

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

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SESSION OF 2017

201ST OF THE GENERAL ASSEMBLY

No. 14

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (MIKE TURZAI)
PRESIDING**

PRAYER

HON. MARGO L. DAVIDSON, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Let us pray:

Father God, we just thank You and praise You for Your goodness and for Your mercy, for Your loving-kindness and for Your tender compassion. Father God, we ask that You would look on us this day, and we thank You for waking us up this morning and starting us on our day. We thank You for every meeting and for every conversation that we held today.

Father, as we deliberate the bills, the measures, the amendments, and the business of the Commonwealth of Pennsylvania, Father God, we ask that You would guide us with Your wisdom, with Your strength, and most importantly, with Your compassion. Father God, as we look on each other today, help us not to see the divisions and the differences in our own thoughts, but help us to see the needs and the humanity of one another.

Father God, as we swear in a new member, God, I ask for Your peace on this House.

Father God, I also ask that as we go forth and consider the budget and the line items and the priorities of this Commonwealth, that we do so remembering that pure religion and undefiled is this, that we care for the widows and the fatherless and that we do no harm.

Father, we thank You for all these things and we ask You to continue to be with us throughout the day and through our travels home. In Your matchless name, 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 Tuesday, April 4, 2017, will be postponed until printed.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 144, PN 108

By Rep. O'NEILL

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.

FINANCE.

HB 674, PN 720

By Rep. O'NEILL

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in State lottery, providing for lottery winnings intercept.

FINANCE.

The SPEAKER. We are going to go to visitor recognitions.

Members, as you know, we will be doing the master roll at 11, but I am going to ask members who are present. We have a number of uncontested resolutions – we are going to be taking those votes after 11 – but if any of the members at this time would be willing to speak on their resolutions, you are welcome to do so, and that would include Representative Hickernell on HR 213, Representative Toohil on HR 209, Representative Davidson on HR 214, Representative McClinton on HR 206, Representative Krueger-Braneky on HR 145, Representative Murt on HR 165, and Representative Rapp on HR 203.

At this time, Representative Davidson, would you be available? No, not yet. Okay.

Representative McClinton? Representative Krueger-Braneky?

STATEMENT BY MS. McCLINTON

The SPEAKER. Representative McClinton is recognized to speak on HR 206.

Ms. McCLINTON. Thank you, Mr. Speaker, and thank you to all of my colleagues.

I am pleased to have the support for HR 206, which establishes April 7, 2017, as "World Health Day" right here in the Commonwealth of Pennsylvania.

The day marks the founding of the World Health Organization in 1948 and serves as a time to focus on health issues of importance in all of our communities. This year the national awareness campaign is focused on a common but often hidden problem: depression. The World Health Organization estimates that as of 2015, there were 300 million people living with depression, an 18-percent increase over the previous decade. Depression keeps people from living healthy, productive lives, and it raises the risk of substance abuse and other diseases like diabetes and heart disease. In the worst-case scenario, it can lead to suicide.

Depression can be effectively prevented and treated through therapy, through medication, or a combination of both, but the stigma that is associated with mental illness stops too many people from seeking the help that they need. The World Health Organization says that for someone struggling with depression, talking about it, whether with a friend, a family member, or a medical professional, is often the first step in getting help. So let us talk about it.

Recently in my district, I hosted mental health first aid training to help people learn the symptoms of depression and to teach them how to sensitively respond. In May we are going to be hosting the Black Brain Campaign to remove the stigma from our community of seeking mental health treatment. The more we do to help people understand depression, the more we do to encourage those living with it to seek the necessary treatment. Depression prevents too many people from being able to enjoy their lives, and we can do our part to make sure those suffering from it do not have to do so in silence.

I am grateful to each and every one of my colleagues for their support in raising awareness on this very important issue here in the Commonwealth of Pennsylvania.

Thank you, Mr. Speaker.

STATEMENT BY MS. KRUEGER

The SPEAKER. Representative Krueger-Braneky, I invite you up to the reader's rostrum. Representative Krueger-Braneky will be speaking on HR 145, and I would ask all members to please take your seats. We have some honored guests with respect to this resolution.

Ms. KRUEGER. Thank you, Mr. Speaker.

Joseph Campbell once said, "A hero is someone who has given his or her life to something bigger than oneself," and I am honored to be joined here on the House floor today by some individuals and leaders who embody these words – veterans and leaders of veterans organizations from across the Commonwealth who have answered the call to defend and serve so selflessly.

Mr. Speaker, I have some very distinguished guests with me here today. First, Thomas Brown, Pennsylvania State Commander for the VFW (Veterans of Foreign Wars) and his wife, Anna Brown; Carl Olshefskie, State Commander for the American Legion and a constituent of Representative Hanna; Harry Seth, a constituent of mine from Delaware County, who is the Brookhaven Commander for the American Legion Post 94; and finally, John Getz, Jr., the Pennsylvania State Adjutant/Quartermaster.

Mr. Speaker, these distinguished veterans and the spouse of a veteran have come to join me today as I introduce HR 145. The idea for this resolution came from my constituent, Comdr. Harry Seth, whom I have been grateful to collaborate with in my district. He came and asked what the House of Representatives was doing to recognize the 100th anniversary of America's entrance into World War I and the contributions of citizens and soldiers alike that proved indispensable to the Allied victory in 1918.

I chose to introduce this resolution today because too often we have a short memory about our American history and we forget those who gave their lives to protect our values and our democracy. In Delaware County right now, we are marking this occasion with Destination Delco, sharing poppy seeds across the county to encourage people to plant poppies and to never forget.

What started an ocean away in 1914 as European nations from Russia and Germany to France and Great Britain began declaring war against one another, it soon impacted our great nation despite our attempts to remain neutral. And exactly 100 years ago tomorrow, President Woodrow Wilson brought us into that war, on April 6, 1917, with some 14,000 American troops arriving in France just 3 months later. It was a war unlike any that we as a nation had ever known, with more than 2 million American troops joining Allied forces across the western European front. And while our soldiers, more than 53,000, died in combat, we must never forget their sacrifice, nor can we forget the sacrifices and contributions of those who remained at home. They planted extra crops and conserved heat to provide food and fuel to the war effort abroad. Women stepped up during this challenging time to support their families and ensure their survival.

Mr. Speaker, I am honored to share some words that were shared with me by the National Commander of the American Legion to mark this occasion, the anniversary of our entrance into World War I. His words were that as we pause to remember the courage, sacrifice, and heroism our World War I comrades exhibited, it is a poignant time to also remember their commitment to postwar service. Their commitment to their fellow veterans launched the American Legion.

Today we share common bonds with them, caring and supporting our fellow veterans, advocating for a strong national defense, demonstrating patriotism, and supporting youth in communities. It is a tribute to the World War I generation that their vision for the American Legion is still going strong and the Legion is still vital to today's veterans and service members because of the dedication of the Legionnaires who followed in their footsteps.

Now it is our watch. It is our time to carry the legacy forward. Mr. Speaker, as a member of this House of Representatives, it is my proud privilege to introduce HR 145 so that those who gave their lives to something bigger than themselves will be ensured a lasting legacy. Let us never forget the sacrifice of our veterans, both past and present.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Krueger-Braneky.

STATEMENT BY MS. RAPP

The SPEAKER. Representative Kathy Rapp.

Ms. RAPP. Thank you, Mr. Speaker.

When I originally introduced this resolution in March 2014 to raise awareness and condemn the worldwide persecution of Christians, many here were surprised to hear that any type of persecution was even taking place. According to Open Doors USA, a nonprofit organization that has been monitoring the worldwide persecution of Christians since the 1970s, currently Christians are persecuted in more than 65 countries. From verbal harassment to hostile feelings, attitudes, and actions, Christians in areas with severe religious restrictions pay a heavy price for their faith.

Each month 322 Christians are killed for their faith, 214 churches and Christian properties are destroyed – 772 forms of violence are committed against Christians. Beatings, physical torture, confinement, isolation, rape, severe punishment, imprisonment, slavery, discrimination in education and employment, and even death are just a few examples of the persecution that is experienced on a daily basis.

Today in 2017, I fully acknowledge that it is not Christians alone who are persecuted, but also Jews, Muslims, and people of all faiths.

As we approach the holiest week of all weeks for all Christians, I stand before you and the people of Pennsylvania to acknowledge and share what our Lord stated in Revelation 2:10: "Be faithful unto death, and I will give you the crown of life."

As we witness all around the globe the thousands being beheaded, crucified, or shot, to young women and girls sold into slavery and ripped away from their parents and loved ones, we must continue to always speak out and take action against this barbaric behavior wherever and whenever it occurs.

Thank you, Mr. Speaker.

The SPEAKER. Thank you very much.

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

HB 780, PN 1263 (Amended)

By Rep. ELLIS

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, in mortgage loan industry licensing and consumer protection, further providing for definitions, for license requirements, for exceptions to license requirements, for general requirements, for powers conferred on certain licensees engaged in the mortgage loan business, for mortgage loan business prohibitions, for application for license, for license fees and for licensee requirements and providing for the promulgation of regulations to effectively incorporate Federal regulations.

COMMERCE.

HB 1039, PN 1203

By Rep. ELLIS

An Act authorizing certain financial institutions to conduct savings promotion raffles; and providing for enforcement by the Department of Banking and Securities.

COMMERCE.

**BILL REPORTED AND REREFERRED TO
COMMITTEE ON URBAN AFFAIRS**

HB 584, PN 635

By Rep. ELLIS

An Act amending Titles 64 (Public Authorities and Quasi-Public Corporations) and 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, in Title 64, providing for community development authorities; and, in Title 72, providing for microenterprise assistance.

Reported from Committee on COMMERCE with request that it be rereferred to Committee on URBAN AFFAIRS.

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. At this time Representative Davidson is going to submit remarks for the record on HR 214.

Mrs. DAVIDSON submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.

In the spirit of inclusion, we come together today to honor the most diverse district in our Commonwealth, the 164th, with the introduction of HR 214, marking April 10 through April 21 as International Dining Days.

We as a legislative body understand the importance of recognizing the need for people of all walks of life to appreciate the rich tapestry that embodies our collective cultural family here in Pennsylvania. It is this tapestry of interwoven cultures, and of inclusion, that embodies the spirit of respectful collaboration among all nationalities, customs, and backgrounds. Inclusion is key to our continued progression toward creating and maintaining a peaceful world, a world where, regardless of our individual differences, we are able to engage in activities that foster understanding, build stronger relationships, and enable both communities and individuals to strive and come together so that stereotypes and prejudices can be shed.

And it is in the spirit of inclusion that we celebrate International Dining Days with the adoption of HR 214, so that we may come together to break bread among all nationalities, customs, and backgrounds – key to fostering a more tolerant and peaceful world.

Thank you, Mr. Speaker.

STATEMENT BY MS. TOOHL

The SPEAKER. Representative Toohil.

Members, please give your attention to Representative Tarah Toohil, who will be speaking on HR 209.

Ms. TOOHL. Thank you, Mr. Speaker.

Thank you for our colleagues' consideration of HR 209, which recognizes April as "National Donate Life Month" in Pennsylvania.

In the main rotunda outside of this hall, there is a small table promoting organ donation, which is run by the Gift of Life Program. Dwendy Johnson is with us up in the gallery. I do not know if she can wave at us. Dwendy? Hi, Dwendy. She works with the Gift of Life Program, and she herself is the daughter of a heart transplant recipient, successful for 19 years.

The Gift of Life Program since 1974 has worked to coordinate lifesaving and life-enhancing transplants for those waiting, while supporting the generous donors and their families who have chosen to give others a second chance through organ donation. Gift of Life is a nonprofit organization serving the eastern half of Pennsylvania, southern New Jersey, and Delaware. They are responsible for recovering and distributing organs and tissues used in lifesaving and life-enhancing transplants. In addition, Gift of Life coordinates life-enhancing tissue transplants for area residents who are in need of corneas for sight-restoring procedures, as well as skin, tissue, and bone to repair injuries.

