKER. Representative Sandra Major, the majority caucus chair, is recognized for an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 2:15. I would ask our Republican members to please report to our caucus room at 2:15. We would be prepared to come back on the floor, Mr. Speaker, at 3:15. Thank you.

The SPEAKER. Thank you, Madam Chair.

DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 2:15. Democrats will caucus at 2:15. Thank you.

The SPEAKER. Thank you, sir.

RECESS

The SPEAKER. Members, at this time we will stand in recess until 3:15 p.m., unless sooner recalled by the Speaker; 3:15 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 3:30 p.m.

AFTER RECESS

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

LEAVES OF ABSENCE

The SPEAKER. Representative Dom COSTA, Representative Curtis THOMAS, and Representative Jake WHEATLEY have requested to be placed on leave for the rest of the day. Without objection, those will be granted.

LEAVE OF ABSENCE CANCELED

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

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1947, PN 3085 (Amended) By Rep. MARSICO

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; and, in matters affecting government units, further providing for exceptions to sovereign immunity and for exceptions to governmental immunity.

JUDICIARY.

**RESOLUTIONS REPORTED
FROM COMMITTEE**

HR 735, PN 2953 By Rep. MARSICO

A Resolution directing the Joint State Government Commission to conduct a study on the Protection from Abuse Act and publish a report of its findings, including any recommended legislative and policy changes.

JUDICIARY.

HR 783, PN 3071 By Rep. 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.

JUDICIARY.

**BILL REPORTED AND REREFERRED TO
COMMITTEE ON HEALTH**

HB 552, PN 625 By Rep. MARSICO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in trade and commerce, providing for the sale of food, over-the-counter drugs and cosmetics after expiration date.

Reported from Committee on JUDICIARY with request that it be rereferred to Committee on HEALTH.

The SPEAKER. Without objection, the bill will be so rereferred.

BILLS REREPORTED FROM COMMITTEE

HB 220, PN 217 By Rep. ADOLPH

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.

APPROPRIATIONS.

HB 443, PN 488 By Rep. ADOLPH

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.

APPROPRIATIONS.

HB 869, PN 3013 By Rep. ADOLPH

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.

APPROPRIATIONS.

HB 1353, PN 1930

By Rep. ADOLPH

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.

APPROPRIATIONS.

HB 1589, PN 3086 (Amended)

By Rep. ADOLPH

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in financially distressed municipalities, providing for financial recovery; in oil and gas wells, providing for the Environmental Stewardship Fund; in tax credits, providing for Department of Community and Economic Development; in special funds, further providing for funding, for State Workers' Insurance Board, for expiration and for other grants; in additional special funds, further providing for use of the Tobacco Settlement Fund and for distributions from the Pennsylvania Race Horse Development Fund and providing for miscellaneous limitations and transfers and for the Natural Gas Infrastructure Development Fund; in general budget implementation, further providing for the Department of General Services, providing for the Pennsylvania Gaming Control Board, further providing for the Department of Human Services, for the Pennsylvania State Police and providing for the Commonwealth Financing Authority; providing for 2015-2016 budget implementation; and making editorial changes.

APPROPRIATIONS.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Karen Boback is on the House floor and should be placed on the master roll. Thank you very much.

UNCONTESTED CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. MAHER called up **HR 780, PN 3063**, entitled:

A Resolution recognizing the month of April 2016 as "Financial Literacy Month" in Pennsylvania in special recognition of the importance of increasing financial literacy among residents of this Commonwealth.

On the question,

Will the House adopt the resolution?

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. It is my understanding that Representative SIMS requests a leave of absence for the remainder of the day. Without objection, that will be granted.

CONSIDERATION OF HR 780 CONTINUED

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Cohen	Galloway	Ravenstahl	Thomas
Costa, D.	Pyle	Sims	Wheatley
Daley, P.	Quinn	Snyder	

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

RESOLUTION RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 783 be removed from the active calendar and recommitted to the Rules Committee.

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Galloway is on the House floor and should be placed on the master roll.

CALENDAR

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 791, PN 3024**, entitled:

An Act authorizing public school districts to implement senior local tax reduction incentive volunteer exchange programs.

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

LEAVE OF ABSENCE

The SPEAKER. Chairman Matt BAKER has requested to be placed on leave for the day. Without objection, that will be granted.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1600, PN 2974**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in veteran-owned small businesses, further providing for definitions and for regulations and providing for business fee exemption.

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 1500, PN 2343**, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in land banks, further providing for legislative findings and purpose, for powers and for disposition of property.

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 1501, PN 2949**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in neighborhood assistance tax credit, further providing for definitions, for public policy and for tax credit.

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 967, PN 2312**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for industrial hemp research; imposing powers and duties on the Department of Agriculture and the Legislative Reference Bureau; imposing criminal and civil penalties; abrogating a regulation; and making a related repeal.

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

Mr. **DIAMOND** offered the following amendment No. **A06395**:

Amend Bill, page 2, by inserting between lines 14 and 15 "Control order." A written order issued by the department to a person establishing required treatment measures, including destruction, for a violation of a provision of this chapter or a regulation, permit or order issued under this chapter.

Amend Bill, page 5, by inserting between lines 9 and 10 § 705. Control orders.

(a) Authority of department.—

(1) The department may issue a control order:

(i) Requiring any person registered and permitted to grow industrial hemp to implement treatment measures for industrial hemp if the department finds that the person has violated a provision of this chapter or a regulation, order or permitting requirement issued under this chapter.

(ii) Upon finding industrial hemp growing on any premises or property without a valid registration or permit.

(2) A control order shall set forth the general factual and legal basis for the action and shall advise the affected person that within 15 days of receipt of the control order the person may file with the department a written request for an administrative hearing.

(3) The hearing under paragraph (2) shall be conducted in accordance with 2 Pa.C.S. (relating to administrative law and procedure). The written control order of the department shall be served upon the affected person by personal service or by registered or certified mail, return receipt requested. The control order shall become final upon the expiration of the 15-day period for requesting an administrative hearing unless a timely request for a hearing has been filed with the department.

(b) Required contents.—The control order shall prescribe the required remediation, control, eradication or treatment measures and

the date by which the measures must be completed.

(c) Expenses and costs.—The department may recover any expenses and costs incurred in enforcing and carrying out the measures established in the control order from the person that was the subject of the department's control order.

Amend Bill, page 5, line 10, by striking out "705" and inserting 706

Amend Bill, page 5, line 19, by striking out "706" and inserting 707

Amend Bill, page 7, line 22, by striking out "707" and inserting 708

Amend Bill, page 8, line 9, by striking out "708" and inserting 709

Amend Bill, page 8, line 12, by striking out "709" and inserting 710

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

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

Sir, just give me a moment to have all the members please be seated. Members, please be seated. Please take any conversations to the rooms off the House floor. Thank you, members. All members, please be seated.

Representative Diamond offers amendment 6395 to his bill, HB 967.

Representative Diamond, the floor is yours.

Mr. DIAMOND. Thank you, Mr. Speaker.

Amendment A06395 will authorize the Department of Agriculture to issue control orders to eradicate industrial hemp from properties where there is no authorization to grow it or where a person has violated the positions of the ag pilot program.

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

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

The following roll call was recorded:

YEAS—192

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

Cruz	Harkins	Millard	Sonney
Culver	Harper	Miller, B.	Staats
Cutler	Harris, A.	Miller, D.	Stephens
Daley, M.	Harris, J.	Milne	Sturla
Davidson	Heffley	Moul	Tallman
Davis	Helm	Mullery	Taylor
Dawkins	Hennessey	Murt	Tobash
Day	Hickernell	Mustio	Toepel
Dean	Hill	Neilson	Toohil
Deasy	Irvin	Nelson	Topper
DeLissio	James	Nesbit	Truitt
Delozier	Jozwiak	Neuman	Vereb
DeLuca	Kampf	O'Brien	Vitali
Dermody	Kaufner	O'Neill	Ward
Diamond	Kauffman	Oberlander	Warner
DiGirolamo	Kavulich	Ortitay	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
Evens	Knowles		

NAYS—0

NOT VOTING—0

EXCUSED—11

Baker	Daley, P.	Ravenstahl	Thomas
Cohen	Pyle	Sims	Wheatley
Costa, D.	Quinn	Snyder	

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

On the question,

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

Mr. FLYNN offered the following amendment No. **A06279**:

Amend Bill, page 3, line 12, by inserting after "TO"
establish,

Amend Bill, page 3, line 12, by inserting after "IMPLEMENT"
and administer

Amend Bill, page 3, line 12, by inserting after "PROGRAM"
to the extent funds are available

Amend Bill, page 3, line 21, by inserting after "EDUCATION"
and sites used to grow or cultivate industrial hemp

Amend Bill, page 3, line 24, by striking out "INSTITUTION OF
HIGHER EDUCATION" and inserting
entity

Amend Bill, page 4, lines 23 and 24, by striking out "THE SAFE
AND DRUG-FREE SCHOOLS AND COMMUNITIES ACT" in line
23 and all of line 24 and inserting
(Reserved).

Amend Bill, page 5, line 4, by striking out "Ensures that" and
inserting

Except as provided under subsection (c).

