

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

THURSDAY, OCTOBER 13, 2016

SESSION OF 2016

200TH OF THE GENERAL ASSEMBLY

No. 60

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (SHERYL M. DELOZIER) PRESIDING

PRAYER AND PLEDGE OF ALLEGIANCE DISPENSED WITH

The SPEAKER pro tempore. Without objection, the prayer and the Pledge will be dispensed with for today.

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Wednesday, September 28, 2016, will be postponed until printed.

RECALL NOTICE SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. Communication from the Speaker of the House, which the clerk will read.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

Date: October 6, 2016

To: All House Members

From: Mike Turzai
Speaker

Subject: Non-Voting Session, October 13, 2016

Pursuant to the authorization contained in the adjournment motion adopted Wednesday, September 28, 2016, permitting the Speaker to recall the House to session, this is to advise all Members that the House will reconvene at 11:00 a.m. on Thursday, October 13, 2016, for a non-voting session. The sole purpose for this non-voting session is to position bills on the voting schedule.

Members are, of course, not required to be present.

COMMUNICATION FROM OFFICE OF CONSUMER ADVOCATE

The SPEAKER pro tempore. The Chair acknowledges receipt of the Office of Consumer Advocate's Budget Request for Fiscal Year 2017-2018.

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

COMMUNICATION FROM DEPARTMENT OF ENVIRONMENTAL PROTECTION

The SPEAKER pro tempore. The Chair acknowledges receipt of the Industrial Land Recycling Fund Annual Report, Fiscal Year July 1, 2015 – June 30, 2016, from the Department of Environmental Protection.

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

COMMUNICATION FROM PHILADELPHIA PARKING AUTHORITY

The SPEAKER pro tempore. The Chair acknowledges receipt of the Authority's Fiscal Year 2016 Audit Report, from the Philadelphia Parking Authority.

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

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 1043 By Representatives ROAE, BLOOM, ENGLISH, MCGINNIS, TOEPEL, TRUITT, DIAMOND, KAUFFMAN, MILLARD, B. MILLER, KNOWLES, WARD, GROVE, PICKETT, SAYLOR, BAKER, RAPP, METCALFE, TOBASH, BARRAR, CUTLER, D. COSTA and PHILLIPS-HILL

A Resolution amending House Rule 47(a), further providing for status of members indicted or convicted of a crime.

Referred to Committee on RULES, October 3, 2016.

No. 1045 By Representatives COOK-ARTIS, KIRKLAND, KINSEY, SCHLOSSBERG, COHEN, SIMS, MAHONEY, YOUNGBLOOD, WHEATLEY, BULLOCK and THOMAS

A Resolution urging the Governor to establish a commission on the social inequalities and status of African-American men and boys in this Commonwealth.

Referred to Committee on JUDICIARY, October 6, 2016.

No. 1053 By Representatives GINGRICH, ROSS, HARPER, FREEMAN and M. DALEY

A Concurrent Resolution establishing a task force to implement recommendations related to the efficiency, transparency, modernization and fairness of the property assessment process in this Commonwealth.

Referred to Committee on LOCAL GOVERNMENT, October 4, 2016.

No. 1056 By Representatives TAYLOR, DRISCOLL, DAVIS, MILLARD, SAYLOR, COOK-ARTIS, O'BRIEN, D. COSTA, KINSEY, SCHLOSSBERG, HEFFLEY, YOUNGBLOOD, V. BROWN, GILLESPIE, VEREB, FARRY, HARHART, PHILLIPS-HILL, NEILSON, D. MILLER, SAINATO, McNEILL and WATSON

A Resolution encouraging the Department of Health to provide programs to firehouses in this Commonwealth that focus on bladder cancer education, prevention and early detection and to provide voluntary testing for each firefighter in this Commonwealth.

Referred to Committee on HEALTH, October 5, 2016.

No. 1060 By Representatives SANTARSIERO, DEAN, R. BROWN, BRIGGS, MULLERY, YOUNGBLOOD, DRISCOLL, CALTAGIRONE, BARRAR, DAVIS, LONGIETTI, KIRKLAND, DiGIROLAMO, BULLOCK, McGINNIS, SAVAGE, ROZZI, McCARTER, M. QUINN, McNEILL, SCHWEYER, SCHLOSSBERG, BIZZARRO, DERMODY, DeLISSIO, PASHINSKI and FREEMAN

A Resolution urging New Jersey Governor Chris Christie to reconsider the termination of the Reciprocal Personal Income Tax Agreement of 1977.

Referred to Committee on FINANCE, October 7, 2016.