The resolution today speaks to the more than 118,000 men, women, and children awaiting organ transplants. Another person is added to the national organ transplant waiting list every 10 minutes. A kidney from a living donor offers patients an alternative to years of painful dialysis and time spent on this national transplant waiting list.

A single tissue donor – just one single tissue donor – can help 75 people. We have, on average, 465 people in Pennsylvania that will die waiting for an organ transplant. One person on that waiting list of ours dies every 18 hours, and since the holidays, 112 people have died waiting for an organ transplant. So today we recognize the people in need on the outside, the people needing us to take action.

Once upon a time, my mother, Barbara, who is watching on PCN (Pennsylvania Cable Network), was one of these people that was on the kidney transplant wait list, and our family was there, just like those other families, scared and uncertain and anxious.

So today I want to thank my colleagues for their support of this resolution, which recognizes this problem and the needs of those on the waiting list, and I will be thanking you for your affirmative vote that we are asking for. Thank you so much.

The SPEAKER. Thank you, Representative Toohil.

STATEMENT BY MR. MURT

The SPEAKER. Representative Tom Murt is recognized to speak on HR 165.

Mr. MURT. Thank you, Mr. Speaker.

I would ask my colleague, Representative Steve Kinsey, to please join me.

The SPEAKER. Representative Kinsey, please accompany him, and you will be able to speak as well. Thank you.

Mr. MURT. Mr. Speaker, this year we reached a milestone in freedom. Seventy years ago this month, Major League Baseball took a historic strike against inequality—

The SPEAKER. This is an important resolution. Members, please take your seats. Members, please take your seats.

I would appreciate if we could give Representative Murt and Representative Kinsey our attention.

Thank you very much. If everybody could please take your seats. If there are any conversations, and I understand, they will need to take place outside of the chamber. We do have a swearing-in ceremony today as well, so I would ask everybody to please take their seats.

And Representative Murt, you may proceed, sir.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, 70 years ago this month, Major League Baseball took a historic strike against inequality when Brooklyn Dodgers president Branch Rickey approached a young athlete originally from Cairo, Georgia, about joining the Brooklyn Dodgers. He was no ordinary player. At UCLA (University of California, Los Angeles) this young man became the first athlete to win varsity letters in four sports: baseball, basketball, football, and track and field. In 1941 he was named to the All-American Football Team. It would not be the last time that Jackie Robinson would make history.

Mr. Speaker, the major leagues had not had an African-American player since the league started in 1889. When Jackie Robinson first donned a Brooklyn Dodgers uniform, he pioneered the integration of professional athletics in America. By shattering the segregation in Major League Baseball, the nation's preeminent sport and the nation's national pastime, he courageously challenged the deeply rooted custom of racial segregation in both the North and the South.

The major leagues and their affiliated minor leagues were racially segregated for more than half a century, from 1889 until Jackie Robinson broke the color line, first in the minor leagues in 1946 and in the major leagues in 1947. In pioneering the integration of baseball, Robinson became the target of its institutionalized racism and of White individuals who supported and had benefited from the segregated culture. In accepting this challenge, Jackie Robinson agreed to Dodgers president and general manager Branch Rickey's request that he not respond to racist taunts of opponents and fans. Many people do not realize that Jackie Robinson was intentionally targeted by opposing pitchers and actually led the league in being hit by pitch in 1947, his rookie year. Sadly, some of the most vitriolic treatment Jackie Robinson received as a ballplayer was in Philadelphia.

By the season's end, Jackie Robinson had become a hero to millions of Americans from all racial and ethnic backgrounds due to how he responded to this intense public trial by fire with dignity, strength, and respect, and also because of how he played the game of baseball, combining speed, power, and a genuine love of the game. In reality, Jackie Robinson was a strong-willed, highly intelligent man of deeply held convictions who rarely missed an opportunity to speak out against prejudice and injustice of any kind, and who worked tirelessly for equality and opportunity for all.

Robinson led the Dodgers to the National League pennant and a World Series appearance in his rookie year. After Robinson broke the color barrier in baseball, the other sports soon followed. The color barrier also started to break in more than just sports. There were more job opportunities, voting rights, places in local government, and eventually, Federal government.

Mr. Speaker, may I ask for some order in the House, please?

The SPEAKER. Members, if you could please take your seats. Members, please take your seats.

Representative Murt, you may proceed, sir.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, all over the country people began to accept African-Americans doing all things in life. Jackie Robinson proved that what could be done in baseball could be done everywhere.

To the nation, Jackie Robinson represented the fulfillment of the American dream. He showed that anyone could succeed if given the opportunity. Robinson's victory also opened the door of opportunity for all Latino ballplayers. While the major leagues allowed lighter-skinned Hispanic players to join teams, those with darker skin were exiled to the so-called Negro Leagues. Jackie Robinson is a monument to freedom and achievement.

Jackie Robinson was a very educated and well-spoken man and reminded Americans of our destiny when he said, and I quote, "In our struggle for civil rights we must not be motivated by color but by our love of God and our love of freedom...."

In addition to his contributions to professional sports, Mr. Speaker, Jackie Robinson was also a veteran of the U.S. Army and was a commissioned officer during World War II. His son, Jackie Robinson, Jr., was a decorated combat veteran of the Vietnam war.

I want to thank my colleagues for their consideration of HR 165. Thank you, Mr. Speaker.

STATEMENT BY MR. KINSEY

The SPEAKER. Representative Kinsey.

Mr. KINSEY. Thank you, Mr. Speaker.

I want to thank the good gentleman from Montgomery County for introducing this resolution. I also want to thank him for recognizing such an extraordinary athlete and recognizing such an extraordinary man, Jack Roosevelt Robinson.

And even though my good friend talked about the accomplishments and hardships that Jackie Robinson endured when he broke the color barrier and became the first Black athlete to play Major League Baseball in the 20th century, I also want to stress the importance and the impact he had on Blacks at a time when this country still looked down on a man simply due to the color of his skin. You see, Mr. Speaker, not only did Jackie Robinson distinguish himself as a talented baseball player, he was also a vocal civil rights activist. From 1942 to 1944, Robinson served as a second lieutenant in the United States Army; however, he never saw combat. During boot camp at Fort Hood in Texas, Robinson was arrested and court-martialed in 1944 for refusing to give up his seat and move to the back of a segregated bus. The NAACP (National Association for the Advancement of Colored People) and various Black newspapers shed public light on this injustice, and he was ultimately acquitted of the charges and received an honorable discharge. His courage and moral objective to segregation spoke volumes to the character of the man he was.

Robinson also became a vocal champion for African-American athletes, civil rights, and other social and political causes. In 1949 he testified about discrimination before the House Un-American Activities Committee. In 1952 he publicly called out the Yankees as a racist organization for not having broken the color barrier 5 years after he began playing with the Dodgers.

After baseball, Robinson became active in business and continued to work as an activist for social change. He worked as an executive for the Chock full o'Nuts coffee company and restaurant chain, and helped establish the African-American-owned and -controlled Freedom Bank. He served on the board

of the NAACP until 1967, and was the first African-American to be inducted into the Baseball Hall of Fame in 1962. In 1972 the Dodgers retired his uniform No. 42. In later years Robinson continued to lobby for greater integration in sports. He died from heart problems and diabetes complications on October 24, 1972, in Stamford, Connecticut.

So, Mr. Speaker, I, too, like Representative Murt, want to just thank this body for indulging and recognizing the importance of the late, great Jackie Robinson. Thank you, Mr. Speaker.

GUESTS INTRODUCED

The SPEAKER. Located to the left of the rostrum, the Chair is honored to welcome, as guests of Representative Adam Harris and Representative Paul Costa, Miguel Fraga, the First Secretary of the Cuban Embassy. Please rise. He is with former House member, Mike Diven, who, as you know, represented the 22d District from 2001 to 2006 – although, Mike, it seems like yesterday. Great to have you here. Mr. Fraga has been assigned to the Cuban Embassy in Washington, DC. Over the past year and a half, he has traveled extensively across the country to meet with students and other citizens about the history of Cuba. As you know about Mike Diven, our former colleague recently led a delegation of Pittsburgh boxers to Cuba for a competition, and everyone came away with a much greater appreciation of our country and their country and its citizens. Thank you very much for being with us today.

Located to the left of the rostrum, we welcome Jeff and Ashley Fox. They are guests of Representative Marcia Hahn. It is so good to have you here today to see democracy in action. Thank you.

Amy Marcalle – am I saying that correctly? – Amy Marcalle, please stand. She is a graduate of Hazleton Area High School and is an intern with Representative Tarah Toohil. Thank you so much for being with us today. Please stand. We are glad to have you.

Emma Mohler is a junior at Lancaster County Christian School, and she is the guest of Representative Brett Miller. Please give her a warm welcome. Great to have you.

Now, members, please take your seats, because this is a very special group here. Our chairman, Bob Godshall, has some special guests. With us today is his granddaughter, Maggie Friedrich, and students from LOGAN Hope School in Philadelphia. The school is a Christian-centered kindergarten through eighth grade school located in the Logan section of Philadelphia. Would Maggie and her friends please stand up. We are so glad to have you with us today. Now, Maggie, we are so pleased that you have everybody here, but, Maggie, can you raise your hand and wave at us. Maggie, great to have you. Thank you so much for being with us today and for bringing them here today.

Members, as you may know, Representative Dave Hickernell, Chairman Hickernell has HR 213, and that will be part of our uncontested House resolutions. As part of that resolution, we have the 2017 Boys and Girls Clubs of Pennsylvania "Youth of the Year" award winners, and they are with us today.

I just have to have all the members please take their seats so that we can introduce our guests, and if we could close the

doors of the House real briefly. Members, if you could take your seats. I know they are taking some photos there with respect to the grade school.

I hope that I am going to say all the names correctly, but these outstanding young men and women are award winners with the 2017 Boys and Girls Clubs of Pennsylvania "Youth of the Year" awards. Christian Nonirit from the Allentown club, please stand up; Genesis Velazquez of the Bethlehem club – and just remain standing; thank you – Marcus Watts of the Chester club; Lavonte Douse of the Easton club; Zaria Carter of the Harrisburg club; Nathaniel Housseal of the Lancaster club; Mone'e Patrick of the Philadelphia club; Ionie Banner of the Western Pennsylvania club; Logan Stafford with the Caring People Alliance; Gregory Gilrain of the North Penn Valley club; Julian Smith of the Berks County club; and this young lady I believe is the statewide winner, and if we could give her a loud round of applause, Brianna Gerner from the Sarah Heinz House in Pittsburgh. What an outstanding group of young people. Thank you so much for joining us today.

LEAVES OF ABSENCE

The SPEAKER. We are going to turn to leaves of absence now.

The majority whip requests leaves of absence for Representative Kate KLUNK of York County for the day, Representative Dan MOUL of Adams County for the day, and Representative Mark MUSTIO of Allegheny County for the day. Without objection, those will be granted.

And then the minority whip requests leaves of absence for Flo FABRIZIO of Erie County for the day, Representative Tim BRIGGS of Montgomery County for the day, and Representative Rob MATZIE of Beaver County for the day. Without objection, those will be granted.

MASTER ROLL CALL

The SPEAKER. We will now proceed to vote on the master roll. The Chair is about to take that roll. Members will proceed to vote.

The following roll call was recorded:

PRESENT—193

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

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

ADDITIONS—0

NOT VOTING—1

Vazquez

EXCUSED—9

Briggs	Klunk	Moul	Sankey
Christiana	Matzie	Mustio	Watson
Fabrizio			

LEAVES ADDED—10

Barbin	Ellis	Hennessey	Stephens
DeLissio	Evans	Maher	Thomas
DiGirolamo	Hanna		

LEAVES CANCELED—5

Briggs	DiGirolamo	Hanna	Stephens
DeLissio			

The SPEAKER. One hundred and ninety-three members being present, we have a quorum.