Amend Bill, page 5, line 5, by striking out "are used to" and
inserting

may

Amend Bill, page 5, line 7, by striking out "Requires that sites"
and inserting

Sites

Amend Bill, page 5, line 8, by inserting after "hemp"

must

Amend Bill, page 5, by inserting between lines 9 and 10

(c) Contracted growers.—

(1) The department, to the extent necessary to carry out
the provisions of an agricultural pilot program, may contract with
a person to grow or cultivate industrial hemp.

(2) An institution of higher education holding a permit
from the department, to the extent necessary to carry out the
provisions of an agricultural pilot program, may contract with a
person to grow or cultivate industrial hemp.

(3) A contract between an institution of higher education
and a person must incorporate the provisions of the permit issued
to the institution of higher education and must require written
approval from the department.

(4) A person with a contract to grow or cultivate
industrial hemp must provide the following information:

(i) The name and mailing address of the person.

(ii) The legal description and global positioning
coordinates sufficient to locate each site to be used to
grow or cultivate industrial hemp.

(iii) A signed declaration indicating whether the
person has ever been convicted of a felony or
misdemeanor.

(5) A person with a contract under this subsection is
subject to a grant of necessary permissions, waivers or other
form of valid legal status by the United States Drug Enforcement
Administration or other appropriate Federal agency pursuant to
Federal laws relating to industrial hemp. The department may
seek all-inclusive permissions, waivers or other forms of valid
legal status from the United States Drug Enforcement
Administration or other appropriate Federal agency pursuant to
Federal laws relating to industrial hemp for all persons with a
contract to grow or cultivate industrial hemp.

(6) A person with a felony drug conviction within the
past 10 years may not contract to grow or cultivate industrial
hemp under this subsection.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question, the Chair recognizes Representative Marty Flynn.

Mr. FLYNN. Amendment A06279 authorizes contracts between the Department of Agriculture or any institution of higher education and persons to grow or cultivate industrial hemp as part of an agricultural pilot program, but only with the U.S. Drug Enforcement Administration's permission and other parameters.

The SPEAKER. Thank you, sir.

Representative Diamond, on the amendment, please.

Mr. DIAMOND. Thank you, Mr. Speaker.

This is an agreed-to amendment.

The SPEAKER. Thank you, sir.

Does anybody else wish to be recognized on the amendment?

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 967 CONTINUED

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

The following roll call was recorded:

YEAS—192

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

NAYS—1

Harper

NOT VOTING—0

EXCUSED—10

Baker	Pyle	Sims	Thomas
Cohen	Quinn	Snyder	Wheatley
Costa, D.	Ravenstahl		

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

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 176, PN 170**, entitled:

An Act providing for grants to regional police departments; imposing powers and duties on the Center for Local Government Services and the Department of Community and Economic Development; providing for transfers from the State Gaming Fund; and repealing provisions in Title 4 relating to transfers from State Gaming Fund.

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

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 176 CONTINUED

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

Ms. **WHITE** offered the following amendment No. **A06317**:

Amend Bill, page 1, line 1, by inserting after "departments;" establishing the Law Enforcement Program Fund;

Amend Bill, page 1, line 3, by inserting after "Development;" and

Amend Bill, page 1, lines 4 through 6, by striking out "; and" in line 4, all of line 5 and "State Gaming Fund" in line 6

Amend Bill, page 2, by inserting between lines 22 and 23 "Fund." The Law Enforcement Grant Program Fund established under section 5.

Amend Bill, page 3, by inserting between lines 16 and 17 (9) Start-up costs.

Section 5. The Law Enforcement Grant Program Fund.

(a) Establishment.—A special fund is established within the State Treasury to be known as the Law Enforcement Grant Program Fund.

(b) Purpose.—Money in the fund shall not lapse and shall be used for grants awarded under this act.

Amend Bill, page 3, line 17, by striking out "5" and inserting

6

Amend Bill, page 3, lines 19 and 20, by striking out "1 for fiscal

years beginning after June 30, 2015" and inserting

15, 2016, and each July 15 thereafter

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

7

Amend Bill, page 4, line 24, by striking out "7" and inserting

8

Amend Bill, page 4, lines 25 through 27, by striking out

"Annually, the sum of \$2,000,000 shall be" in line 25 and all of lines 26 and 27 and inserting

Beginning July 1, 2016, and each July 1 thereafter, an amount equal to the amount of money not awarded for grants under 4 Pa.C.S. § 1408(c) during the prior fiscal year shall be transferred from the State Gaming Fund to the Law Enforcement Grant Program Fund.

Amend Bill, page 5, line 1, by striking out "8" and inserting

9

Amend Bill, page 5, line 6, by striking out "9" and inserting

10

Amend Bill, page 5, lines 9 through 16, by striking out all of said lines

11

Amend Bill, page 5, line 17, by striking out "12" and inserting

11

On the question,

Will the House agree to the amendment?

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

Ms. WHITE. Thank you, Mr. Speaker.

I just wanted to bring up the fact regarding this legislation that the Philadelphia District Attorney's Office does receive funds from the local law enforcement grant program and those moneys from the PA Race Horse Development and Gaming Act, so this amendment is going to allow those funds to remain and those funds to be continuing to be sent down to our D.A.'s office and to other applicants within Philadelphia.

Also, this does, in addition to that, create a special fund within the State Treasury known as the Law Enforcement Grant Program Fund. Any money that had not previously been awarded under the local law enforcement grant program during the prior fiscal year will be transferred over to the State Gaming Fund to the Law Enforcement Grant Program Fund for grants made available to regional police departments.

So we just wanted to make sure that Philadelphia had been protected when this law had gone into place, and so that is what this amendment would do, and I hope that everyone votes in favor of it because it is going to be very beneficial for the State of Pennsylvania and its citizens.

The SPEAKER. Thank you, Representative.

On the amendment, Representative DeLissio.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, will the maker of the amendment stand for interrogation? Clarification, actually.

The SPEAKER. Yes. Representative White has indicated she will stand for questioning. Please proceed.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, I know that Philadelphia, currently the D.A.'s office takes some money from this pot of funds for a particular initiative, gambling-related law enforcement. I want to be clear that this amendment keeps that in place not only for this fiscal year, whatever timeframe, but on an ongoing basis, or is something changing after moneys are disbursed?

Ms. WHITE. Mr. Speaker, no. This bill merely allows for what is currently in existence to whatever moneys are there for the grant program to remain in place, and if those funds are not

utilized at the end of the fiscal year, if there are some moneys left over, those are the moneys that will be sent into the other grant program.

The SPEAKER. Representative DeLissio, do you have any further questions?

Ms. DeLISSIO. No. I think that that helps, and that really changes the original intent of the underlying bill, if I am clear, correct? Because when I followed this prebreak, it was very different, and now this amendment really kind of returns it to its original purpose with the addition of being able to fund these regional police organizations, and I just want to verify that that is correct.

The SPEAKER. Representative White, you may proceed.

Ms. WHITE. Yes, Mr. Speaker, that is correct.

Ms. DeLISSIO. Thank you.

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

Representative Grove, sir.

Mr. GROVE. Thank you, Mr. Speaker.

This amendment is agreed to.

The SPEAKER. Thank you, Representative.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—185

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

Donatucci	Keller, W.	Payne	Youngblood
Driscoll	Killion	Peifer	Zimmerman
Dunbar	Kim	Petrarca	
Dush	Kinsey	Petri	Turzai,
Ellis	Kirkland	Pickett	Speaker
Emrick	Klunk	Quigley	

NAYS-7

Gillen	Jozwiak	Parker, D.	Toepel
Irvin	Neuman	Stephens	

NOT VOTING-0

EXCUSED-11

Baker	Evans	Ravenstahl	Thomas
Cohen	Pyle	Sims	Wheatley
Costa, D.	Quinn	Snyder	

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

On the question,

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

Ms. **KLUNK** offered the following amendment No. **A06241**:

Amend Bill, page 3, by inserting between lines 16 and 17 (9) Domestic violence threat assessment training.

On the question,

Will the House agree to the amendment?

The **SPEAKER**. On that question, the Chair recognizes Representative Kate Klunk.

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

This amendment would add domestic violence threat assessment training to one of the purposes for which funds could be awarded under this grant program. This is an agreed-to amendment, and I would appreciate the members' support.

The **SPEAKER**. Thank you, Representative.

Representative Grove, on the amendment, sir.

Mr. **GROVE**. Thank you, Mr. Speaker.

This is an agreed-to amendment.

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

Representative Vitali.

Mr. **VITALI**. I hate to nitpick, but there is like not an amendment up there, and there is no amendment on the screen.

The **SPEAKER**. No. Thank you very much. Okay, there it is. Amendment 6241 to HB 176.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-192

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

NAYS-0

NOT VOTING-0

EXCUSED-11

Baker	Evans	Ravenstahl	Thomas
Cohen	Pyle	Sims	Wheatley
Costa, D.	Quinn	Snyder	

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

On the question recurring,

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

Mr. **FRANKEL** offered the following amendment No. **A06268**:

Amend Bill, page 1, line 2 (A06317), by inserting after "Enforcement"

Grant

Amend Bill, page 1, lines 3 and 4 (A06317), by striking out all of said lines and inserting

Amend Bill, page 1, line 3, by striking out "and" where it occurs the first time and inserting a comma

Amend Bill, page 1, line 3, by inserting after "Development" and the Pennsylvania Commission on Crime and Delinquency

Amend Bill, page 1, line 6 (A06317), by inserting after "6" ; and establishing the Law Enforcement and Treatment Grant

Program

Amend Bill, page 1, line 11, by striking out "Program" and inserting

Programs

Amend Bill, page 2, by inserting between lines 13 and 14

(7) Overdose deaths and widespread addiction to opioids, legal or illegal, has become one of the most serious threats to public health and safety in this Commonwealth.