HOUSE BILLS INTRODUCED AND REFERRED

No. 76 By Representatives COX, BARBIN, BARRAR, BLOOM, BOBACK, R. BROWN, CALTAGIRONE, CUTLER, DAVIS, DIAMOND, ELLIS, GALLOWAY, GIBBONS, GILLEN, GILLESPIE, GODSHALL, GOODMAN, GREINER, HAHN, A. HARRIS, HEFFLEY, HELM, HENNESSEY, HICKERNELL, PHILLIPS-HILL, JOZWIAK, KAUFER, KAUFFMAN, KNOWLES, LAWRENCE, MAHONEY, MALONEY, McNEILL, MENTZER, MICCARELLI, MULLERY, MURT, D. PARKER, QUIGLEY, RADER, REGAN, ROZZI, SACcone, SAYLOR, SIMMONS, STAATS, TALLMAN, TOBASH, TOEPEL, TOOHL, TRUITT, VEREB, ZIMMERMAN, MILLARD, KAVULICH, FEE, REED, CHRISTIANA and MOUL

An Act providing for tax levies and information related to taxes; authorizing the imposition of a personal income tax or an earned income tax by a school district subject to voter approval; providing for

imposition of and exclusions from a sales and use tax for the stabilization of education funding, for increase to the personal income tax, for certain licenses, for hotel occupancy tax, for procedure and administration of the tax, for expiration of authority to issue certain debt and for reporting by local government units of debt outstanding; establishing the Education Stabilization Fund; providing for disbursements from this fund; providing for senior citizen property tax rent rebate assistance; and making repeals.

Referred to Committee on FINANCE, October 6, 2016.

No. 2288 By Representatives KLUNK, V. BROWN, D. COSTA, GINGRICH, GROVE, HELM, PHILLIPS-HILL, JAMES, MARSICO, REGAN, SAYLOR, WATSON and ZIMMERMAN

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal police education and training, further providing for powers and duties of commission; establishing the Police Department Grant Program; and repealing provisions in Title 4 relating to transfers from State Gaming Fund.

Referred to Committee on JUDICIARY, October 13, 2016.

No. 2380 By Representatives GALLOWAY, THOMAS, KINSEY, SCHREIBER, BROWNLEE, SCHWEYER, ROZZI, COHEN, DAVIS, READSHAW, FARINA, ROSS and DONATUCCI

An Act providing for the Property Assessed Clean Energy Program; and authorizing municipalities and municipal authorities to provide clean energy financing to residential and commercial property owners.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 3, 2016.

No. 2381 By Representatives TURZAI, TOBASH, SAYLOR, REED, ADOLPH, CUTLER, MAJOR, ELLIS, OBERLANDER, WARD, GREINER, TRUITT, LAWRENCE, FEE, PHILLIPS-HILL, M. K. KELLER, WARNER, RAPP, STAATS, MILLARD, GODSHALL, KAUFFMAN, QUIGLEY, TOPPER, IRVIN, PICKETT, MALONEY, ZIMMERMAN, GOODMAN, D. PARKER, HELM, GILLEN, MARSHALL, PEIFER, GROVE and BENNINGHOFF

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

Referred to Committee on EDUCATION, September 29, 2016.

No. 2382 By Representatives JAMES, DAVIS, DRISCOLL, KINSEY, MILLARD, PICKETT and WARD

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in determination of compensation, appeals, reviews and procedure, further providing for determination of compensation appeals and for decision of referee and further appeals and reviews.

Referred to Committee on LABOR AND INDUSTRY, October 3, 2016.

No. 2383 By Representatives STEPHENS, SANTARSIERO, W. KELLER, GREINER, ROZZI, DEAN, FREEMAN, SCHLOSSBERG, WATSON, READSHAW, KAUFFMAN, O'BRIEN, GERGELY, JAMES, BURNS, FARRY, A. HARRIS, MILLARD, SAINATO, STAATS, GIBBONS, DEASY, MURT, D. COSTA, ELLIS, GROVE, SCHWEYER, DeLUCA, MILNE and BIZZARRO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, further providing for the offense of cruelty to animals and for live animals as prizes prohibited; and making editorial changes.

Referred to Committee on JUDICIARY, October 3, 2016.

No. 2384 By Representative THOMAS

An Act providing for parking for individuals with a handicap.

Referred to Committee on LOCAL GOVERNMENT, October 3, 2016.

No. 2385 By Representatives CRUZ, COOK-ARTIS, CALTAGIRONE, D. COSTA, STURLA and MILLARD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for application for driver's license or learner's permit.

Referred to Committee on TRANSPORTATION, October 3, 2016.

No. 2386 By Representative PICKETT

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in preliminary provisions, further providing for definitions.

Referred to Committee on LABOR AND INDUSTRY, October 3, 2016.