I know we are going to have our guests in the back now. They will probably be departing the chamber, so I would ask the Sergeants at Arms if any of the guests need to leave at this time, because we are going to move into our swearing-in of Representative-elect Vazquez.

Members, please take your seats.

I am just going to say this with respect to our guests: We are going to ask you to stay throughout the swearing-in ceremony if you are not going to be leaving at this time. If you are going to be here, you are welcome to be here, but if not, I would ask you to depart at this time because we are not going to have anybody leave during the ceremony. So if you are going to be departing, now would be the time, and I do apologize.

LEAVE OF ABSENCE

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

I would ask everybody who is ready to depart, please, at this time we need you outside, off the floor of the chamber, please.

And I ask the Sergeants at Arms to please close the doors of the House and all members to please take their seats. All members, please take your seats.

If there are any additional guests from the Vazquez family or friends, please come up front. We have some seats. Just please come straight up front. If you are here with Representative-elect Vazquez, please just come up front. We have seats for you.

LEAVES OF ABSENCE

The SPEAKER. Representative Todd STEPHENS and Representative Gene DiGIROLAMO have requested to be placed on leave. Without objection, that will be granted.

SPECIAL ORDER OF BUSINESS

SWEARING-IN OF NEW MEMBER

The SPEAKER. Members, the House will now take up a special order of business, the swearing-in of Representative-elect Emilio Vazquez of the 197th Legislative District.

ELECTION RETURNS PRESENTED

The SPEAKER. The Speaker recognizes the Sergeant at Arms of the House. Sir, you may proceed.

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

The SPEAKER. Thank you, sir.

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

Ms. SCHNEIDER. Mr. Speaker, I have the privilege and honor of presenting the returns and the certification of campaign expense compliance for the special election held March 21, 2017, in the 197th Legislative District.

The SPEAKER. The Speaker thanks the Deputy Secretary for Elections and Administration, Marian Schneider.

The clerk will now read the 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 one hundred and ninety-seventh Legislative District, as the same have been certified to and filed with my office by the Philadelphia County Board of Elections.

Emilio Vazquez, 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 third day of April in the year of our Lord two thousand seventeen and of the Commonwealth the two hundred forty-first.

Pedro A. Cortés
Secretary of the Commonwealth

* * *

OFFICIAL

LIST OF CANDIDATES

SPECIAL ELECTION
REPRESENTATIVE IN THE GENERAL ASSEMBLY
197th Legislative District
March 21, 2017

REPUBLICAN

Lucinda Little 339 E. Loudon St. Philadelphia, PA 19120	201 Votes
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Write-Ins

Emilio Vazquez 3643 North Percy Street Philadelphia, PA 19140	1,972 Votes
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Cheri Honkala 2114 N. Hancock St. Apt 2F Philadelphia, PA 19122	286 Votes
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Scattered	235 Votes
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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 197th District in the Special Election held March 21, 2017, Emilio Vazquez, 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 third day of April, 2017.

Pedro A. Cortés
Secretary of the Commonwealth

OATH OF OFFICE ADMINISTERED

The SPEAKER. The Speaker requests that our member-elect come forward to the well of the House and please bring your Bible, and any family member may join him at this time, which is just wonderful. Thank you so much.

Now, the oath of office required by Article VI, section 3, of the Constitution of Pennsylvania will now be administered by a good friend of this chamber, a great friend of this chamber, the Honorable Susan E. Schwab, Chief United States Magistrate Judge for the Middle District of Pennsylvania. Judge Schwab.

JUDGE SCHWAB. Thank you, Mr. Speaker.

And welcome, Representative-elect Vazquez.

Can you please place your left hand on the Bible – very good – and raise your right hand and repeat after me: I, Emilio Vazquez, do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

(Member asserted oath.)

JUDGE SCHWAB. Congratulations.

REMARKS BY SPEAKER

The SPEAKER. Congratulations to the newest member of the House of Representatives.

On behalf of the members of the House of Representatives, it is our pleasure to welcome Representative Emilio Vazquez to this distinctive body, and he has of course taken his seat. We wish you great success as you represent the good people of the 197th Legislative District.

GUESTS INTRODUCED

The SPEAKER. I now have the pleasure of welcoming to the hall of the House some of Representative Vazquez's special guests. Would you please stand as you are introduced. Bernarda Santiago is Representative Vazquez's mother. Would you please stand again for us, and thank you so much for being here. As you may have seen, she was the gracious lady holding the Bible when the Representative was sworn in. I also believe, and I hope that I am correct on this, that the Representative's sons are here. Emilio III – and is this Emilio III? Please stand, sir. And who is with you? Oh, great. It is so great to have a young one here. We love it. Thank you very, very much. And another son who I am not sure could make it, but Elbin. Is Elbin Vazquez able to be here? But there is another son. The other family and friend members, if you could please stand. Thank you for joining us today. Please stand. We want to welcome you here.

REMARKS BY DEMOCRATIC LEADER

The SPEAKER. Now, at this time I have the honor of calling on the Democratic leader, Representative Frank Dermody, of Allegheny County for some remarks.

Mr. DERMODY. Thank you, Mr. Speaker.

And Judge Schwab, I cannot see you, but it is great to see you again, and thank you for being here today. I appreciate that.

Leader Reed and family members of our new colleague, welcome to the House of Representatives.

Swearing-in day is always a special day, whether it is for 1 or 203, and today we get to welcome Emilio Vazquez to our ranks.

As we celebrate the occasion with Emilio, we are also happy to know that the people of the 197th District will once again have full representation in Harrisburg.

Emilio Vazquez is well known in north Philadelphia as a true public servant and civic leader, and I have no doubt he is going to make his mark in a good way in Harrisburg.

His legislative priorities include bringing jobs and economic development to his district, improving public safety, and working to make sure every child in the Commonwealth of Pennsylvania has an opportunity for a quality education. I only recently got to know Emilio, and I can tell you that he has a way of making sure that his constituents and their priorities will not be overlooked, forgotten, or neglected.

Representative, we welcome you. We welcome your enthusiasm, your energy, and your ideas. We share your desire to help make Pennsylvania a better place for all of its people.

And I want to especially welcome Emilio's family and friends and supporters that are with us here today. You are the people who helped him get here, and we are glad you could share this day with us and with him today.

And just as it is for every member of this House, the support and encouragement that you will give Emilio over this term will be critical in his future and will be critical for his future reelections, so thank you for your help and thank you for making it possible for him to serve his district.

The job that Emilio Vazquez now has is a tough one, and he has ahead of him some very important decisions to make for the future of Pennsylvania. Emilio, this job requires your full-time attention, and I know you will give your every effort to make that happen. I have all the faith in the world that you will help move the Commonwealth of Pennsylvania forward while also gaining a real sense of personal accomplishment in your work.

As you get to know all of your colleagues, and you will, and they get to know you, I think you will discover that you have many things in common. Each of us cares about our constituents, each of us cares about our district, and we care about our State.

You are beginning your service really at a very exciting time. The budget process has begun, and you will have the opportunity to make some very important decisions about the future of Pennsylvania.

So once again, I wish you good luck, and welcome. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Leader Dermody.

Members, that concludes our ceremony.

And to the family and friends of Representative Vazquez, I am sure you are going to be celebrating some here today. I will be here to join you shortly. We are going to take a few photos

and then we will go right into our work with the session, but we will take some photos right now. So thank you so much for joining us.

Members, I am going to let the family and friends please go ahead and get together, but we are going to turn to the uncontested calendar on the schedule.

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

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. LONGIETTI called up **HR 121, PN 777**, entitled:

A Resolution designating April 5, 2017, as "National Walking Day" in Pennsylvania.

* * *

Ms. McCLINTON called up **HR 206, PN 1244**, entitled:

A Resolution recognizing April 7, 2017, as "World Health Day" in Pennsylvania.

* * *

Mr. IRVIN called up **HR 208, PN 1246**, entitled:

A Resolution recognizing the week of April 9 through 15, 2017, as "National Public Safety Telecommunicators Week" in Pennsylvania.

* * *

Ms. TOOHL called up **HR 209, PN 1247**, entitled:

A Resolution recognizing the month of April 2017 as "National Donate Life Month" in Pennsylvania.

* * *

Mr. BAKER called up **HR 212, PN 1250**, entitled:

A Resolution recognizing April 16, 2017, as "World Voice Day" in Pennsylvania.

* * *

Mr. HICKERNELL called up **HR 213, PN 1251**, entitled:

A Resolution designating April 5, 2017, as "Boys and Girls Clubs Youth of the Year Day" in Pennsylvania in recognition of the role Boys and Girls Clubs of America has played in the nation and in this Commonwealth.

* * *

Mrs. DAVIDSON called up **HR 214, PN 1252**, entitled:

A Resolution recognizing April 10 through 21, 2017, as "Eat for Peace Days" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Briggs	Ellis	Matzie	Sankey
Christiana	Fabrizio	Moul	Stephens
DiGirolamo	Klunk	Mustio	Watson

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

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Ms. KRUEGER called up **HR 145, PN 907**, entitled:

A Resolution recognizing the 100th anniversary of the United States of America's entrance into World War I and the contributions of citizens and soldiers alike that proved indispensable to the Allied victory in 1918.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Briggs	Ellis	Matzie	Sankey
Christiana	Fabrizio	Moul	Stephens
DiGirolamo	Klunk	Mustio	Watson

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

* * *

Mr. MURT called up **HR 165, PN 1009**, entitled:

A Resolution recognizing April 15, 2017, as a day to honor the lifetime achievements and lasting influence of Jackie Robinson in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

Dunbar	Kirkland	Quinn, M.	
Dush	Knowles	Rabb	Turzai,
Emrick	Kortz	Rader	Speaker
English			

NAYS—0

NOT VOTING—0

EXCUSED—12

Briggs	Ellis	Matzie	Sankey
Christiana	Fabrizio	Moul	Stephens
DiGirolamo	Klunk	Mustio	Watson

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

* * *

Ms. RAPP called up **HR 203, PN 1212**, entitled:

A Resolution condemning the global persecution of Christians and calling on world leaders to implement policies that protect the religious liberty of Christians and all other faiths within their borders.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

Baker	Evankovich	Krueger	Rapp
Barbin	Evans	Kulik	Ravenstahl
Barrar	Everett	Lawrence	Readshaw
Benninghoff	Farry	Lewis	Reed
Bernstine	Fee	Longietti	Reese
Bizzarro	Fitzgerald	Mackenzie	Roe
Bloom	Flynn	Madden	Roe
Boback	Frankel	Maher	Roebuck
Boyle	Freeman	Mako	Rothman
Bradford	Fritz	Maloney	Rozzi
Brown, R.	Gabler	Markosek	Ryan
Brown, V.	Gainey	Marshall	Saccone
Bullock	Galloway	Marsico	Sainato
Burns	Gergely	Masser	Samuelson
Caltagirone	Gillen	McCarter	Santora
Carroll	Gillespie	McClinton	Saylor
Causar	Godshall	McGinnis	Schemel
Cephas	Goodman	McNeill	Schlossberg
Charlton	Greiner	Mehaffie	Schweyer
Comitta	Grove	Mentzer	Simmons
Conklin	Haggerty	Metcalfe	Sims
Cook	Hahn	Metzgar	Snyder
Corbin	Hanna	Miccarelli	Solomon
Corr	Harkins	Millard	Sonney
Costa, D.	Harper	Miller, B.	Staats
Costa, P.	Harris, A.	Miller, D.	Sturla
Cox	Harris, J.	Milne	Tallman
Cruz	Heffley	Mullery	Taylor
Culver	Helm	Murt	Thomas
Cutler	Hennessey	Neilson	Tobash
Daley	Hickernell	Nelson	Toepel
Davidson	Hill	Nesbit	Toohil
Davis	Irvin	Neuman	Topper
Dawkins	James	O'Brien	Vazquez
Day	Jozwiak	O'Neill	Vitali

Dean	Kampf	Oberlander	Walsh
Deasy	Kaufert	Ortitay	Ward
DeLissio	Kauffman	Pashinski	Warner
DeLozier	Kavulich	Peifer	Warren
DeLuca	Keefer	Petrarca	Wentling
Dermody	Keller, F.	Petri	Wheatley
Diamond	Keller, M.K.	Pickett	Wheeland
Donatucci	Keller, W.	Pyle	White
Dowling	Kim	Quigley	Youngblood
Driscoll	Kinsey	Quinn, C.	Zimmerman
Dunbar	Kirkland	Quinn, M.	
Dush	Knowles	Rabb	Turzai,
Emrick	Kortz	Rader	Speaker
English			

NAYS—0

NOT VOTING—0

EXCUSED—12

Briggs	Ellis	Matzie	Sankey
Christiana	Fabrizio	Moul	Stephens
DiGirolamo	Klunk	Mustio	Watson

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Representative Stan Saylor, the majority Appropriations chair, for a committee announcement.