(8) Law enforcement agencies need additional tools and resources to stop overdose deaths and more effective mechanisms to help guide people into drug treatment programs.

Amend Bill, page 2, by inserting between lines 20 and 21 "Commission." The Pennsylvania Commission on Crime and Delinquency.

Amend Bill, page 1, by inserting between lines 9 and 10 (A06317)

Amend Bill, page 2, by inserting between lines 27 and 28

"Law enforcement organizations." The police department of each municipal corporation, a regional police department, the Pennsylvania State Police and police departments as defined by 53 Pa.C.S. § 2162 (relating to definitions).

Amend Bill, page 1, by inserting after line 26 (A06317)

Amend Bill, page 4, by inserting between lines 23 and 24

Section 8. Law Enforcement and Treatment Grant Program.

(a) Establishment.—The Law Enforcement and Treatment Grant Program shall be administered by the commission in cooperation with the Department of Drug and Alcohol Programs.

(b) Purpose of grants.—The commission, in cooperation with the Department of Drug and Alcohol Programs, shall award grants under this section to eligible law enforcement organizations. Grant funds may be used for the following:

(1) To provide personnel, training and equipment to coordinate law enforcement with treatment to enable law enforcement organizations and officers to provide more effective mechanisms to refer and assist overdose victims and families, along with any other individuals interacting with them, to obtain the appropriate treatment.

(2) For training and equipment authorized under sections 13.7 and 13.8 of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, for law enforcement organizations.

(c) Notice.—The commission shall notify law enforcement organizations of the availability of grants under this section by July 1 for fiscal years beginning after June 30, 2015.

(d) Application form.—The commission, in cooperation with the Department of Drug and Alcohol Programs, shall develop and distribute a uniform application for applicants to submit for grants under this section. The commission shall provide the application form and accompanying instructions to law enforcement organizations annually by September 1.

(e) Submission of application.—To be considered, an application must be submitted to the commission no later than November 30 of each fiscal year. The commission shall approve or disapprove an application within 60 days of the application being filed.

(f) Review.—The commission, in cooperation with the Department of Drug and Alcohol Programs, shall review applications submitted for grants under this section. The applicant must agree to the terms and conditions for the grant as determined by the commission. A law enforcement organization must submit a signed agreement to the commission prior to the release of grant funds to the law enforcement organization.

(g) Basis of award.—The following apply to grants under this section:

(1) Grants for coordination shall be awarded to law enforcement organizations who demonstrate by their application and by their existing efforts more effective mechanisms to coordinate with their respective single county authorities under the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, the Department of Drug and Alcohol Programs and other appropriate Federal, State and local programs that pay for or provide drug treatment.

(2) Grants for training or equipment pursuant to sections 13.7 and 13.8 of The Controlled Substance, Drug, Device and Cosmetic Act shall be awarded to law enforcement organizations using criteria that include the following:

(i) overdose rates;

(ii) how law enforcement organizations will provide overdose victims and families with information about treatment services; and

(iii) the training and utilization proposed by the law enforcement organization.

(3) The commission shall give priority for coordinating grants under this subsection to law enforcement organizations that have already trained, equipped and authorized their officers pursuant to sections 13.7 and 13.8 of The Controlled Substance, Drug, Device and Cosmetic Act or are seeking grant funding under this section to train, equip and authorize their officers pursuant to sections 13.7 and 13.8 of The Controlled Substance, Drug, Device and Cosmetic Act.

(4) Nothing in this section shall prevent a law enforcement organization who has already trained, equipped and authorized their officers pursuant to sections 13.7 and 13.8 of The Controlled Substance, Drug, Device and Cosmetic Act to file a grant application to pay for future training and authorized equipment necessary under sections 13.7 and 13.8 of The Controlled Substance, Drug, Device and Cosmetic Act that would occur during the fiscal year of the grant.

(5) No law enforcement organization may receive more than 5% of the total grants authorized on an annual basis by this subsection.

Section 9. Conditions.

(a) Claim.—An applicant for a grant under section 8 that fails to return a signed agreement for the preceding fiscal year is ineligible for grant funding in the current fiscal year unless the applicant provides to the commission a reasonable written explanation as to why the applicant failed to claim its grant.

(b) Compliance.—An applicant for a grant under section 8 that fails to demonstrate that it complied with all the terms of its agreement for the preceding fiscal year is ineligible for grant funding in the current fiscal year.

Amend Bill, page 2, line 3 (A06317), by striking out "8" and inserting

10

Amend Bill, page 2, line 11 (A06317), by striking out the period after "Fund" and inserting

and equally divided between the Law Enforcement Grant

Program under section 4 and the Law Enforcement and Treatment

Grant Program under section 8.

Amend Bill, page 2, by inserting between lines 11 and 12 (A06317)

Amend Bill, page 4, line 30, by striking out "program." and inserting

Law Enforcement Grant Program and the Law Enforcement and Treatment Grant Program.

Amend Bill, page 2, line 13 (A06317), by striking out "9" and inserting

11

Amend Bill, page 2, line 15 (A06317), by striking out "10" and inserting

12

Amend Bill, page 2, line 20 (A06317), by striking out "11" and inserting

13

On the question,

Will the House agree to the amendment?

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

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise to offer amendment A06268.

Pennsylvania ranks third highest in the nation in drug deaths. Overdose deaths in this State have increased fourteenfold since 1979. That is more than double the national rate of increase.

The underlying bill, HB 176, is good, but it still could be better. HB 176 would provide dedicated grant funding to our regional police forces in Pennsylvania, and there are approximately 35 of those departments in our State, covering 125 municipalities. These departments dutifully and carefully carry out the letter of the law, and we are thankful for what they do. My amendment leaves the regional police force grant in HB 176 intact, but it adds a second grant program, a law enforcement treatment program, that will be available to all police departments in Pennsylvania, including the State Police.

Under my amendment, half of the grant funding provided for HB 176 would be made available to all police departments across the Commonwealth for training and equipment necessary to help departments coordinate with drug treatment agencies to get help for people addicted to drugs.

The grants authorized in this amendment could also be used to fund training and equipment necessary for police departments to administer the lifesaving drug naloxone, something that this legislature worked in a bipartisan way to make available to first responders in the last session.

We know that across the country police departments are starting to take on a leadership role in linking up people addicted to drugs with proper treatment. We have an opportunity, with this amendment, to get funding to police departments who want to solve the drug overdose problem.

Mr. Speaker, there are two phrases often used when we talk about comprehensive solutions to drug addiction: "warm handoff" and "no wrong doors." We want to give police departments the tools necessary to complete a warm handoff, where the department will help someone addicted to drugs find proper treatment. But in order to get to that point, we also need to incentivize our police departments to make it clear that there are no wrong doors and that addicts can come to police stations in order to find help for addiction. If we can succeed in these

areas by collaborating with funding our police departments, I believe we will make genuine progress in fighting the drug overdose epidemic in Pennsylvania.

If this amendment passes, HB 176 will continue to guarantee that at least half of the money available will go to regional police departments, and those same 35 regional police departments can also apply for funds under this amendment.

Last week the Philadelphia Inquirer editorial board highlighted the efforts of a police department in Delaware County where the cops there are working as a team with drug treatment agencies to give families and those addicted to drugs hope that they can get treatment.

By adopting this amendment today, we can assure that all police departments across the Commonwealth have a chance to do the very same thing.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

Representative Grove, on the amendment, sir.

Mr. GROVE. Thank you, Mr. Speaker.

The merits of the gentleman's arguments are true and heartfelt. Unfortunately, the underlying amendment would make both grant programs inoperable, noneffective, and unfortunately, with the limited source of funding, I do not feel it would be to any police department's support moving forward to adopt this amendment at this time in this bill and relegate the splits among these two programs as being effective at all.

I would appreciate a "no" vote on this. Thank you, Mr. Speaker.

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

Representative Barbin.

Mr. BARBIN. I rise in support of this amendment.

The biggest issue that we have as it relates to law enforcement in the Commonwealth involves heroin overdose and opioid overdose deaths, and the worst places it is happening is in municipal urban areas, which then become problems for the suburban areas.

While the grant program would provide money for the regional, if you do not solve the problem with the opioid addictions that starts in urban areas, all you have done is ensure that that same problem becomes the same problem in suburban areas.

So I ask for a positive vote on this amendment.

The SPEAKER. Thank you.

Representative DiGirolamo, on the amendment, sir.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

May I interrogate the maker of the amendment, Mr. Speaker?

The SPEAKER. Yes. The gentleman has indicated he will stand for interrogation.

You may proceed, sir.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Could you go over again, Mr. Speaker, where this money is coming from, the grant money is coming from for the program?

Mr. FRANKEL. It is the leftover money from the slot machine revenue.

Mr. DiGIROLAMO. Is it my understanding that this revenue is put in there every year and has not been used by our police department?

Mr. FRANKEL. That is exactly right.

Mr. DiGIROLAMO. Okay. Thank you, Mr. Speaker.

May I speak on the amendment?

The SPEAKER. Yes, sir, you may.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I think this is a worthwhile amendment dedicated for the right reasons, to help fight the drug problem here in our State, and I would ask everybody for an affirmative vote. This is absolutely the right thing to do. Thank you.