No. 2387 By Representatives ZIMMERMAN, MILLARD, SAYLOR, IRVIN, GREINER, FEE, CUTLER, MALONEY, RADER, HARHART, WARD, B. MILLER, PICKETT, CORBIN, ENGLISH, EVERETT, WATSON, M. K. KELLER, KAVULICH, BLOOM, GROVE, OBERLANDER, HELM and GILLEN

An Act providing for an erosion and sediment control permit, for compliance, for an annual report and for duties of the Department of Environmental Protection.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 3, 2016.

No. 2388 By Representatives NESBIT, MATZIE, GREINER, JAMES, LAWRENCE, BLOOM, MENTZER, WARD, ZIMMERMAN, RADER, FEE, KORTZ, WATSON, GABLER, GILLEN and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in grounds and buildings, providing for a prototypical school facility design clearinghouse.

Referred to Committee on EDUCATION, October 4, 2016.

No. 2389 By Representatives MATZIE, NESBIT, READSHAW, KORTZ, D. COSTA, DUNBAR, TOPPER, REESE, CONKLIN, W. KELLER, ROZZI, MCCLINTON, NEILSON and PETRI

An Act providing for availability of electronic textbooks at institutions of higher education.

Referred to Committee on EDUCATION, October 4, 2016.

No. 2390 By Representatives PHILLIPS-HILL, BARRAR, BOBACK, COX, DAVIS, GILLESPIE, JAMES, MILLARD, MULLERY, ORTITAY, RAPP, WARNER and GROVE

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in revenues, providing for revenue from expansion of gaming.

Referred to Committee on GAMING OVERSIGHT, October 4, 2016.

No. 2391 By Representatives MURT, D. COSTA, DRISCOLL, GIBBONS, HARKINS, ROZZI, SAVAGE and YOUNGBLOOD

An Act amending the act of June 28, 1935 (P.L.477, No.193), referred to as the Enforcement Officer Disability Benefits Law, further providing for disability benefits.

Referred to Committee on LABOR AND INDUSTRY, October 6, 2016.

No. 2392 By Representatives KLUNK, BAKER, CUTLER, DAVIS, GIBBONS, HARHAI, A. HARRIS, MILLARD, RADER and SAYLOR

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

Referred to Committee on JUDICIARY, October 5, 2016.

No. 2393 By Representatives TAYLOR, SAYLOR, W. KELLER, GODSHALL, D. COSTA, JOZWIAK and NEILSON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in governance of the system, further providing for establishment of fees and charges.

Referred to Committee on JUDICIARY, October 5, 2016.

No. 2394 By Representatives SNYDER, PICKETT, BULLOCK, BIZZARRO, WARD, GOODMAN and MALONEY

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in alternative form of regulation of telecommunications services, further providing for definitions and for network modernization plans.

Referred to Committee on CONSUMER AFFAIRS, October 5, 2016.

No. 2395 By Representatives DAVIS, DEAN, KINSEY, COOK-ARTIS, DRISCOLL, MAHONEY, SANTARSIERO, ROZZI, YOUNGBLOOD, PETRARCA, HENNESSEY, TOOHL, SCHWEYER and McNEILL

An Act amending the act of May 21, 1937 (P.L.774, No.211), referred to as the Pennsylvania Turnpike Commission Act, further providing for definitions; and providing for free or reduced tolls for active duty military personnel and veterans.

Referred to Committee on TRANSPORTATION, October 5, 2016.

No. 2396 By Representatives HANNA, DRISCOLL, DERMODY, MARKOSEK, FRANKEL, STURLA, YOUNGBLOOD, GOODMAN, ROZZI, D. MILLER, SCHLOSSBERG, FLYNN, SCHWEYER, M. DALEY, McNEILL, COHEN and SAVAGE

An Act establishing the Keystone Retirement Savings Program and the Keystone Retirement Savings Program Fund; providing for powers and duties of the Treasury Department and the Department of Revenue; and imposing civil penalties.

Referred to Committee on FINANCE, October 6, 2016.

No. 2397 By Representatives GILLESPIE, W. KELLER, BIZZARRO, WARD, REGAN, BOBACK, DRISCOLL, ROZZI, DAVIS, CORBIN, STURLA, O'BRIEN, BURNS, SAINATO, FARRY, MILLARD, A. HARRIS, LONGIETTI, BULLOCK, D. COSTA, HARHAI, MAHONEY, R. BROWN, GIBBONS, PHILLIPS-HILL, GILLEN, KAUFFMAN, MILNE and DEASY

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

Referred to Committee on JUDICIARY, October 7, 2016.

No. 2398 By Representatives ZIMMERMAN, BAKER, MILLARD, SAYLOR, GREINER, CUTLER, RADER, WARD, MILNE, PETRI, B. MILLER and D. COSTA

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act, in registration of charitable organizations, further providing for the audit of certain financial reports and for annual registration fees; in exemptions from registration, further providing for exemption of registration for certain charitable organizations; and, in short form registration, further providing for organizations required to file.