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

The SPEAKER. Thank you, sir.

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

REPUBLICAN CAUCUS

The SPEAKER. The majority caucus chair is recognized for an announcement.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus at 12 o'clock. We would be prepared to return to the floor at 12:30.

The SPEAKER. Thank you.

DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 12 o'clock. Democrats will caucus at 12 o'clock.

RECESS

The SPEAKER. Members, we will be back on the floor at 12:30; 12:30 promptly.

RECESS EXTENDED

The time of recess was extended until 12:45 p.m.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 16, PN 1056 By Rep. SAYLOR

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, providing for payment of taxes; and further providing for notices of taxes.

APPROPRIATIONS.

HB 46, PN 1033 By Rep. SAYLOR

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, providing for contributions for pediatric cancer research.

APPROPRIATIONS.

HB 235, PN 1055 By Rep. SAYLOR

An Act establishing a task force on the opioid abuse epidemic's impact on children and providing for powers and duties of the task force.

APPROPRIATIONS.

HB 266, PN 1261 By Rep. SAYLOR

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; and, in adoption and enforcement by municipalities, further providing for administration and enforcement.

APPROPRIATIONS.

HB 360, PN 378 By Rep. SAYLOR

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in employees, further providing for commission members.

APPROPRIATIONS.

HB 397, PN 409 By Rep. SAYLOR

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for eligibility for license.

APPROPRIATIONS.

HB 422, PN 1058 By Rep. SAYLOR

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, in election of officers and vacancies in office, further providing for electors only eligible and for vacancies in general.

APPROPRIATIONS.

HB 423, PN 439 By Rep. SAYLOR

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

APPROPRIATIONS.

HB 582, PN 618 By Rep. SAYLOR

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, providing for a volunteer instructor license.

APPROPRIATIONS.

HB 675, PN 721 By Rep. SAYLOR

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in fishing licenses, further providing for exemptions from license requirements.

APPROPRIATIONS.

HB 741, PN 1262 By Rep. SAYLOR

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in minors, further providing for sentencing and penalties for trafficking drugs to minors and for drug-free school zones; in other offenses, further providing for drug trafficking sentencing and penalties; and, in sentencing, further providing for sentences for offenses committed with firearms, for sentences for certain drug offenses committed with firearms, for sentences for offenses committed on public transportation, for sentences for offenses against elderly persons, for sentences for offenses against infant persons, for sentence for failure to comply with registration of sexual offenders and for sentences for offenses committed while impersonating a law enforcement officer.

APPROPRIATIONS.

LEAVES OF ABSENCE

The SPEAKER. Representatives HANNA, EVANS, THOMAS, and DeLISSIO have all requested to be placed on leave of absence for the remainder of the day. Without objection, those will be granted.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 381, PN 384**, entitled:

An Act amending the act of February 13, 1970 (P.L.19, No.10), entitled "An act enabling certain minors to consent to medical, dental and health services, declaring consent unnecessary under certain circumstances," further providing for mental health treatment.

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

* * *

The House proceeded to second consideration of **SB 250, PN 630**, entitled:

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 administration of act, providing for unemployment compensation service centers; and, in contributions by employers and employees, further providing for contributions by employees and for Service and Infrastructure Improvement Fund.

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 93, PN 603**, entitled:

An Act designating a portion of State Route 93 from the boundary line between Berwick Borough and Briar Creek Borough, Columbia County, to the boundary line between Orangeville Borough and Orange Township, Columbia County, as the Stuart Tank Memorial Highway.

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 199, PN 1054**, entitled:

An Act designating the portion of State Route 3078 and State Route 3090 in York County from the intersection with State Route 116 to the intersection with State Route 3042 as the Private First Class Donald R. Gise Memorial Road.

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 269, PN 228**, entitled:

An Act amending the act of November 4, 2016 (P.L.1196, No.159), entitled "An act designating a portion of State Route 663 in Montgomery County as the Army Specialist Ray Ira Haas Memorial Highway; designating the portion of State Route 100 from Hereford Township at the Lehigh County line through Washington Township in Berks County as the First Lieutenant William R. Gendebien Memorial Highway; designating a portion of State Route 2026, also known as Blair Mill Road, in Montgomery County as the Private First Class Paul T. Wright Memorial Highway; designating a bridge on a portion of Sheep Bridge Road over I-83, Newberry Township, York County, as the Staff Sgt. Jason M. Faley Memorial Bridge; designating a bridge on that portion of State Route 879 over Trout Run in Goshen Township, Clearfield County, as the Private David Kyle McCracken Memorial Bridge; designating a portion of State Route 2034 in Montgomery County as the Cpl. Carl F. Hynek III Memorial Highway; designating a portion of State Route 145 in Salisbury Township, Lehigh County, as the Cpl. Joshua B. Smith Memorial Highway; designating a bridge on that portion of U.S. Route 15 over State Route 114, Upper Allen Township, Cumberland County, as the Cpl. Jonathan Dean Faircloth Memorial Bridge; designating a portion of Byberry Road between Warminster Road and Orangemen's Road in Montgomery County as the Major Jeffrey Toczylowski Memorial Highway; designating a portion of State Route 1010 in Berks County as the DeLight

Breidegam, Jr., Memorial Highway; designating a portion of State Route 51 in Fayette County as the Officer Richard Champion Memorial Highway; designating a bridge on that portion of State Route 741 over the Conestoga River, between Pequea Township and Lancaster Township, Lancaster County, as the Cpl. Eric M. Torbert, Jr., Memorial Bridge; designating the interchange of State Route 43, the Mon-Fayette Expressway, with Rubles Mill Road, known as Exit 4, Fayette County, as the Master Sgt. Arthur L. Lilley Memorial Interchange; designating a bridge on that portion of State Route 770 over the Tunungwant Creek, Bradford Township, McKean County, as the Master Sgt. Thomas Maholic Memorial Bridge; designating a bridge to be constructed on that portion of State Route 6 over Dingman Run, Coudersport Borough, Potter County, as the PFC George Pesock Memorial Bridge; designating a bridge on that portion of State Route 872 over Bailey Run in Wharton Township, Potter County, as the Sgt. Paul M. Brown Memorial Bridge; designating a certain interchange in New Stanton Borough, Westmoreland County, as the E. Jeffrey Wentzel Memorial Interchange; designating a portion of State Route 220 in Lycoming and Sullivan Counties as the Lieutenant Commander John J. Peterman Memorial Highway; designating a portion of State Route 220 in Lycoming County as the Thomas A. Paternostro Memorial Highway; designating a bridge on that portion of State Route 1027 in Polk Township, Jefferson County, as the Polk Township Veterans Memorial Bridge; and making related repeals," amending the title of the act; and further providing for Cpl. Carl F. Hynek III Memorial Highway.

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 283, PN 269**, entitled:

An Act amending the act of June 17, 2016 (P.L.342, No.46), entitled "An act designating: A portion of State Routes 108 and 551 in Lawrence County as the Battery B Memorial Highway. A bridge on that portion of State Route 403 over the Two Lick Creek, Borough of Clymer, Indiana County, as the Sergeant James Robert Pantall Memorial Bridge. A bridge on that portion of State Route 580 over the Susquehanna River, Cherry Tree Borough, Indiana County, as the Airman Second Class Gerald Emmett Johnson Memorial Bridge. A bridge on State Route 2014 over the Muncy Creek in Muncy Creek Township, Lycoming County, as the Private Walter L. Smith Spanish-American War Memorial Bridge. A portion of State Route 2044 in Lycoming County as the Lance Corporal William F. Merrill Vietnam Veterans Highway. The bridge on State Route 225 that crosses the Armstrong Creek in Halifax Township, Dauphin County, as the Staff Sergeant Brian K. Mowery Memorial Bridge. A bridge on that portion of State Route 1026, Section 004 over the Cocalico Creek, Denver Borough, and West Cocalico Township, Lancaster County, as the Samuel L. Snyder Memorial Bridge. An overpass on State Route 49 over State Route 15, Lawrence Township, Tioga County, as the Lance Corporal Michael G. Plank Memorial Bridge. A portion of Blair Mill Road in Montgomery County as the PVT William H. Walls, U.S.M.C. Memorial Highway. The overpass on State Route 3145 over Interstate 376, BMS 02-3145-0010-0537, in the Market District at Settlers Ridge, Robinson Township, Allegheny County, as the Roy F. Johns, Jr., Overpass. A portion of State Route 51 North in the Borough of Coraopolis, Allegheny County, as the Fred A. Trello Memorial Boulevard. A certain interchange in New Stanton Borough, Westmoreland County, as the Edwin "Lance" Wentzel Memorial Interchange. The bridge carrying State Route 2005 (Business Route 222) over the Schuylkill River, Riverfront Drive and Norfolk Southern Railroad in the City of Reading, Berks County, commonly referred to as the Bingaman Street Bridge, as the 65th U.S. Infantry Regiment, Borinqueneers Memorial Bridge. A bridge on that portion of State Route 36 over the Chest Creek, Patton Borough, Cambria County, as the Martin Joseph Davis Memorial Bridge. A portion of State Route 1008 in Fayetteville, Franklin County, as the James W. Cutchall Memorial Highway. A bridge on that portion of U.S. Route 15 over State Route 114, Mechanicsburg Borough, Cumberland County, as the Corporal Jonathan Dean Faircloth Memorial Bridge. The bridge on that

portion of Township Route 431/436, Cooney Road, over U.S. Route 22 in Munster Township, Cambria County, as the PFC Thomas A. Cooney Memorial Bridge. The bridge on Tower Road spanning U.S. Route 219 in Croyle Township, Cambria County, as the Trooper Herbert A. Wirfel Memorial Bridge. A bridge on that portion of Greenwood Avenue over the SEPTA tracks in Cheltenham Township and Jenkintown Borough, Montgomery County, as the Honorable Lawrence H. Curry Bridge. A bridge on that portion of State Route 144 over the Bald Eagle Creek, Milesburg Borough, Centre County, as the Veterans Bridge. An interchange on Pennsylvania Turnpike Route 66 in Westmoreland County as the David B. Sheridan Memorial Interchange. 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," further providing for Lance Corporal Michael G. Plank Memorial Bridge.

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 303, PN 303**, entitled:

An Act designating a bridge on that portion of State Route 1005, known as Church View Road, Segment 0180, Offset 0000, over Beaver Creek, South Woodbury Township, Bedford County, as the PFC/POW William G. Koontz Memorial Bridge.

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 580, PN 616**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for antique, classic and collectible plates.

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

LEAVE OF ABSENCE CANCELED

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

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 409, PN 1235**, entitled:

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 and for Uniform Construction Code Review and Advisory Council and providing for review of updated sections and adoption of updated sections into Uniform Construction Code; in Uniform Construction Code, further providing for revised or successor codes; in adoption and enforcement by municipalities, further providing for administration and enforcement; in training and certification of inspectors, further providing for education and training programs; and, in exemptions,

applicability and penalties, further providing for applicability to certain buildings.