The SPEAKER. Thank you, sir.

Does anybody else wish to be recognized on the amendment?

Representative Frankel, you wish to be recognized for the second time?

Mr. FRANKEL. Thank you, Mr. Speaker, just very briefly.

The underlying bill helps 35 regional police departments. That is great. But here we have the opportunity to help 1,000 police departments, every police department across the State help deal with this addiction problem, help save lives, help get people into treatment. I think it is a worthwhile thing for us to be doing. It is a great follow-up to the bill that we did on a bipartisan basis to put naloxone, the antidote for opioid overdoses, into the hands of first responders. Let us give police departments the resources to make that effective. Thank you.

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

The following roll call was recorded:

YEAS—106

Acosta	DiGirolamo	Kinsey	Petrarca
Artis	Donatucci	Kirkland	Petri
Barbin	Driscoll	Kortz	Quigley
Bizzarro	Fabrizio	Kotik	Readshaw
Boyle	Farina	Krueger	Roebuck
Bradford	Farry	Longietti	Rozzi
Briggs	Flynn	Maher	Sainato
Brown, V.	Frankel	Mahoney	Samuelson
Bullock	Freeman	Markosek	Santarsiero
Burns	Gainey	Masser	Santora
Caltagirone	Galloway	Matzie	Savage
Carroll	Gergely	McCarter	Schlossberg
Conklin	Gibbons	McClinton	Schreiber
Corbin	Gillen	McNeill	Schweyer
Costa, P.	Godshall	Mentzer	Simmons
Cruz	Goodman	Miccarelli	Staats
Culver	Greiner	Miller, B.	Stephens
Daley, M.	Hanna	Miller, D.	Sturla
Daley, P.	Harhai	Mullery	Taylor
Davidson	Harkins	Murt	Toepel
Davis	Harper	Mustio	Truitt
Dawkins	Harris, J.	Neilson	Vereb
Dean	Heffley	Neuman	Vitali
Deasy	Kaufner	O'Brien	Watson
DeLissio	Kavulich	Parker, D.	Youngblood
DeLuca	Keller, W.	Pashinski	Zimmerman
Dermody	Kim		

NAYS—86

Adolph	Gillespie	Mackenzie	Reese
Barrar	Gingrich	Major	Regan
Benninghoff	Grove	Maloney	Roae
Bloom	Hahn	Marshall	Ross
Boback	Harhart	Marsico	Rothman
Brown, R.	Harris, A.	McGinnis	Saccone
Causser	Helm	Metcalfe	Sankey
Christiana	Hennessey	Metzgar	Saylor
Cox	Hickernell	Millard	Schemel
Cutler	Hill	Milne	Sonney
Day	Irvin	Moul	Tallman
Delozier	James	Nelson	Tobash

Diamond	Jozwiak	Nesbit	Toohil
Dunbar	Kampf	O'Neill	Topper
Dush	Kauffman	Oberlander	Ward
Ellis	Keller, F.	Ortitay	Warner
Emrick	Keller, M.K.	Payne	Wentling
English	Killion	Peifer	Wheeland
Evankovich	Klunk	Pickett	White
Everett	Knowles	Rader	
Fee	Lawrence	Rapp	Turzai,
Gabler	Lewis	Reed	Speaker

NOT VOTING—0

EXCUSED—11

Baker	Evans	Ravenstahl	Thomas
Cohen	Pyle	Sims	Wheatley
Costa, D.	Quinn	Snyder	

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

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

The SPEAKER. Members, it is my understanding that all other amendments have been withdrawn; unless I am mistaken, all other amendments have been withdrawn.

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

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 1581, PN 2290**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, providing for the offense of strangulation.

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

The SPEAKER. Now, it was my understanding that Representative Murt had filed amendments 4030 and 6425, and that those amendments have been withdrawn. Those amendments have been withdrawn.

And Representative Rozzi had filed amendment 6172, and my understanding is that amendment has been withdrawn. With that, there are no other amendments.

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

* * *

The House proceeded to second consideration of **HB 1823, PN 3020**, entitled:

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

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

Mr. **MALONEY** offered the following amendment No. **A06401**:

Amend Bill, page 2, line 1, by inserting before "Notwithstanding"

(i)

Amend Bill, page 2, by inserting between lines 14 and 15

(ii) In the case where a township service is provided to a property and the township service is not in the name of the property owner, the township may not file a lien against the property and shall use alternative methods to collect from the property owner any delinquency, penalties and late fees.

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

The **SPEAKER**. On the question, the Chair recognizes Representative Dave Maloney.

Mr. **MALONEY**. Thank you, Mr. Speaker.

I obviously rise today in support of this amendment. You know, we will probably no doubt hear that some parts of the Borough Code and First Class Code and so on and so forth can already do this. I would offer that that does not necessarily make it right.

Also, I would tell you that when you have estates, subdivisions, and things that would be impacted on your property, and because a tenant has not paid a bill, you will now be liened, service-charged, and feed and put that on your property on a bill that did you not create. I just think it is fundamentally wrong.

I have heard that there is risk of ownership. All right. Let me share a little bit about the reality of ownership where I come from. Until you pay your high insurance premiums, until you pay your high property taxes, there is very little profit ever left over, and if you are going to have liens put on your property because of somebody else's bill, I am not so sure why we would even do that. I do not even think the way the bill is written that it even has any kind of a cap for the fee or the service charge as to what could be put on your own property created by somebody else's debt. My only regret is that I do not have an amendment that rescinds the ability of law to do this.

So, Mr. Speaker, that is all I have to say about that. Please support the amendment. Thank you.

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

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

Respectfully, I rise to oppose this amendment. This is a Local Government Commission bill designed to make the Second Class Township Code consistent with other municipal codes which allow liens when services like water, sewer, and trash are provided to a property and they are not paid for. Right now local governments file liens when these services are consumed at the property and unpaid in order to collect them later, because there is nobody else to pay for them.

The gentleman's amendment seeks to immunize landlords from this, whether or not the lease provides that the landlord is responsible for water, sewer, and trash, and whether or not the landlord himself got the rent to pay those fees.

Now, the real reason that I have to oppose this amendment is that there is no such thing as a free lunch. Once the water is supplied to the property, it is used and gone. If no one at the property pays for the use of the water, the rest of us who are paying our bills on time every time will pay higher rates to pay for that. And there is no limit to the amount of times that a landlord, under the Maloney amendment, could get out of paying for services that have been consumed.

This is fundamentally unfair, fundamentally unfair to everybody who pays their bills on time, and I would respectfully ask the House to vote this amendment down. Thank you.

The **SPEAKER**. Representative Dan Moul, on the amendment.

Mr. **MOUL**. Thank you, Mr. Speaker.

As someone that knows quite a bit about rental properties and have for 30 years, I will tell you we are introducing legislation here to try to make something match something else that was probably wrong to start with. And what I am saying is, every single township, borough, and municipal authority out there has the right to adopt a simple ordinance that simply says that every utility that they supply to a property must be billed to the owner/landlord, into his name.

That is why we need Representative Maloney's amendment, 6401, to keep somebody else's bill from placing a lien on property that you own. If they do not want that to happen, they have the right, just as every single municipal authority, borough, and township in my neck of the woods – and I have properties in every class, basically, and every single one of them has that ordinance adopted where every bill that they supply a utility for, whether it is water, sewer, trash, or all three, comes in the landlord's name. That would eliminate this. But instead, we want to pass legislation to make something agree with something else in the first class that probably should not have been passed to begin with.

I am okay with the bill if this amendment goes in and Representative Lee James' amendment goes in; otherwise, I would be a "no" on the whole bill. But please vote for this amendment, 6401.

Thank you, Mr. Speaker.

The **SPEAKER**. Thank you very much.

Representative Freeman, on the amendment, sir,

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

Mr. Speaker, I rise to oppose this amendment. I agree with the lady from Montgomery County. If you stop and think about it, if this amendment goes in, the ones who will really be hurt by this language are the ratepayers, because those are the ones who are going to pay for the delinquent bill, and that is simply wrong.

The lien process is not something that is used in a hasty fashion. There has to be a level of delinquency at stake here, and the landlord does have a responsibility that services such as water and sewer that come into the building they own should be monitored by that landlord, even if there is a separate meter that the tenant assumes responsibility for.

The good thing about the bill in chief that we have before us is there is language to notify the landlord in case the tenant has become delinquent. That gives them a heads-up to address this issue, to sit down with their tenant and to make sure the bill gets paid. But to take the tact that the gentleman from Berks County wishes to take would only push this cost back onto ratepayers and would obviously provide very uncertain language into how a township were to go about collecting the delinquent bill.

His amendment says that the township "shall use alternative methods to collect from the property owner any delinquency, penalties and late fees" in the absence of a lien, but his amendment does not spell out how they go about doing that, which ways in which they can legally proceed in trying to collect those fees. With that kind of nebulous language, you give very little legal guidance or authority to the township in terms of how to proceed on delinquencies.

This amendment is wrongheaded in its approach, and it would only end up providing the ratepayers, in general, picking up the tab for a delinquent tenant. So I urge a "no" vote.