Referred to Committee on FINANCE, October 12, 2016.

No. 2399 By Representatives SIMMONS, SAYLOR, GIBBONS, D. COSTA, READSHAW, PHILLIPS-HILL and NEILSON

An Act providing for updated caller identification information.

Referred to Committee on CONSUMER AFFAIRS, October 12, 2016.

No. 2400 By Representative DeLUCA

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in long-term care, further providing for disclosure and performance standards for long-term care insurance.

Referred to Committee on INSURANCE, October 12, 2016.

No. 2401 By Representatives PAYNE, MARSHALL, READSHAW, NEILSON, PHILLIPS-HILL, BULLOCK, COOK-ARTIS, D. COSTA, COX, JAMES, KORTZ, MILNE, DEASY and WATSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for schedule of convictions and points; and, in rules of the road in general, further providing for meeting or overtaking school bus.

Referred to Committee on TRANSPORTATION, October 12, 2016.

SENATE BILLS FOR CONCURRENCE

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

SB 340, PN 2098

Referred to Committee on LOCAL GOVERNMENT, October 3, 2016.

SB 341, PN 475

Referred to Committee on LOCAL GOVERNMENT, October 3, 2016.

SB 344, PN 478

Referred to Committee on STATE GOVERNMENT, October 4, 2016.

SB 869, PN 2096

Referred to Committee on JUDICIARY, October 3, 2016.

SB 1048, PN 2079

Referred to Committee on STATE GOVERNMENT, October 3, 2016.

SB 1086, PN 1509

Referred to Committee on TRANSPORTATION, October 3, 2016.

SB 1212, PN 2058

Referred to Committee on EDUCATION, October 3, 2016.

SB 1235, PN 1894

Referred to Committee on CONSUMER AFFAIRS, October 3, 2016.

SB 1341, PN 2080

Referred to Committee on APPROPRIATIONS, October 3, 2016.

SB 1352, PN 2052

Referred to Committee on COMMERCE, October 3, 2016.

SB 1353, PN 2053

Referred to Committee on COMMERCE, October 3, 2016.

SB 1367, PN 2093

Referred to Committee on HEALTH, October 3, 2016.

SB 1368, PN 2094

Referred to Committee on HEALTH, October 3, 2016.

CALENDAR**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 267, PN 1590**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of Department of Labor and Industry, further providing for fair share fee and payroll deduction.

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

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 267 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 267 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 **HB 727, PN 1555**, entitled:

An Act amending Titles 24 (Education), 51 (Military Affairs) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in Title 24, in preliminary provisions, further providing for definitions and construction and providing for references; in retirement membership, contributions and benefits, further providing for mandatory and optional membership, for credited school service, for waiver of adjustments and for classes of service, for elections, for eligibility points, for eligibility for annuities, for eligibility for refunds, for pickup contributions, for member contributions, for contributions for purchase of credit, for annual compensation limit, for contributions by Commonwealth, for payments by employers, for actuarial cost method, for appropriations by Commonwealth, for return of accumulated deductions, for single life annuity, for disability annuities, for termination of annuities and payment of benefits; providing for school employees' defined contribution plan; in administrative and miscellaneous provisions, further providing for the Public School Employees' Retirement Board, for administrative duties of board, for health insurance, for advisory and reporting duties, for application and election duties, for duties of employers, for rights and duties of school employees and members, for management of fund and accounts, for Public School Employees' Retirement Fund, for State accumulation account, for annuity reserve account, for State guarantee, for taxation, for attachment and assignment of funds, for approval of domestic relations orders, for irrevocable survivor annuitant and for amendment of approved domestic relations orders; providing for irrevocable successor payee; further providing for fraud and adjustment of errors and for payments to school entities by Commonwealth; providing for payments to school entities by Commonwealth commencing with the 2015-2016 school year; in health insurance for retired school employees, further providing for definitions; in Title 51, in employment preferences and pensions, further providing for military leaves of absence; in Title 71, in retirement for State employees and officers, further providing for definitions, for preliminary provisions and for membership, credited service, classes of service, and eligibility benefits, providing for State Employees' Defined Contribution Plan, further providing for contributions, for benefits and for administration, funds and accounts; and making editorial changes.

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

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 727 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 727 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 82, PN 482**, entitled:

A Resolution honoring the life and contributions of John Patrick Stanton, humanitarian, activist and founder of the prolife movement in this Commonwealth, who died on January 31, 2014, at 86 years of age.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 82 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 pro tempore. The Chair recognizes the majority leader, who moves that HR 82 be removed from the tabled calendar and placed on the active calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The majority leader moves that the House now adjourn until Monday, October 17, 2016, at 1 p.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 11:06 a.m., e.d.t., the House adjourned.