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

Mr. **HEFFLEY** offered the following amendment No. **A00678**:

Amend Bill, page 23, line 13, by striking out "Sections 304, 703 and 902(c) of the act are" and inserting

Section 304 of the act is

Amend Bill, page 25, by inserting between lines 15 and 16 Section 5. Section 501(b)(1), (2) and (3) of the act are amended and the section is amended by adding a subsection to read: Section 501. Administration and enforcement.

* * *

(b) Municipal administration and enforcement.—This act may be administered and enforced by municipalities in any of the following ways:

(1) By the designation of an employee to serve as the municipal code official to act on behalf of the municipality for administration and enforcement of this act. A municipal code official may utilize third-party agencies to supplement the municipal code enforcement program's plan review and inspection services or may utilize third-party agencies to perform plan review and inspection services in categories which its program does not possess the necessary personnel to administer.

(2) By the retention of one or more [construction code officials or] third-party agencies to act on behalf of the municipality for administration and enforcement of this act[.], except that the provisions of subsection (b.1) shall apply if the municipality contracts with only one third-party agency for administration and enforcement.

(3) Two or more municipalities may provide for the joint administration and enforcement of this act through an intermunicipal agreement under 53 Pa.C.S. Ch. 23 Subch. A (relating to intergovernmental cooperation)[.], except that the provisions of subsection (b.1) shall apply if the agreement provides for only one third-party agency for administration and enforcement.

* * *

(b.1) Exclusive administration and enforcement.—The following apply:

(1) If a municipality contracts with one third-party agency for administration and enforcement of this act, an applicant may utilize the services of another third-party agency if the alternative third-party agency agrees to remit a surcharge for its services to the municipality. The surcharge shall be a percentage of the total amount of fees charged by the alternative third-party agency. The percentage shall be established by the municipality by ordinance as a percentage not to exceed 10%. If the municipality fails to establish a surcharge as specified under this paragraph, the surcharge shall be 1% of the total fees charged by the alternative third-party agency for the alternative third-party agency's services on a project.

(2) In accordance with the municipality's overall permitting process for a project, the municipality shall notify the applicant that the applicant may utilize the services of an alternative third-party agency of the applicant's choice for the construction requirements of the application covered by this act, including all plan review and inspection services.

(3) The applicant shall notify the municipality and its contracted third-party agency of its intent to utilize an alternative third-party agency for the construction requirements required by this act for a project. The applicant shall provide, in its notification, the name of the alternative third-party agency that will be utilized and appropriate contact information.

(4) Before performing services on a project, the alternative third-party agency being utilized by the applicant shall notify the municipality and its contracted third-party agency that it is performing services required by this act on the project for the applicant. On the date of issuance of the permit required by this act, the alternative third-party agency shall provide the municipality and its exclusive third-party agency with a copy of the permit issued for the project and the approved plans of record for the project.

(5) The applicant shall utilize the services of the alternative third-party agency for all requirements of this act associated with a project.

(6) On the date of issuance of the final inspection report for a project, the alternative third-party agency shall forward the following to the municipality and the municipality's third-party agency:

(i) The final inspection report that was issued for the project.

(ii) A summary of total fees charged to the applicant.

(iii) Payment of the surcharge assessed under paragraph (1).

(iv) The fee required under section 703(a).

(v) Any additional documentation associated with the project that is requested by the municipality.

(7) The municipality or its contracted third-party agency, whichever is applicable, shall accept the final inspection report with respect to the requirements of this act. The contracted third-party agency shall be immune from any civil liability associated with contents of the final inspection report.

(8) The municipality or its contracted third-party agency may withhold issuance of the certificate of occupancy for a project if the alternative third-party agency fails to comply with paragraph (6).

(9) The municipality may notify the department of a possible violation of this act if an alternative third-party agency fails to comply with paragraph (6). Upon receiving notice by the municipality, the department shall conduct an investigation. The department may consider an intentional failure to comply with paragraph (6) as just cause for decertification of the alternative third-party agency under section 701(h).

(10) A professional services contract between a municipality and a third-party agency for the exclusive administration and enforcement of this act in effect before the effective date of this subsection shall remain in effect and the provisions of this subsection shall apply upon the expiration of the original terms of the professional services contract.

* * *

Section 6. Sections 703 and 902(c) of the act are amended to read:

Amend Bill, page 27, by inserting after line 30

Section 7. The department may issue regulations to establish or clarify procedures necessary to effectuate the intent of the amendment or addition of section 501(b)(1), (2) and (3) and (b.1) of the act.

Amend Bill, page 28, line 1, by striking out "5" and inserting 8

Amend Bill, page 28, line 2, by inserting after "amendment" or addition

Amend Bill, page 28, line 2, by striking out "section" and inserting

sections 501(b)(1), (2) and (3) and (b.1) and

On the question,

Will the House agree to the amendment?

BILL PASSED OVER TEMPORARILY

The SPEAKER. Representative Heffley, on the amendment.

Okay. We may be going over the bill for the day. We may be going over the bill for the day.

* * *

The House proceeded to second consideration of **HB 45, PN 1051**, entitled:

An Act providing for the use of investigational drugs, biological products and medical devices by terminally ill patients.

On the question,

Will the House agree to the bill on second consideration?

Mr. **GODSHALL** offered the following amendment No. **A00694**:

Amend Bill, page 1, line 2, by inserting after "and" medical

Amend Bill, page 1, line 12, by inserting after "and" medical

Amend Bill, page 1, line 12, by inserting after "States" by the Federal Food and Drug Administration

Amend Bill, page 2, line 3, by inserting after "or" medical

Amend Bill, page 2, lines 3 and 4, by striking out "United States" and inserting

Federal

Amend Bill, page 2, line 8, by inserting after "and" medical

Amend Bill, page 2, line 10, by inserting after "and" medical

Amend Bill, page 2, line 12, by striking out "health care provider" and inserting treating physician

Amend Bill, page 2, line 15, by inserting after "or" medical

Amend Bill, page 2, by inserting between lines 17 and 18

(6) The Federal Food and Drug Administration recently, in June 2016, implemented a more streamlined process for individual patient access to investigational drugs and biological products through its Individual Patient Expanded Access Program – Form FDA 3926, which may be useful in some situations.

Amend Bill, page 2, line 20, by inserting after "and" medical

Amend Bill, page 2, line 28, by striking out "health care provider" and inserting

physician

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

Federal

Amend Bill, page 3, line 8, by striking out "health care provider" and inserting

physician

Amend Bill, page 3, line 9, by inserting after "or" medical

Amend Bill, page 3, line 11, by inserting after "or" medical

Amend Bill, page 3, line 17, by striking out "health care provider" and inserting

physician

Amend Bill, page 3, line 21, by striking out "hospital or"

Amend Bill, page 3, line 22, by inserting after "facility"

, as defined in section 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act,
 Amend Bill, page 3, line 22, by inserting after "or"
 a
 Amend Bill, page 3, line 24, by striking out " AS" and inserting
 , including, but not limited to, as
 Amend Bill, page 3, line 24, by inserting after "physician,"
 a
 Amend Bill, page 3, line 27, by inserting after "OR"
 a
 Amend Bill, page 3, line 30, by inserting after "or"
 medical
 Amend Bill, page 4, line 1, by inserting after "or"
 medical
 Amend Bill, page 4, line 3, by striking out "United States" and
 inserting
 Federal
 Amend Bill, page 4, line 5, by striking out "United States" and
 inserting
 Federal
 Amend Bill, page 4, by inserting between lines 6 and 7
 "Physician." As defined in section 2 of the act of December 20,
 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985.
 Amend Bill, page 4, line 12, by striking out "health care
 provider" and inserting
 physician
 Amend Bill, page 4, line 18, by striking out "health care
 provider" and inserting
 physician
 Amend Bill, page 4, line 22, by inserting after "or"
 medical
 Amend Bill, page 4, line 25, by inserting after "or"
 medical
 Amend Bill, page 4, lines 29 and 30, by striking out "health care
 provider's" and inserting
 treating physician's
 Amend Bill, page 5, line 4, by inserting after "or" where it occurs
 the first time
 medical
 Amend Bill, page 5, line 6, by inserting after "or"
 medical
 Amend Bill, page 5, line 16, by inserting after "or"
 medical
 Amend Bill, page 5, line 19, by inserting after "or"
 medical
 Amend Bill, page 5, line 23, by inserting after "or"
 medical
 Amend Bill, page 5, line 24, by inserting after "or"
 medical
 Amend Bill, page 5, line 28, by inserting after "or"
 medical
 Amend Bill, page 6, line 2, by inserting after "or"
 medical
 Amend Bill, page 6, line 6, by inserting after "or"
 medical
 Amend Bill, page 6, line 12, by inserting after "or"
 medical
 Amend Bill, page 6, line 18, by striking out all of said line and
 inserting
 may not revoke, suspend or otherwise take any action against:
 (1) an
 Amend Bill, page 6, line 22, by inserting after "or"
 medical
 Amend Bill, page 6, line 24, by striking out the period after
 "care" and inserting
 ; or
 (2) any other licensee of the Commonwealth solely for
 participating in the use of an investigational drug, biological

product or medical device in good faith and in accordance with
 the provisions of this act.
 Amend Bill, page 6, line 28, by inserting after "or" where it
 occurs the first time
 medical
 Amend Bill, page 6, line 30, by inserting after "or"
 medical
 Amend Bill, page 7, line 2, by inserting after "or"
 medical

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

The SPEAKER. Representative Godshall, on the
 amendment, please, on amendment 694.

Mr. GODSHALL. Thank you, Mr. Speaker.

This is an agreed-to amendment, and I would ask for a
 favorable vote. Thank you.

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

(Members proceeded to vote.)

LEAVES OF ABSENCE CANCELED

The SPEAKER. Representative Briggs is on the House floor
 and should be placed on the master roll. Representative
 DeLissio is on the House floor. She should be placed on the
 master roll.

CONSIDERATION OF HB 45 CONTINUED

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

The following roll call was recorded:

YEAS—190

Baker	Dush	Kortz	Rader
Barbin	Emrick	Krueger	Rapp
Barrar	English	Kulik	Ravenstahl
Benninghoff	Evankovich	Lawrence	Readshaw
Bernstine	Everett	Lewis	Reed
Bizzarro	Farry	Longietti	Reese
Bloom	Fee	Mackenzie	Roae
Boback	Fitzgerald	Madden	Roe
Boyle	Flynn	Maher	Roebuck
Bradford	Frankel	Mako	Rothman
Briggs	Freeman	Maloney	Rozzi
Brown, R.	Fritz	Markosek	Ryan
Brown, V.	Gabler	Marshall	Saccone
Bullock	Gainey	Marsico	Sainato
Burns	Galloway	Masser	Samuelson
Caltagirone	Gergely	McCarter	Santora
Carroll	Gillen	McClinton	Saylor
Causer	Gillespie	McGinnis	Schemel
Cephas	Godshall	McNeill	Schlossberg
Charlton	Goodman	Mehaffie	Schweyer
Comitta	Greiner	Mentzer	Simmons
Conklin	Grove	Metcalfe	Sims
Cook	Haggerty	Metzgar	Snyder
Corbin	Hahn	Miccarelli	Solomon
Corr	Harkins	Millard	Sonney
Costa, D.	Harper	Miller, B.	Staats
Costa, P.	Harris, A.	Miller, D.	Sturla

Cox	Harris, J.	Milne	Tallman
Cruz	Heffley	Mullery	Taylor
Culver	Helm	Murt	Tobash
Cutler	Hennessey	Neilson	Toepel
Daley	Hickernell	Nelson	Toohil
Davidson	Hill	Nesbit	Topper
Davis	Irvin	Neuman	Vazquez
Dawkins	James	O'Brien	Vitali
Day	Jozwiak	O'Neill	Walsh
Dean	Kampf	Oberlander	Ward
Deasy	Kaufer	Ortitay	Warner
DeLissio	Kauffman	Pashinski	Warren
Delozier	Kavulich	Peifer	Wentling
DeLuca	Keefer	Petrarca	Wheatley
Dermody	Keller, F.	Petri	Wheeland
Diamond	Keller, M.K.	Pickett	White
DiGirolamo	Keller, W.	Pyle	Youngblood
Donatucci	Kim	Quigley	Zimmerman
Dowling	Kinsey	Quinn, C.	
Driscoll	Kirkland	Quinn, M.	Turzai,
Dunbar	Knowles	Rabb	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-13

Christiana	Hanna	Moul	Stephens
Ellis	Klunk	Mustio	Thomas
Evans	Matzie	Sankey	Watson
Fabrizio			

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?