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

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

The following roll call was recorded:

YEAS—72

Bloom	Gillen	Marsico	Roae
Boback	Gillespie	Masser	Rothman
Brown, R.	Godshall	McGinnis	Saccone
Caltagirone	Grove	McNeill	Sankey
Causar	Hahn	Mentzer	Santora
Christiana	Harhart	Metcalfe	Saylor
Cox	Harris, A.	Metzgar	Simmons
Cruz	Heffley	Millard	Sonney
Culver	Hill	Moul	Tallman
Davis	Jozwiak	Nelson	Tobash
Diamond	Kaufer	O'Brien	Toepel
DiGirolamo	Keller, F.	Ortitay	Truitt
Donatucci	Keller, M.K.	Parker, D.	Ward
Dunbar	Killion	Peifer	Warner
Dush	Knowles	Pickett	Zimmerman
Emrick	Lewis	Rapp	
Everett	Mackenzie	Reese	Turzai,
Gabler	Major	Regan	Speaker
Gibbons	Maloney		

NAYS—119

Acosta	Ellis	Kim	Petrarca
Adolph	English	Kinsey	Petri
Artis	Evankovich	Kirkland	Quigley
Barbin	Fabrizio	Klunk	Rader
Barrar	Farina	Kortz	Readshaw
Benninghoff	Farry	Kotik	Reed
Bizzarro	Fee	Krueger	Roebuck
Boyle	Flynn	Lawrence	Ross
Bradford	Frankel	Longiotti	Rozzi
Briggs	Freeman	Maher	Sainato
Brown, V.	Gainey	Mahoney	Samuelson
Bullock	Galloway	Markosek	Santarsiero
Burns	Gergely	Marshall	Savage
Carroll	Gingrich	Matzie	Schemel
Conklin	Goodman	McCarter	Schlossberg
Corbin	Greiner	McClinton	Schreiber
Costa, P.	Hanna	Miccarelli	Schweyer
Cutler	Harhai	Miller, B.	Staats
Daley, M.	Harkins	Miller, D.	Stevens

Daley, P.	Harper	Milne	Sturla
Davidson	Harris, J.	Mullery	Taylor
Dawkins	Helm	Murt	Toohil
Day	Hennessey	Mustio	Topper
Dean	Hickernell	Neilson	Vereb
Deasy	Irvin	Nesbit	Vitali
DeLissio	James	Neuman	Watson
Delozier	Kampf	O'Neill	Wheeland
DeLuca	Kauffman	Oberlander	White
Dermody	Kavulich	Pashinski	Youngblood
Driscoll	Keller, W.	Payne	

NOT VOTING—1

Wentling

EXCUSED—11

Baker	Evans	Ravenstahl	Thomas
Cohen	Pyle	Sims	Wheatley
Costa, D.	Quinn	Snyder	

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. JAMES offered the following amendment No. **A06402**:

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

(i) Notwithstanding any other provision of law, a township may Amend Bill, page 2, lines 10 through 14, by striking out "THE TOWNSHIP SHALL PROVIDE NOTICE OF THE DELINQUENCY AND" in line 10 and all of lines 11 through 14 and inserting

(ii) In the case where a township provides services to a residential dwelling unit in which the owner of the property does not reside, the owner of the property shall be responsible for the payment of a tenant's bill for services rendered to the tenant by the township, and any applicable penalties and late fees, provided that:

(A) Once the bill has been delinquent for thirty days the township shall notify both the owner of the property and the tenant that the bill is delinquent.

(B) Notification shall be by first class mail to the address provided to the township by the owner of the property and to the billing address of the tenant, respectively.

(C) The property owner shall be responsible for the delinquency, penalties and late fees accruing more than sixty days after the initial notification of delinquency.

(D) The township may file a lien against the property for any delinquency, penalties and late fees that accrue after the property owner becomes responsible for the ongoing delinquency and the lien may be collected by action of assumpsit or as provided under law for the filing and recovery of municipal claims.

(E) Nothing in this paragraph shall be construed to require a township to terminate service to a tenant. If the township is prevented by court order from terminating service to a tenant, the owner of the property shall also be liable for any service which the township provides to the tenant during the first ninety days after the tenant's bill first becomes due.

(iii) The township shall provide notice of the delinquency and the amount and rate of penalties and late fees to the owner of the property receiving the service, by first class mail, at least twenty days prior to the filing of any municipal claim to recover the delinquency, penalties and late fees.

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

The SPEAKER. The Chair recognizes Representative Lee James.

Mr. JAMES. Thank you, Mr. Speaker.

I rise in favor of amendment 6402. My amendment proposes to make it necessary for the second-class township to send a late notice after a tenant goes 30 days past due, and that notice will go to both the user and the landlord. And at that point it is probable that the landlord – this is his first notice that his tenant is not paying his just debts – it then gives the municipal services 60 days to effect collection of the delinquent bill, plus fees and charges. During that period the landlord may engage in collection efforts, but at 90 days the township then may place a lien on that real estate.

So today I ask my colleagues to vote "yes" on my amendment. I believe it is unfair to lien the landlord's property for services rendered to a third party without reasonable notice and time to collect and pay for the services. In effect, it makes the landlord a collection agent for the township. And if there is a lien, it becomes a cloud on the title, which is sometimes difficult to have removed and may upset the sale of the property at some future date.

I ask my colleagues for a "yes" vote. Thank you.

The SPEAKER. Representative Harper, on the amendment.

Ms. HARPER. Will the maker of the amendment stand for brief interrogation?

The SPEAKER. He has indicated he will.

You may proceed, Representative Harper.

Ms. HARPER. Thank you, Mr. Speaker.

Under your amendment, it appears to me that a landlord gets 90 days of free municipal services to a property that he owns and is renting out. Is that accurate?

Mr. JAMES. Ninety days. I agree.

Ms. HARPER. That is accurate that he gets 90 days of free water, sewer, trash, or whatever it is he is being billed for. Is that right?

Mr. JAMES. I look at it as 90 days to effect collection of said just debts.

Ms. HARPER. No, but he can never be liened for those 90 days' worth of services. Is that not correct?

Mr. JAMES. Yes.

Ms. HARPER. How many times in a single year can the landlord take advantage of the local government by invoking this 90 days?

Mr. JAMES. I do not think that is dealt with.

Ms. HARPER. Sorry?

Mr. JAMES. I do not believe that is dealt with in this bill.

Ms. HARPER. Let me ask it another way. Your amendment has no limitation on the number of days that a landlord can use free water, sewer, trash, or other municipal services, no limit on the number of times that the landlord can invoke the 90-day vacation from paying the bills. Is that accurate?

Mr. JAMES. I believe you are accurate.

Ms. HARPER. Thank you, Mr. Speaker.

On the amendment?

The SPEAKER. Yes, you may proceed on the amendment.

Ms. HARPER. Thank you.

First of all, let me say the bill was amended in committee to give landlords 20 days' notice before they could be liened, because it is true that there are some local governments who

have been liening property owners for services used up at a property without giving them prior notice. So we, the Local Government Committee, did amend the bill to give 20 days' notice, but it does not give 20 days' vacation from paying water bills, sewer bills, or other trash, or other municipal service bills that have been incurred at the property.

The gentleman's amendment actually would give landlords perpetual freedom from having to pay these bills. There is no limit on the number of times you can invoke the 90-day vacation.

And, Mr. Speaker, there is no such thing as a free lunch. If the landlord is invoking his 90-day vacation four times in 1 year and getting a free year of municipal services, guess who is paying for that? Everybody else.

Please vote this amendment down. Thank you.

The SPEAKER. Representative Dan Moul, on the amendment.

Mr. MOUL. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment, please.

The SPEAKER. Representative James will stand for interrogation.

You may proceed, sir.

Mr. MOUL. Thank you, Mr. Speaker.

Mr. Speaker, whose bill would it be that would be delayed 90 days or however many days your amendment is giving? Whose name would that bill be in? Would that be the landlord's name that it was in or would that be the tenant's name that this bill was in?

Mr. JAMES. It would be the lessee, the tenant.

Mr. MOUL. So what I am understanding from your amendment is you are saying that because the tenant generated the bill and the township did not have the utility in the landlord's name, your amendment is saying that we are not going to make the landlord responsible for services somebody else utilized. Is that correct?

Mr. JAMES. I agree. That is correct.

Mr. MOUL. Okay. And your bill gives – did I hear it correctly? – 90 days from the time of the first delinquency until they switch the name on the bill to the landlord's name?

Mr. JAMES. Yes; my amendment. That is correct.

Mr. MOUL. So would it be fair to say that had the township put that water and sewer into the landlord's name or owner's name of the property right from the beginning, it would not be necessary to do this. Is that correct?

Mr. JAMES. Correct.

Mr. MOUL. So in a sense, we are again making this utility usage the responsibility of somebody else, even though it is not in their name?

Mr. JAMES. Yes, that is what the bill is doing.

Mr. MOUL. On the bill, Mr. Speaker?

The SPEAKER. Yes, Representative Moul, you may proceed.

Mr. MOUL. On the amendment. Thank you.

In Pennsylvania the electric or gas utilities are not allowed to come after the landlord of any property unless the utility is already previously in their name.

For example, if a landlord supplied electric or gas as part of the rent and the electric meter or gas meter was in the landlord's name, then they could certainly come after collection avenues in order to get their money if the bill was not paid. However, in Pennsylvania those utilities for gas and electric and sometimes

trash collection, they are in the tenant's name, and by statute, the electric company or utility company providing that service does not have any right to come after the owner of the building because it was not billed in his name.

This is no different. If they want to come after the landlord, the property owner, they should put the utility – i.e., the water, sewer, trash that they supplied – in the landlord's name right up front. They should not hold a property owner responsible for what they agreed to serve to someone else.

Again, I am going to reiterate what I said on the last amendment that ran. It would be so easy for each of these townships to simply pass an ordinance like they do down where I live that says that all the water, sewer, and trash that they supply must be billed directly to the property owner, and that would alleviate all the problem and eliminate the need for this legislation.

I hope that we all vote in favor of the James amendment, 6402.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bob Freeman, and he will be followed by Representative Chris Ross.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I have a great degree of respect for the gentleman from Venango County. I think he is a good member and he works hard at his legislation. However, I rise to oppose this amendment. I think the lady from Montgomery is absolutely correct in the fact that if we allow this amendment to become part of this bill and become law, it is the ratepayers who will have to pick up the tab for 90 days' worth of delinquent payments when it comes to whatever municipal service is covered under this bill – sewer, trash, or water.

The use of a lien is not something that any municipal government enters into in haste because they know the ability to collect on that lien can be many, many years down the road, and you can always have the lien removed by addressing the outstanding bills.

The only way to ensure that municipal services are in fact paid for is if the landlord, the owner of the property, can be held liable for it.

Keep in mind, and I want to drive this point home to the members of the chamber, keep in mind that the bill in chief does provide for notification to the landlord once the municipality realizes the services have become delinquent. So there is an early heads-up warning, a trip wire, if you will, to ensure that they know what is going on and they can address it through some manner of communication with their tenants.

Also keep in mind that if these municipal services of trash and water – particularly water and sewer – were not connected to the building, the landlord would not be able to rent out those units. They need those services in order to be habitable and to get a certificate of occupation.

So it is only reasonable to say that if these municipal services are not being paid for and if the tenant is not living up to their obligation, then as the good lady from Montgomery has provided for in this legislation, then we make sure the landlord knows of what is going on and we ask them to deal with the issue early on in the process to avoid further delinquency. To grant 90 days of free services that the other ratepayers will be stuck with is not fair to the ratepayers who pay their municipal services.

So I respectfully urge a "no" vote on this amendment.

The SPEAKER. Representative Ross.

Mr. ROSS. Thank you, Mr. Speaker.

And I, too, have a lot of respect for the maker of this amendment, and I think he has the best of intentions in his drafting, but I think there is an unintended consequence here which we are not thinking about.

We are talking about the possibility of a tenant failing to pay a water or trash bill. There is also another possibility here, which is that the tenant is paying those bills to the landlord and the landlord is choosing not to pass that money back on to the municipality. So if this amendment is adopted, we would then be enabling those landlords who are collecting the money to have the use of it for an additional 90 days, and they could, as has been pointed out in an earlier cross-examination, be able to do that over and over again throughout the year, and that would indeed do exactly what the previous speaker said: shift the burden of the cost onto the rest of the ratepayers.

We are modeling this after language that is already in the other codes that we have for municipalities, First Class Township and Borough Codes, and we ought to be uniform in this Commonwealth as best we can on matters such as this.

So I think we ought to stay close to the model that we have and not adopt this particular amendment, and also work to try and make sure that everyone who has used services properly pays for them in a reasonable period of time and does not shift that burden onto others. The notification here is sufficient for those landlords that are allowing their tenants to pay directly, and the other option is one that I think we do not want to go for.

So I urge the members to vote "no" on the amendment. Thank you.

The SPEAKER. Thank you.

Representative Dush.

Mr. DUSH. Thank you, Mr. Speaker.

I am rising in support of this amendment for one reason: the contract is between the person whose name is on the service and the authority, and to otherwise send that bill to a third party who has not made that contractual obligation is wrong.

We are saying that possibly – the previous speaker said that, well, it could be the landlord's responsibility. He could be collecting it. If he was collecting it, the tenant would not be entering into a contract with the municipal authority.

So this bill, or this amendment protects the property owner when somebody else has entered into a contract to receive services at that residence and then defaults on that contract. It keeps the municipal government from shifting the responsibility from the person they entered into the contract with to a third party.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

Representative Evankovich, on the amendment.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask if the maker of the amendment would stand for brief interrogation.

The SPEAKER. Yes, Representative James has indicated he will so stand for interrogation and you may proceed, sir.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, in your amendment, if your amendment would be enacted into law, who is responsible for paying the water bill if it is deemed to be overdue?

Mr. JAMES. Mr. Speaker, the first 90 days the responsibility falls on the actual user, the consumer of the water or sewer service. After that it falls upon the landlord.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

So who used the service in question?

Mr. JAMES. The tenant, the lessee.

Mr. EVANKOVICH. So the tenant or the lessee used the water or the sewage, they consumed it, and under current law somebody who did not use the water or sewage is responsible for paying that water or sewage bill?

Mr. JAMES. Seems unfair, does it not, Mr. Speaker?

Mr. EVANKOVICH. Mr. Speaker, is there any other circumstance in State law where we require that a third party collect a utility bill for the provider of a utility?

Mr. JAMES. Not that I am aware of, Mr. Speaker.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, on the bill?

The SPEAKER. You may proceed, Representative, on the bill – or on the amendment, I should say.

Mr. EVANKOVICH. Mr. Speaker, amendment A06402 will clarify a glaring irregularity that exists in State law.

Mr. Speaker, under State law currently, this is the one place where a third party is then responsible for collecting a bill owed by somebody else who used the product or service, and State law, because it is a government agency, requires that a third party, someone who owns that property, somebody who was not responsible for using that utility is now responsible for paying the utility bill.

Mr. Speaker, this amendment just seems to make a glaring amount of sense for us to enact into law and correct this, what seems to be an otherwise error that exists in State law, that passes this undue burden onto a third party to collect a bill for a utility that is used by someone else.

So I support the amendment and urge the chamber to vote in the affirmative.

The SPEAKER. Representative Harper, on the amendment.

Ms. HARPER. Thank you, Mr. Speaker.

I just want to remind the members that the bill, but not this amendment, was drafted by the Local Government Commission, which is a bipartisan, bicameral commission composed of legislators from both Houses and both parties. The bill is not unusual; in fact, this is being done already in other municipal entities.

I would also like to remind the members that these services are provided to the property. Without water a property is not habitable and not rentable. Without sewer a property is not habitable and it is not rentable. So if the municipal government were suddenly to stop providing the service because it could not afford it with all of the landlord delinquencies, the landlord would be out of the landlord business.

More importantly, however, there is no such thing as a free lunch, and if this is a 90-day vacation from paying for water, sewer, trash, electric, or other municipal services, the rest of us are paying this bill. So unless you are a landlord who specializes in renting to deadbeat tenants, this bill, this amendment is not in your personal best interest and certainly not in the best interest of your fellow citizens in a second-class township.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

Does anybody else wish to be recognized on the amendment?

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—90

Adolph	Gibbons	Maloney	Reese
Barrar	Gillen	Marsico	Regan
Benninghoff	Godshall	Masser	Roae
Bloom	Grove	McGinnis	Rothman
Boback	Hahn	Mentzer	Saccone
Brown, R.	Harhart	Metcalfe	Sankey
Causer	Harris, A.	Metzgar	Santora
Christiana	Heffley	Miccarelli	Schemel
Corbin	Helm	Millard	Simmons
Cox	Hennessey	Moul	Sonney
Culver	Hill	Mustio	Staats
Daley, P.	James	Nelson	Tallman
Davis	Jozwiak	Nesbit	Taylor
Day	Kaufert	Neuman	Tobash
Delozier	Kauffman	Oberlander	Toepel
Diamond	Keller, F.	Ortitay	Truitt
Dunbar	Keller, M.K.	Parker, D.	Ward
Dush	Killion	Payne	Warner
Ellis	Knowles	Peifer	Wentling
Emrick	Lawrence	Petri	Zimmerman
English	Lewis	Pickett	
Evankovich	Mackenzie	Rapp	Turzai,
Gabler	Major	Reed	Speaker

NAYS—102

Acosta	Driscoll	Kim	Petrarca
Artis	Everett	Kinsey	Quigley
Barbin	Fabrizio	Kirkland	Rader
Bizzarro	Farina	Klunk	Readshaw
Boyle	Farry	Kortz	Roebuck
Bradford	Fee	Kotik	Ross
Briggs	Flynn	Krueger	Rozzi
Brown, V.	Frankel	Longietti	Sainato
Bullock	Freeman	Maher	Samuelson
Burns	Gainey	Mahoney	Santarsiero
Caltagirone	Galloway	Markosek	Savage
Carroll	Gergely	Marshall	Saylor
Conklin	Gillespie	Matzie	Schlossberg
Costa, P.	Gingrich	McCarter	Schreiber
Cruz	Goodman	McClinton	Schweyer
Cutler	Greiner	McNeill	Stephens
Daley, M.	Hanna	Miller, B.	Sturla
Davidson	Harhai	Miller, D.	Toohil
Dawkins	Harkins	Milne	Topper
Dean	Harper	Mullery	Vereb
Deasy	Harris, J.	Murt	Vitali
DeLissio	Hickernell	Neilson	Watson
DeLuca	Irvin	O'Brien	Wheeland
Dermody	Kampf	O'Neill	White
DiGirolo	Kavulich	Pashinski	Youngblood
Donatucci	Keller, W.		