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

CONSIDERATION OF HB 409 CONTINUED

CONSIDERATION OF AMENDMENT A00678 CONTINUED

On the question recurring,

Will the House agree to the bill on second consideration?

The clerk read the following amendment No. **A00678**:

Amend Bill, page 23, line 13, by striking out "Sections 304, 703 and 902(c) of the act are" and inserting

Section 304 of the act is

Amend Bill, page 25, by inserting between lines 15 and 16

Section 5. Section 501(b)(1), (2) and (3) of the act are amended and the section is amended by adding a subsection to read: Section 501. Administration and enforcement.

* * *

(b) Municipal administration and enforcement.—This act may be administered and enforced by municipalities in any of the following ways:

(1) By the designation of an employee to serve as the municipal code official to act on behalf of the municipality for

administration and enforcement of this act. A municipal code official may utilize third-party agencies to supplement the municipal code enforcement program's plan review and inspection services or may utilize third-party agencies to perform plan review and inspection services in categories which its program does not possess the necessary personnel to administer.

(2) By the retention of one or more [construction code officials or] third-party agencies to act on behalf of the municipality for administration and enforcement of this act[.], except that the provisions of subsection (b.1) shall apply if the municipality contracts with only one third-party agency for administration and enforcement.

(3) Two or more municipalities may provide for the joint administration and enforcement of this act through an intermunicipal agreement under 53 Pa.C.S. Ch. 23 Subch. A (relating to intergovernmental cooperation)[.], except that the provisions of subsection (b.1) shall apply if the agreement provides for only one third-party agency for administration and enforcement.

* * *

(b.1) Exclusive administration and enforcement.—The following apply:

(1) If a municipality contracts with one third-party agency for administration and enforcement of this act, an applicant may utilize the services of another third-party agency if the alternative third-party agency agrees to remit a surcharge for its services to the municipality. The surcharge shall be a percentage of the total amount of fees charged by the alternative third-party agency. The percentage shall be established by the municipality by ordinance as a percentage not to exceed 10%. If the municipality fails to establish a surcharge as specified under this paragraph, the surcharge shall be 1% of the total fees charged by the alternative third-party agency for the alternative third-party agency's services on a project.

(2) In accordance with the municipality's overall permitting process for a project, the municipality shall notify the applicant that the applicant may utilize the services of an alternative third-party agency of the applicant's choice for the construction requirements of the application covered by this act, including all plan review and inspection services.

(3) The applicant shall notify the municipality and its contracted third-party agency of its intent to utilize an alternative third-party agency for the construction requirements required by this act for a project. The applicant shall provide, in its notification, the name of the alternative third-party agency that will be utilized and appropriate contact information.

(4) Before performing services on a project, the alternative third-party agency being utilized by the applicant shall notify the municipality and its contracted third-party agency that it is performing services required by this act on the project for the applicant. On the date of issuance of the permit required by this act, the alternative third-party agency shall provide the municipality and its exclusive third-party agency with a copy of the permit issued for the project and the approved plans of record for the project.

(5) The applicant shall utilize the services of the alternative third-party agency for all requirements of this act associated with a project.

(6) On the date of issuance of the final inspection report for a project, the alternative third-party agency shall forward the following to the municipality and the municipality's third-party agency:

(i) The final inspection report that was issued for the project.

(ii) A summary of total fees charged to the applicant.

(iii) Payment of the surcharge assessed under paragraph (1).

(iv) The fee required under section 703(a).

(v) Any additional documentation associated with the project that is requested by the municipality.

(7) The municipality or its contracted third-party agency, whichever is applicable, shall accept the final inspection report with respect to the requirements of this act. The contracted third-party agency shall be immune from any civil liability associated with contents of the final inspection report.

(8) The municipality or its contracted third-party agency may withhold issuance of the certificate of occupancy for a project if the alternative third-party agency fails to comply with paragraph (6).

(9) The municipality may notify the department of a possible violation of this act if an alternative third-party agency fails to comply with paragraph (6). Upon receiving notice by the municipality, the department shall conduct an investigation. The department may consider an intentional failure to comply with paragraph (6) as just cause for decertification of the alternative third-party agency under section 701(h).

(10) A professional services contract between a municipality and a third-party agency for the exclusive administration and enforcement of this act in effect before the effective date of this subsection shall remain in effect and the provisions of this subsection shall apply upon the expiration of the original terms of the professional services contract.

* * *

Section 6. Sections 703 and 902(c) of the act are amended to read:

Amend Bill, page 27, by inserting after line 30

Section 7. The department may issue regulations to establish or clarify procedures necessary to effectuate the intent of the amendment or addition of section 501(b)(1), (2) and (3) and (b.1) of the act.

Amend Bill, page 28, line 1, by striking out "5" and inserting 8

Amend Bill, page 28, line 2, by inserting after "amendment" or addition

Amend Bill, page 28, line 2, by striking out "section" and inserting

sections 501(b)(1), (2) and (3) and (b.1) and

On the question recurring,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. On the amendment, Representative Doyle Heffley.

Representative Heffley, will you take the mike?

Representative Heffley, amendment 678.

Mr. HEFFLEY. Thank you, Mr. Speaker.

This is a very passionate issue in my district. I have a number of property owners and homeowners who continue to fall victim of the monopoly of the third-party inspection practices and the services that they provide in the State.

However, after consultation with other members, I am going to pull this amendment at this time with the hope that we can get some action to provide relief to the individual homeowners and small business owners that are really being taken advantage of from what has become a very corrupt system. Thank you, sir.

The SPEAKER. Thank you, Representative Heffley.

Representative Heffley withdraws amendment 678.

On the question recurring,

Will the House agree to the bill on second consideration?

The SPEAKER. Representative John Maher has filed amendment 695. That amendment has been withdrawn. It is a late-filed amendment. That amendment is withdrawn.

Seeing no other amendments— Are there any other amendments on HB 409, PN 1235? Any other amendments?

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

LEAVE OF ABSENCE CANCELED

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

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 235, PN 1055**, entitled:

An Act establishing a task force on the opioid abuse epidemic's impact on children and providing for powers and duties of the task force.

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

Baker	Emrick	Krueger	Rapp
Barbin	English	Kulik	Ravenstahl
Barrar	Evankovich	Lawrence	Readshaw
Benninghoff	Everett	Lewis	Reed
Bernstine	Farry	Longietti	Reese
Bizzarro	Fee	Mackenzie	Roae
Bloom	Fitzgerald	Madden	Roe
Boback	Flynn	Maher	Roebuck
Boyle	Frankel	Mako	Rothman
Bradford	Freeman	Maloney	Rozzi
Briggs	Fritz	Markosek	Ryan
Brown, R.	Gabler	Marshall	Saccione
Brown, V.	Gainey	Marsico	Sainato
Bullock	Galloway	Masser	Samuelson
Burns	Gergely	McCarter	Santora
Caltagirone	Gillen	McClintone	Saylor
Carroll	Gillespie	McGinnis	Schemel
Causar	Godshall	McNeill	Schlossberg
Cephas	Goodman	Mehaffie	Schweyer

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Christiana	Fabrizio	Matzie	Sankey
Ellis	Hanna	Moul	Thomas
Evens	Klunk	Mustio	Watson

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 46, PN 1033**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, providing for contributions for pediatric cancer research.

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 Caltagirone is recognized on the bill.
Mr. CALTAGIRONE. Thank you, Mr. Speaker.
I want to thank the chairmen of the two committees and the members of the House. This had been voted on in the last session unanimously; hopefully we will get enough time to get it through the Senate.

It is the children's pediatric cancer research on the checkoff on the State income tax. Thank you, Mr. Speaker.
The SPEAKER. Thank you, sir.

On the question recurring,
Shall the bill pass finally?
The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Christiana	Fabrizio	Matzie	Sankey
Ellis	Hanna	Moul	Thomas
Evans	Klunk	Mustio	Watson

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 397, PN 409**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for eligibility for license.

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, are you rising to speak on this bill?
Mr. VITALI. I am.

BILL PASSED OVER TEMPORARILY

The SPEAKER. Okay.

We are going to go over the bill then at this time. I will be back to it. I am going to try to get through the bills that everybody is in agreement on. So we will be back to that bill. We will be back to it.

* * *

The House proceeded to third consideration of **HB 582, PN 618**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, providing for a volunteer instructor license.

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

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Christiana	Fabrizio	Matzie	Sankey
Ellis	Hanna	Moul	Thomas
Evans	Klunk	Mustio	Watson

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 675, PN 721**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in fishing licenses, further providing for exemptions from license requirements.

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

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

DiGirolamo	Kim	Quigley	Youngblood
Donatucci	Kinsey	Quinn, C.	Zimmerman
Dowling	Kirkland	Quinn, M.	
Driscoll	Knowles	Rabb	Turzai,
Dunbar	Kortz	Rader	Speaker
Dush			

NAYS—0

NOT VOTING—0

EXCUSED—12

Christiana	Fabrizio	Matzie	Sankey
Ellis	Hanna	Moul	Thomas
Evans	Klunk	Mustio	Watson

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 16, PN 1056**, entitled:

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, providing for payment of taxes; and further providing for notices of taxes.

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 Mackenzie is recognized.
Mr. MACKENZIE. Thank you, Mr. Speaker.

I would just like to clarify on HB 16 the difference between this legislation and what we considered last session in HB 160, which also passed the legislature.

This legislation before us prohibits tax collectors from having accounts and sending out notice of tax collections being made payable in just their individual name only. The previous legislation that we considered last session, HB 160, prohibited the name from being included anywhere in the account. This, again, only prohibits checks from being made payable in the individual's name only. So only checks being made payable to John Doe or something like that would be prohibited in this case.

This is a compromise that we worked on with the statewide Tax Collectors' Association, a slimmed-down version of HB 160. But I do want to thank the Local Government Committee chair for her tireless efforts in getting this out of committee and back to the House so that we can consider it again and hopefully find a resolution with the legislation getting passed through the Senate and to the Governor finally this legislative session.

As we know, there have been lots of problems with corruption and taxes being deferred to individuals' accounts, and hopefully this will go a long way to solving the problem.

So I do want to thank you, Mr. Speaker, for calling this up today and just wanted to provide that clarification on this legislation as opposed to what we considered last session. Thank you.

The SPEAKER. Thank you.

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—191

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Christiana	Fabrizio	Matzie	Sankey
Ellis	Hanna	Moul	Thomas
Evans	Klunk	Mustio	Watson

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 360, PN 378**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in employees, further providing for commission members.

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

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

Davidson	Irvin	Neuman	Topper
Davis	James	O'Brien	Vazquez
Dawkins	Jozwiak	O'Neill	Vitali
Day	Kampf	Oberlander	Walsh
Dean	Kaufner	Ortitay	Ward
Deasy	Kauffman	Pashinski	Warner
DeLissio	Kavulich	Peifer	Warren
Delozier	Keefer	Petrarca	Wentling
DeLuca	Keller, F.	Petri	Wheatley
Dermody	Keller, M.K.	Pickett	Wheeland
Diamond	Keller, W.	Pyle	White
DiGirolamo	Kim	Quigley	Youngblood
Donatucci	Kinsey	Quinn, C.	Zimmerman
Dowling	Kirkland	Quinn, M.	
Driscoll	Knowles	Rabb	Turzai,
Dunbar	Kortz	Rader	Speaker
Dush			

NAYS-0

NOT VOTING-0

EXCUSED-12

Christiana	Fabrizio	Matzie	Sankey
Ellis	Hanna	Moul	Thomas
Evans	Klunk	Mustio	Watson

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 422, PN 1058**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, in election of officers and vacancies in office, further providing for electors only eligible and for vacancies in general.