NOT VOTING—0

EXCUSED—11

Baker	Evans	Ravenstahl	Thomas
Cohen	Pyle	Sims	Wheatley
Costa, D.	Quinn	Snyder	

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?

Bill was agreed to.

GUESTS INTRODUCED

The SPEAKER. Members, located in the well of the House, the Chair welcomes guest page Joseph Actisdano, and he is here with his father, John, who is sitting to my left of the rostrum here, and they are the guests of Representative Mike Peifer. Thank you so much for being here today. Thank you.

STATEMENT BY MR. VITALI

The SPEAKER. And Representative Vitali – just a short break here – Representative Vitali is recognized. Representative Vitali, why do you not come down front? Do you want to come down front for that?

Members, on unanimous consent, please give your attention to Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I hope many of you were watching as I was last night when Kris Jenkins swished a three-pointer with no time left on the clock, giving Villanova University a thrilling upset victory over the favored North Carolina Tar Heels.

Mr. Speaker, that is the best basketball game I have seen since 1985, when Villanova beat the heavily favored Georgetown Basketball Team to win their first national championship.

This is a source of pride for me, because not only is Villanova University in my legislative district, but I, as many of you, have degrees from Villanova. I have an undergrad degree and a law degree. I taught there and my dad went there. It is a great school, and it is a great source of pride not only for me but for the people from the Philadelphia region, and any win at that level is a major accomplishment.

But I think the important thing here is not so much that Villanova won a championship but the way they won that championship. Their program, the Villanova basketball program, is a model for collegiate programs throughout the country. Their program, their athletes graduate in very high numbers. Their athletes are gentlemen. Their athletes are 4-year players. They are not one and done. Their athletes, by and large, are not the subject of criminal prosecutions. Their athletes are not subject to recruiting violations. They do things the right way.

And if you look at the way they played the game last night, the unselfishness of the way they play, the way that Ryan Arcidiacono made that unselfish pass at the end, the tenacity of their defense in taking the ball away from the opposition, the intelligence of the way they played, they are a model for the way the game should be played.

But I think the most important thing about the way Villanova plays that game, and I think the players reflect it in some of their comments, they are not trained; they win – no pun intended – the right way. Jay Wright teaches them it is not about winning, it is not about winning – and you hear these players say it – it is about just being better day after day. Their goal is to be better day after day, and that is a model not only for their players but for the student body and the rest of the community and everyone that follows them.

So congratulations, Villanova, on not only winning, but winning the right way. You make us proud. Thank you very much.

VOTE CORRECTIONS

The SPEAKER. Representative Parker, on unanimous consent.

Mr. PARKER. Thank you, Mr. Speaker.

Mr. Speaker, on HB 0176, amendment A06317, I was recorded in the negative and I would like to be a positive vote.

The SPEAKER. Yes, sir; that will be reflected.

Representative Parke Wentling.

Mr. WENTLING. Thank you, Mr. Speaker.

I wanted to correct the record on HB 1823, amendment A06401. My vote was not recorded and I wish to be recorded in the negative.

Thank you very much, Mr. Speaker.

ANNOUNCEMENT BY MR. KELLER

The SPEAKER. Representative Bill Keller is recognized on unanimous consent.

Mr. W. KELLER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce that there will be a meeting of the Philadelphia delegation immediately following session in room 326, Main Capitol.

Thank you, Mr. Speaker.

The SPEAKER. Okay. We still have other bills here, members.

Congratulations to Villanova University, an outstanding, outstanding victory and an outstanding institution.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1788, PN 2734**, entitled:

An Act amending the act of December 21, 1998 (P.L.1307, No.174), known as the Community and Economic Improvement Act, providing for special financing assessments.

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 1683, PN 2507**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for incentives for volunteers of fire companies and emergency medical services agencies.

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 1877, PN 3014**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in grants to fire companies and volunteer services, further providing for scope of chapter, for definitions, for award of grants for volunteer fire companies, for establishment, for

award of grants for emergency medical services companies, for the Volunteer Fire Company Grant Program, for the Volunteer Ambulance Service Grant Program, for allocation of appropriated funds, for expiration of authority and for special provisions; and making an editorial change.

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

Mr. **STURLA** offered the following amendment
No. **A06272**:

Amend Bill, page 3, by inserting between lines 29 and 30

"Firehouse." A station under the control of a fire company that contains firefighting apparatus and equipment and is used by firefighters to provide fire protection or rescue services. The State Fire Commissioner shall have final determination as to whether a station is a firehouse.

Amend Bill, page 6, line 1, by striking out "PARAGRAPH" and inserting

paragraphs

Amend Bill, page 6, line 1, by inserting after "(3)"
and (4)

Amend Bill, page 6, by inserting between lines 16 and 17

(4) If a fire company has more than one firehouse, grants shall be not less than \$2,500 and not more than \$15,000 per firehouse.

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

The **SPEAKER**. On the question, the Chair recognizes Representative Sturla.

Mr. **STURLA**. Thank you, Mr. Speaker.

Mr. Speaker, first I want to commend the maker of the bill for some positive improvements in this bill as it relates to fire companies throughout the State. What this amendment would do is, I believe, help level the playing field a little bit.

Back in 2012 we increased the amount of this grant program from \$25 million to \$30 million, and at that time we recognized that career departments would also qualify for a share of the additional money. Now, here is the only rub on this. What we did was we recognized departments, and so a department that covered a small community of a couple thousand people qualified for up to a \$15,000 grant—

The **SPEAKER**. Members, I know everybody is getting a little restless here. Please take your seats. We are going to have to break here for Rules in just a moment, and then we have a few other bills on third consideration. I believe this is our last vote on second consideration. So, members, please take your seats.

Representative Sturla, please proceed and then we will get to the vote on the amendment.

Mr. **STURLA**. Thank you, Mr. Speaker.

Mr. Speaker, so what ended up happening was a small volunteer department that represented a community of a couple thousand people qualified for up to a \$15,000 grant, and for example, the city of Philadelphia, which has 63 firehouses and represents around a million people, qualified for a \$15,000 grant.

What my amendment would do is recognize that what we are really trying to do is equip firehouses, and that the point of this is not to subsidize departments but to provide for equipment to house the necessary apparatus to fight fires.

As it stands right now, if you have a small community and you have multiple fire departments in it, as is the case with Greensburg, they do not have one fire company, they do not have two fire companies, they do not have three fire companies, or four or five, but in a community with about 15,000 people, they have six fire companies, all of which qualify for a \$15,000 grant, or up to a \$15,000 grant. In fact, last year each of these six stations received their own grant: one for \$11,700, another for \$11,700, another one for \$12,000, another for \$14,000, another for \$13,000, another for \$13,000. A total of \$77,674 went to one community for six different firehouses because they were called six different companies.

So as long as we are going to allow that practice, I think it is much fairer to say, let us actually just allow dollars to flow based on the number of firehouses that you have.

Now, some people have said to me, well, that means that big cities are going to take all the money. Well, here is the way things stand right now. Currently career fire departments cover around 3 million people in the State of Pennsylvania, and last year those 42 career departments got a grand total \$630,000 of the \$30 million that we put out in grant money. So 3 million people qualified for \$630,000 in grant money. The remaining 9.8 million people in the State qualified for \$29.4 million in grant money for their fire departments.

What my amendment would do is say that those 42 departments, which have 191 houses total, would now qualify for up to \$2.9 million of the \$30 million. So we are talking about 25 percent of the State's population, covered by 42 departments, qualifying for roughly \$3 million of the \$30 million. So not 10 percent of the money – or excuse me, 10 percent of the money, even though it is 25 percent of the citizens in the State of Pennsylvania.

So if I live in an area that is covered by a career department, we would qualify for about \$1 per person on average in grant money to help fight fires. If I live in one of the other areas that is covered by volunteer departments, under my amendment, the 9.8 million people that are covered by volunteers, they would still qualify for \$27.1 million of the \$30 million grant money, or close to \$3 per person.

BILL AND AMENDMENT PASSED OVER

The **SPEAKER**. Representative Sturla, we are going to – if you will please suspend – we are going to go over this bill at this time, and the amendment.

RULES COMMITTEE MEETING

The **SPEAKER**. At this time the House will recess to let the Rules Committee meet. The House will stand in recess until the Rules Committee meets. The Chair calls on Representative Reed.

Representative Reed, for an announcement.

Mr. **REED**. Thank you, Mr. Speaker.

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

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

RECESS

The SPEAKER. We will stand in recess at this time.

AFTER RECESS

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

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third 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 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—192

Table listing names of members who voted 'YEAS' for HB 443, including Acosta, Adolph, Artis, Barbin, Barrar, Benninghoff, Bizzarro, Bloom, Boback, Boyle, Bradford, Briggs, Brown, R., Brown, V., Bullock, Burns, Caltagirone, Carroll, Causer, Christiana, Conklin, Corbin, Costa, P., Cox, Cruz, Culver, Cutler, Daley, M., Daley, P., Davidson, Davis, Dawkins, Everett, Fabrizio, Farina, Farry, Fee, Flynn, Frankel, Freeman, Gabler, Gainey, Galloway, Gergely, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Goodman, Greiner, Grove, Hahn, Hanna, Harhai, Harhart, Harkins, Harper, Harris, A., Harris, J., Heffley, Helm, Hennessey, Hickernell, Kortz, Kotik, Krueger, Lawrence, Lewis, Longietti, Mackenzie, Maher, Mahoney, Major, Maloney, Markosek, Marshall, Marsico, Masser, Matzie, McCarter, McClinton, McGinnis, McNeill, Mentzer, Metcalfe, Metzgar, Miccarelli, Millard, Miller, B., Miller, D., Milne, Moul, Mullery, Murt, Mustio, Rader, Rapp, Readshaw, Reed, Reese, Regan, Roae, Roebuck, Ross, Rothman, Rozzi, Saccone, Sainato, Samuelson, Sankey, Santarsiero, Santora, Savage, Saylor, Schemel, Schlossberg, Schreiber, Schweyer, Simmons, Sonney, Staats, Stephens, Sturla, Tallman, Taylor, Tobash, Toepel.

Table listing names of members who did not vote or were excused for HB 443, including Day, Dean, Deasy, DeLissio, Delozier, DeLuca, Dermody, Diamond, DiGirolamo, Donatucci, Driscoll, Dunbar, Dush, Ellis, Emrick, English, Evankovich, Hill, Irvin, James, Jozwiak, Kampf, Kaufe, Kauffman, Kavulich, Keller, F., Keller, M.K., Keller, W., Killion, Kim, Kinsey, Kirkland, Klunk, Knowles, Neilson, Nelson, Nesbit, Neuman, O'Brien, O'Neill, Oberlander, Ortitay, Parker, D., Pashinski, Payne, Peifer, Petrarca, Petri, Pickett, Quigley, Toohil, Topper, Truitt, Vereb, Vitali, Ward, Warner, Watson, Wentling, Wheeland, White, Youngblood, Zimmerman, Turzai, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—11

Table listing names of members who were excused for HB 443, including Baker, Cohen, Costa, D., Evans, Pyle, Quinn, Ravenstahl, Sims, Snyder, Thomas, Wheatley.

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 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 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—191

Table listing names of members who voted 'YEAS' for HB 869, including Acosta, Adolph, Artis, Barbin, Barrar, Benninghoff, Bizzarro, Bloom, Boback, Everett, Fabrizio, Farina, Farry, Fee, Flynn, Frankel, Freeman, Gabler, Knowles, Kortz, Kotik, Krueger, Lawrence, Lewis, Longietti, Mackenzie, Maher, Quigley, Rader, Rapp, Readshaw, Reed, Reese, Regan, Roae, Roebuck.

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

NAYS-1

Vereb

NOT VOTING-0

EXCUSED-11

Baker	Evans	Ravenstahl	Thomas
Cohen	Pyle	Sims	Wheatley
Costa, D.	Quinn	Snyder	

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 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 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-178

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

NAYS-14

Artis	Dawkins	Harris, J.	McClinton
Briggs	Dean	Kinsey	Miller, D.
Brown, V.	DeLissio	McCarter	Savage
Bullock	Gainey		

NOT VOTING-0

EXCUSED-11

Baker	Evans	Ravenstahl	Thomas
Cohen	Pyle	Sims	Wheatley
Costa, D.	Quinn	Snyder	

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 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 third consideration?
Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Vitali.

Mr. VITALI. I guess being liked is a fleeting thing.

Would the maker of the bill stand for brief interrogation?

The SPEAKER. Representative Moul has indicated he will stand for interrogation.

Mr. VITALI. Maybe just start off with just explaining what your bill does, that might be helpful, a good starting point for questions.

Mr. MOUL. Thank you, Mr. Speaker.

What this bill does is, it says, in layman's terms, if you did not learn your lesson by getting a DUI (driving under the influence) and you go out on a subsequent DUI and cause an accident and someone dies in that accident, you are now moved to a mandatory 5 years in prison.

Mr. VITALI. Okay. And that is for each person, if there are multiple deaths?

Mr. MOUL. Each person that dies.

Mr. VITALI. And they need to run consecutive, not concurrent?

Mr. MOUL. Correct.

Mr. VITALI. Okay. I would like to speak on the bill.

The SPEAKER. Representative Vitali, you may speak on the bill.

Mr. VITALI. Well, first of all, I appreciate what the maker is trying to do. I fully agree with the general intent, which is to criminalize drunk driving, and especially when it involves death. It is just unacceptable conduct, and it has to be punished and has to be punished significantly.

Here is my concern with the bill as it is written. Let us say you have a father. Many years ago he maybe had three drinks at a bar, had a DUI, nothing really terrible about it, had a DUI many years ago, 20 years ago. It was done, part of an ill-spent youth. Now he is, 20 years later, driving his family home from some family event, maybe had three or four beers, icy night, one-car accident, severe accident. His wife and two kids are killed. He is severely crippled. His wife and two kids are killed.

The problem with this bill is that it would require a judge to give this crippled man with a dead family – and undoubtedly, he needs to be punished – he would have to do 15 years, have to do 15 years: 5 years for the wife, 5 years for one kid, 5 years for the other kid.

What I am suggesting is that the problem with mandatory minimums, generally, is it takes away from the judge who might be trying that case the ability to kind of look at the facts and circumstances. There is a difference between some habitual drunk driver who just viciously does it again and again and the scenario I am describing, and it is important that a judge be able to treat different people differently.

This guy deserves to go to jail, but you have to ask yourself, is using up a jail cell for 15 years – and probably if his dead wife were alive she would say, "No, don't do it to him. Don't do it to him. He didn't mean it. He was a good dad. He didn't mean it." But using up a jail cell at maybe a cost of \$30,000 or \$40,000 a year, when those limited jail cells should be used to really incarcerate criminals, hardened criminals, criminals who will continue to do it again and again, as opposed to this scenario, where a dad who may have 20 years ago had a pretty innocuous, uneventful DUI, and then gets into this tragic incident on his way home. That is the problem with mandatory minimums, and that is the problem with bills like this. They have good intent, they have good intent, but they cause these problems in their implementation.

So I just want to bring that to the attention of the members.

The SPEAKER. Representative Vereb, on the bill.

Mr. VEREB. Thank you, Mr. Speaker.

Just a brief interrogation.

The SPEAKER. The maker of the bill has indicated he will stand for interrogation.

Mr. VEREB. Mr. Speaker, in relation to the last interrogation, the exact scenario, if a father, as he said, is in a car with a wife and, I believe, two children and they are killed, your bill would call for a 5-year – leading up to all those circumstances – your bill calls for a 5-year minimum for each person killed, correct?

Mr. MOUL. If he has had a previous DUI.

Mr. VEREB. Right.

Now, if the people killed are not related to the person driving, is it still the same sentence?

Mr. MOUL. Yes, sir.

Mr. VEREB. Thank you, Mr. Speaker.

Honest to goodness—

The SPEAKER. You may proceed, sir.

Mr. VEREB. You too, Mr. Speaker.

The SPEAKER. Thank you.

Mr. VEREB. What have we come to? Think about this. In a domestic violence situation, sure, many spouses get to court and they want to just let things be bygones and they have straightened things out. These are people that are killed by a second-offender-or-more DUI person. They are a criminal, and that is why we have jail cells.

I favor this bill. Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—176

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

NAYS—16

Acosta	Daley, M.	Harris, J.	Neilson
Artis	DeLissio	Kinsey	Savage
Brown, V.	Driscoll	McCarter	Vitali
Bullock	Gainey	McClinton	Youngblood

NOT VOTING—0

EXCUSED—11

Baker	Evans	Ravenstahl	Thomas
Cohen	Pyle	Sims	Wheatley
Costa, D.	Quinn	Snyder	

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.

**RESOLUTION REREPORTED
FROM COMMITTEE**

HR 783, PN 3091 (Amended)

By Rep. REED

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

RULES.

CALENDAR CONTINUED

CONSIDERATION OF HB 1877 CONTINUED

BILL PASSED OVER

The SPEAKER. HB 1877 is over for the day.

BILLS RECOMMITTED

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

HB 176;
HB 791;
HB 967;
HB 1500;
HB 1501;
HB 1581;
HB 1600;
HB 1683;
HB 1788; and
HB 1823.

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 1906;
HB 1907; and
HB 1948.

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

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1737, PN 2607**, entitled:

An Act amending the act of December 19, 1996 (P.L.1478, No.190), entitled "An act relating to the recycling and reuse of waste tires; providing for the proper disposal of waste tires and the cleanup of stockpiled tires; authorizing investment tax credits for utilizing waste tires; providing remediation grants for the cleanup of tire piles and for pollution prevention programs for small business and households; establishing the Small Business and Household Pollution Prevention Program and management standards for small business hazardous waste; providing for a household hazardous waste program and for grant programs; making appropriations; and making repeals," further providing for household hazardous waste collection program.

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 1737 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 1737 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.

* * *

The House proceeded to second consideration of **SB 898, PN 1064**, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, in fiscal affairs, further providing for limits on counties of the second class.

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 SB 898 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 SB 898 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.

* * *

The House proceeded to second consideration of **SB 899, PN 1065**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for limitation on tax increase after countywide reassessment.

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 SB 899 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 SB 899 be removed from the tabled calendar and placed on the active calendar.

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

RESOLUTION

Mr. REED called up **HR 140, PN 790**, entitled:

A Resolution urging the Congress of the United States to defeat H.R. 707 and any other legislation which would prohibit states from authorizing and conducting Internet gaming.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 140 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 140 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 Brian Ellis moves that the House be adjourned until Wednesday, April 6, 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 5:15 p.m., e.d.t., the House adjourned.