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?

On the question, the gentleman, Representative Gabler.
Mr. GABLER. Thank you, Mr. Speaker.

This bill will update the vacancy procedures for the First Class Township Code. It has the full support of the Pennsylvania State Association of Township Commissioners. I ask for an affirmative vote. Thank you very much.

The SPEAKER. Thank you, sir.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS-191

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

NAYS-0

NOT VOTING-0

EXCUSED-12

Christiana	Fabrizio	Matzie	Sankey
Ellis	Hanna	Moul	Thomas
Evans	Klunk	Mustio	Watson

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 423, PN 439**, entitled:

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

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 Matt Gabler is recognized on the bill.

Mr. **GABLER**. Thank you, Mr. Speaker.

Same as the prior bill. This is for the Second Class Township Code and has the full support of PSATS (Pennsylvania State Association of Township Supervisors). Thank you very much. I ask for an affirmative vote.

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

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—191

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

Dean	Kaufert	Ortitay	Ward
Deasy	Kauffman	Pashinski	Warner
DeLissio	Kavulich	Peifer	Warren
DeLozier	Keefer	Petrarca	Wentling
DeLuca	Keller, F.	Petri	Wheatley
Dermody	Keller, M.K.	Pickett	Wheeland
Diamond	Keller, W.	Pyle	White
DiGirolamo	Kim	Quigley	Youngblood
Donatucci	Kinsey	Quinn, C.	Zimmerman
Dowling	Kirkland	Quinn, M.	
Driscoll	Knowles	Rabb	Turzai,
Dunbar	Kortz	Rader	Speaker
Dush			

NAYS—0

NOT VOTING—0

EXCUSED—12

Christiana	Fabrizio	Matzie	Sankey
Ellis	Hanna	Moul	Thomas
Evans	Klunk	Mustio	Watson

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 **SPEAKER**. Members, we have three bills left on the calendar for today. Two of them are going to require a motion to proceed.

CONSIDERATION OF HB 397 CONTINUED

The **SPEAKER**. So the Chair is going to call up at this time **HB 397, PN 409**, page 2 of today's supplemental A House calendar. That is called up by Representative Maloney.

On the question recurring,
Shall the bill pass finally?

The **SPEAKER**. The Chair calls upon Representative Greg Vitali, on the bill.

Mr. **VITALI**. Thank you, Mr. Speaker.

I have some concerns with this bill because what it does is it takes away from local public school districts the ability to decide what nonpublic school activities should and should not be conducted on their facilities, and I think this is a local question. I think specifically what this bill does is requires hunting classes in public school facilities even if a school district would object to it.

And I think, and I think that— I have no objections to hunting classes being conducted in school facilities. I think that is a fine thing. I think that is a positive thing. I have no objections at all to that happening. But the problem is, we have 503 different school districts. We have many, many different hunting communities of different characters that are located near these school districts.

And although in the overwhelming majority of cases it might be entirely appropriate for hunting classes to be conducted in that school, there may be circumstances where a school district just decides we do not want to do it at this time. I do not know

why that would be. It may be a case of vandalism in the past. It may be a concern that when adult men are there after school with young children there could be some security issues. There could be, you know, an incident of an estranged father coming in contact with his child. I do not— I do not— There could be a previous theft issue. I do not know.

But the reality is that the people who have elected all of us have also elected school board members, and they elected those school board members to make decisions about what should and should not happen in those facilities. And they, under the principle of local control, they are closer in place, those school board directors and the superintendent they hire are closer in time and place than we are right now to make a decision as to whether that exception should happen, whether for a current semester, no, we just do not want to do it this time.

I understand that, according to the language of the bill, it would only occur as an afterschool or weekend function, but young kids are in the school facilities after school for extracurriculars and so forth and they are there during weekends for sporting activities.

So while I fully support the general concept of having hunting classes in schools and hope that the overwhelming majority of schools and hunting groups can come to a consensus on this, in the end, it is just about local control and who should make the decision finally about the use of school facilities, and I think it should be the school board that has been elected by the people. So they are my concerns with this bill.

The SPEAKER. Representative Marc Gergely and then Representative Dave Maloney. Actually, I am going to leave the maker of the bill to last. So I have Jeff Pyle and Marc Gergely. Marc Gergely will go first.

Representative Marc Gergely, please.

Mr. GERGELY. Thank you, Mr. Speaker.

I want to thank the maker of the bill and make very obvious to the members of this House that this is a very bipartisan issue, it is a very simplistic issue, and if you live in suburban or urban areas, this is a needed issue. The Game Commission is obviously going to work with the school districts to attain the facilities. They are going to cooperate with them. And if you live in Allegheny County and you do not have access to get education for hunter safety courses, this is a great means to accomplish that.

The rhetoric of this being dangerous in the school districts is insane. This bill should be supported by 100 percent of this House, and I want to thank and ask for support of the bill.

Thank you, Mr. Speaker.

The SPEAKER. Representative Jeff Pyle.

Mr. PYLE. Sorry, Mr. Speaker, a little trouble with the microphone back there.

The SPEAKER. No problem, sir.

Mr. PYLE. Mr. Speaker, the gentleman from Allegheny pretty much just surmised everything I was going to bring up. The 88 members of the Second Amendment Caucus proudly support this bill and commend the maker from Berks on his foresight. As the gentleman from Allegheny said, to stress enhanced safety in our woods and fields is something to be encouraged, and I would hope for a positive vote.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bill Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

I rise in support of this bill and I want to thank the good gentleman for bringing this to the House floor. Mr. Speaker, this is about a hunter safety course. It is going to be done in facilities in areas where they do not have access to a place where they can teach the kids the importance of safety when they are in the woods and how to conduct themselves. This is an excellent piece of legislation. It is going to occur when school is dismissed or on the weekends. We have to provide that opportunity, and I would ask for 100-percent support.

And thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Kortz.

Representative Dave Maloney.

Mr. MALONEY. Thank you, Mr. Speaker.

I truly appreciate both sides of the aisle and my colleagues' support in this. This really is truly availability for our youth who mostly do not have that opportunity.

And for some of the concerns that were spoken about prior – he certainly knows where I stand with background checks of those individuals who would be around our children, and all those things are taken into effect and done – there are no firearms in these courses and classes, and that is all taken care of.

So this is about availability to kids who probably and do not today have the opportunity. Pretty much it is in full support by everybody or neutral. So even our School Boards Association, to answer the concern, is neutral on this, and I have spoken with them and they have been fine with moving forward with this. They know that 40,000 children last year had an opportunity in places of this State and in other places they did not.

And just for a little personal touch to this: My father was born and raised in Philadelphia, and most of the time, the things and the opportunities that he had were because he had trips out of the city to see different cultural opportunities, and a trip into the country actually was what was so beneficial to him to then have children who pretty much promote the outdoors. So I think that is a pretty good example of opportunity to those who sometimes would not have it.

So I really appreciate the support. I appreciate the questions, and I hope to acquire the support from the gentleman from Delaware County.

Thank you, Mr. Speaker.

The SPEAKER. Representative Marguerite Quinn.

Ms. QUINN. Thank you, Mr. Speaker.

I rise in support of this bill. When I was 13 or 14 years old, my parents had me take a hunter safety course, not necessarily because I was going to hunt – I had the option – but because there were guns in the house, hunting guns in the house. I think education is just a matter of safety. Thank you.

The SPEAKER. Thank you, Representative.

All those in favor will be voting "aye"— Representative Vitali— Please. Please suspend.

Representative Vitali wishes to speak a second time.

Mr. VITALI. Whatever happened to, like, full and deliberate debate, I mean this is—

The SPEAKER. You may proceed, sir.

Mr. VITALI. Would the maker stand for brief interrogation?

The SPEAKER. He has indicated that he is not going to stand for interrogation.

You may proceed on the bill.

Mr. VITALI. Okay. My only point is this, and I am basing it on what the gentleman said just previously, whereas some, some facilities, some public schools are allowing this to happen right now. So I just want to make it clear, this is not a matter of permitting public schools to do this. They can and do right now based on what I understand.

And I have been around long enough to know that these bills generally come up when in this case a public school would say, "No, we don't want to do it," for whatever reason. I just want to make it clear to the members, this is a situation, public schools can do it right now, but you do have schools who, for whatever reason, do not want to, and by passing this, you would be forcing public schools for any reason they might have to have a use for their facility, which they think in the best interest is not appropriate.

So I just want to make it clear that this can be done right now. We are not authorizing it, it can be done right now. The real issue is, does a public school decide, can it decide what goes on and what does not go on of a nonpublic school nature in their facilities?

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—169

Baker	Farry	Longietti	Readshaw
Barbin	Fee	Mackenzie	Reed
Barrar	Flynn	Madden	Reese
Benninghoff	Freeman	Maher	Roae
Bernstine	Fritz	Mako	Roe
Bizzarro	Gabler	Maloney	Roebuck
Bloom	Gainey	Markosek	Rothman
Boback	Galloway	Marshall	Rozzi
Boyle	Gergely	Marsico	Ryan
Bradford	Gillen	Masser	Saccone
Brown, R.	Gillespie	McCarter	Sainato
Burns	Godshall	McGinnis	Samuelson
Caltagirone	Goodman	McNeill	Santora
Carroll	Greiner	Mehaffie	Saylor
Causar	Grove	Mentzer	Schemel
Charlton	Haggerty	Metcalfe	Schweyer
Conklin	Hahn	Metzgar	Simmons
Cook	Harkins	Miccarelli	Snyder
Corbin	Harper	Millard	Solomon
Corr	Harris, A.	Miller, B.	Sonney
Costa, D.	Heffley	Miller, D.	Staats
Costa, P.	Helm	Milne	Stephens
Cox	Hennessey	Mullery	Tallman
Culver	Hickernell	Murt	Taylor
Cutler	Hill	Neilson	Tobash
Davis	Irvin	Nelson	Toepel
Day	James	Nesbit	Toohil
Deasy	Jozwiak	Neuman	Topper
DeLissio	Kampf	O'Neill	Vazquez
Delozier	Kaufner	Oberlander	Walsh
DeLuca	Kauffman	Ortitay	Ward
Dermody	Kavulich	Pashinski	Warner
Diamond	Keefer	Peifer	Warren
DiGirolamo	Keller, F.	Petrarca	Wentling
Donatucci	Keller, M.K.	Petri	Wheatley
Dowling	Keller, W.	Pickett	Wheeland
Driscoll	Kim	Pyle	White
Dunbar	Kirkland	Quigley	Youngblood
Dush	Knowles	Quinn, C.	Zimmerman
Emrick	Kortz	Quinn, M.	

English	Kulik	Rader	Turzai,
Evankovich	Lawrence	Rapp	Speaker
Everett	Lewis	Ravenstahl	

NAYS—22

Briggs	Daley	Harris, J.	Rabb
Brown, V.	Davidson	Kinsey	Schlossberg
Bullock	Dawkins	Krueger	Sims
Cephas	Dean	McClinton	Sturla
Comitta	Fitzgerald	O'Brien	Vitali
Cruz	Frankel		

NOT VOTING—0

EXCUSED—12

Christiana	Fabrizio	Matzie	Sankey
Ellis	Hanna	Moul	Thomas
Evans	Klunk	Mustio	Watson

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.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. Members, we cannot vote on HB 266, PN 1261, until 2:44 p.m. I will entertain a motion to proceed on that particular bill.

Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to make the motion to proceed on HB 266 for immediate consideration.

On the question,

Will the House agree to the motion?

The SPEAKER. Representative Dermody, on HB 266, a motion to proceed.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I would ask the members to support the motion to proceed.

The SPEAKER. All those in favor of moving forward on HB 266, which would otherwise be available to vote at 2:44 p.m., given our House rules – it is now 1:30 p.m. – all those in favor, please vote "aye"; any opposed, please vote "nay."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—172

Baker	Dunbar	Kortz	Reed
Barbin	Dush	Kulik	Reese
Barrar	Emrick	Lawrence	Roae
Benninghoff	Evankovich	Lewis	Roe
Bernstine	Everett	Longietti	Roebuck
Bizzarro	Farry	Mackenzie	Rothman

Bloom	Fee	Madden	Rozzi
Boback	Fitzgerald	Maher	Ryan
Boyle	Flynn	Mako	Saccone
Bradford	Frankel	Maloney	Sainato
Briggs	Freeman	Markosek	Santora
Brown, R.	Fritz	Marshall	Saylor
Brown, V.	Gabler	Marsico	Schemel
Bullock	Gainey	Masser	Schlossberg
Burns	Galloway	McClinton	Schweyer
Caltagirone	Gergely	McGinnis	Simmons
Carroll	Gillespie	McNeill	Sims
Causer	Godshall	Mehaffie	Snyder
Charlton	Goodman	Mentzer	Solomon
Comitta	Greiner	Metcalfe	Sonney
Conklin	Grove	Miccarelli	Staats
Cook	Haggerty	Millard	Stephens
Corbin	Hahn	Murt	Sturla
Corr	Harkins	Neilson	Taylor
Costa, D.	Harper	Nelson	Tobash
Costa, P.	Harris, A.	Nesbit	Toepel
Cox	Heffley	O'Brien	Toohil
Cruz	Helm	O'Neill	Topper
Culver	Hennessey	Oberlander	Vazquez
Cutler	Hickernell	Ortitay	Vitali
Daley	Hill	Pashinski	Walsh
Davis	Irvin	Peifer	Ward
Dawkins	James	Petrarca	Warner
Day	Jozwiak	Petri	Warren
Deasy	Kampf	Pickett	Wentling
DeLissio	Kaufner	Pyle	Wheatley
Delozier	Kauffman	Quigley	Wheeland
DeLuca	Kavulich	Quinn, C.	White
Dermody	Keller, F.	Quinn, M.	Youngblood
Diamond	Keller, M.K.	Rader	Zimmerman
DiGirolo	Keller, W.	Rapp	
Donatucci	Kim	Ravenstahl	Turzai,
Dowling	Kirkland	Readshaw	Speaker
Driscoll	Knowles		

NAYS-19

Cephas	Harris, J.	Metzgar	Neuman
Davidson	Keefer	Miller, B.	Rabb
Dean	Kinsey	Miller, D.	Samuelson
English	Krueger	Milne	Tallman
Gillen	McCarter	Mullery	

NOT VOTING-0

EXCUSED-12

Christiana	Fabrizio	Matzie	Sankey
Ellis	Hanna	Moul	Thomas
Evans	Klunk	Mustio	Watson

A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 266, PN 1261**, entitled:

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; and, in adoption and enforcement by municipalities, further providing for administration and enforcement.

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-190

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

NAYS-1

Miller, D.

NOT VOTING-0

EXCUSED—12

Christiana	Fabrizio	Matzie	Sankey
Ellis	Hanna	Moul	Thomas
Evans	Klunk	Mustio	Watson

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 SPEAKER. We are going to need a motion to proceed with respect to HB 741, PN 1262. This is our last bill on the calendar for the day. I will entertain a motion on HB 741, PN 1262.

The majority leader, Representative Reed, is recognized.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Mike Hanna is on the House floor. Without objection, he will be placed back on the master roll.

We are going to hold off on the motion at this time, but we will begin debate. It is our last bill of the day. We may go over it depending on what the length of the debate is. But at this time on HB 741, PN 1262, if any member wishes to speak on the bill, please let us know. We will get you on the list. And everybody who wishes to speak will have the opportunity to speak either today or when we are back on the floor.

Right now I have Representative Frankel, Representative Dean, Representative Dawkins, in addition to the maker, and Representative Markosek and Representative Marsico.

We are going to begin with the maker of the bill.

So right now the Speaker recognizes the gentleman, Representative Stephens, who calls up HB 741, PN 1262, on today's House calendar.

As I said, we are going to begin the debate.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 741, PN 1262**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in minors, further providing for sentencing and penalties for trafficking drugs to minors and for drug-free school zones; in other offenses, further providing for drug trafficking sentencing and penalties; and, in sentencing, further providing for sentences for offenses committed with firearms, for sentences for certain drug offenses committed with firearms, for sentences for offenses committed on public transportation, for sentences for offenses against elderly persons, for sentences for offenses against infant persons, for sentence for failure to comply with registration of sexual offenders and for sentences for offenses committed while impersonating a law enforcement 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?

Representative Todd Stephens, on HB 741, PN 1262.

Mr. STEPHENS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 741.

Just by way of quick overview, I know we spent a lot of time yesterday on this. What does the bill do? It does two things: it increases public safety and it ensures justice for crime victims. Increases public safety and ensures that our victims of crime receive justice. How does it do that? It does that by restoring mandatory minimum sentences for certain violent crimes and drug trafficking offenses.

Let me be clear: Because of a Supreme Court ruling, since 2015 the Commonwealth of Pennsylvania has been without the benefit of most of our mandatory minimum sentences. I know there is some confusion.

Some examples of those offenses: violent crimes committed with firearms, violent offenses committed against the elderly, violent offenses committed against infants and children, violent offenses committed while impersonating a police officer, violent offenses committed while on public transportation, and trafficking in large quantities of drugs.

And let me just clarify this last point. These are not drug addicts. These are not drug users. These are drug traffickers. These are those who prey on and exploit addicts for their own profit.

The drugs that are subject to mandatory minimum sentences in this bill: cocaine, heroin, methamphetamine, Schedule I or Schedule II narcotics, and then those who traffic drugs to minors and those who traffic drugs in school zones.

Let us talk about the reasons why. Justice for victims. Mandatory minimums punish criminals for the crimes they have committed. They hold them accountable for the damage that they have done and the harm that they have caused victims of crime.

Public safety. There is no question that mandatory minimums make our communities safer. How? We are talking about violent offenders, the worst of the worst. Mandatory minimums incapacitate violent offenders. Here is a simple example: If someone rapes an 8-year-old little girl and is sent to prison for 10 years, for the next 10 years that offender will not be able to rape anymore little girls. It is that simple – incapacitation.

Crime data and studies by criminologists demonstrate that longer prison sentences, some of which were the result of mandatory minimum sentences, being served by our most violent criminals and biggest drug traffickers have reduced crime. For example, economist Steven Levitt concluded, "The evidence linking increased punishment to lower crimes rates is very strong." The late criminologist James Wilson concluded that laws increasing sentences drove down crime rates by 25 percent. Professor William Spelman of the University of Texas at Austin estimates the drop in crime during the 1990s would have been 27 to 34 percent smaller without the prison buildup, and the incarceration growth reduced violent crime by 25 percent. And professor Joanna Shepherd of Clemson University concluded that when felons are required to serve longer periods of incarceration, reduced violent crime rates result.

Looking at Pennsylvania's data. After Pennsylvania enacted longer sentences, including mandatory minimum sentences focused on violent offenders, violent crime began to fall considerably. Between 1996 and 2000 the violent crime rate in Pennsylvania fell by approximately 13 percent. As time went on and violent offenders served more time in prison, longer sentencing laws have an even greater impact. Between 1996 and 2010 in Pennsylvania, the violent crime rate fell by 24 percent.

More recently we have seen concerning trends. Violent crime is up in the cities of Allentown and Pittsburgh. In Philadelphia the number of homicides thus far this year is higher than in the past 5 years. The number of shootings in Philadelphia is the second highest it has been in the past 5 years.

In the end, this bill is supported by those who are responsible for protecting us every day and advocating for the victims and survivors of crimes in Pennsylvania, including the Pennsylvania District Attorneys Association, the Pennsylvania Chiefs of Police, the Pennsylvania Fraternal Order of Police, the Pennsylvania State Troopers Association, and the Pennsylvania Victim Advocate.

Please join me in making Pennsylvania a safer place to live, work, and raise a family, and ensuring our victims receive the justice they deserve, by reinstating mandatory minimum sentences for our most violent offenders.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

These are the members who have requested to speak: Representative Frankel, who will be next; Representative Dean; Representative Dawkins; Representative Jordan Harris; Representative Gainey; Representative Rabb; Representative Cephas; Representative McClinton; and Representative Wheatley; in addition, Representative Marsico.

At this time we are going to go with Representative Frankel, then Representative Dean, then Representative Dawkins, and then we are going to go to Representative Marsico.

Representative Frankel, sir, the floor is yours.

Mr. FRANKEL. Thank you, Mr. Speaker.

I just want to point out, based on the gentleman from Montgomery County's introduction to this debate, that some of his historical outlook in terms of what has happened to violent crime with mandatory minimums is inaccurate.

And this is from the Pennsylvania State Police. Uniform crime report numbers show that the violent crime rate per 100,000 Pennsylvania residents was 363.9 people in 1980 and rose to 427 per 100,000 in 1995. That is a 17.4-percent increase in the violent crime rate during the heyday of mandatory minimum sentences.

But we can settle all this, and we can have an opportunity to really get to the facts. Maybe you do not agree with the Pennsylvania State Police and agree with the gentleman from Montgomery County, but we have not had a deliberative process to be able to really understand the issue.

MOTION TO RECOMMIT

Mr. FRANKEL. So, Mr. Speaker, I rise to make a motion.

Mr. Speaker, I make a motion that we recommit HB 741 to the House Judiciary Committee so that we can hold even just one – we ought to be having dozens – but just one public hearing on this very consequential piece of legislation.

Thank you, Mr. Speaker.

The SPEAKER. Representative Frankel, please state the exact motion again, sir.

Mr. FRANKEL. Recommit HB 741 to the House Judiciary Committee.

The SPEAKER. Okay. The good gentleman has moved to recommit the bill to the House Judiciary Committee.

On the question,

Will the House agree to the motion?

The SPEAKER. Anybody may speak on that particular motion.

Representative Marsico, on the motion, sir.

Mr. MARSICO. Thank you, Mr. Speaker.

I oppose the motion to recommit. The House Judiciary Committee did address this bill last session, and so did this entire House last session. It has been discussed and examined and voted on, so I oppose that motion. I would appreciate opposition. Thank you.

The SPEAKER. Representative Frankel, on the motion, and then Representative Reed, on the motion.

Mr. FRANKEL. Thank you. Well, we may have considered it, but there was not a hearing. Stakeholders were frozen out from being able to weigh in. There was no public hearing. Stakeholders did not have their say. So in 2015 when we last debated the issue, I stood before you and made a motion to recommit to the Judiciary Committee so that we could have a public hearing, and that was voted down. And as we all know, in 2013 and 2014, Federal and State court decisions invalidated a number of our mandatory minimum sentences, many of which this bill would reenact.

But in that span of time, I do not believe we have done enough to educate members of this body and the public because we have not heard from key stakeholders in public forums. How can we judge what sentencing laws are best for Pennsylvania until we hear from stakeholders like judges, attorneys, criminal justice experts, victim advocates, and those in corrections and parole. They are the ones on the front lines of criminal justice every day. They see with their own eyes the impact of our decisions as legislators and the decisions of appellate courts have on the criminal justice system, our defendants, and our victims.

For example, Secretary of Corrections John Wetzel, a Corbett appointee, opposes reenactment of mandatory minimums in Pennsylvania. The legislature should have the chance to hear more from Secretary Wetzel on why he opposes mandatory minimums and what the effect of their enactment will have on our Department of Corrections.

Yesterday when we were considering amendments to this bill, the gentleman from Montgomery County, the maker of this bill, agreed that it would be worthwhile to consider how mandatory minimum sentences impact minority groups like African-Americans, Hispanics, women, and the LGBT (lesbian, gay, bisexual, and transgender) community. If we were to hold a hearing, we could bring advocates for these populations to the table. We would also hear from victim advocates to ensure that victims' voices are heard in this debate.

Some judges have expressed frustration that mandatory minimums tie their hands. We should make sure they have the opportunity to be heard and to contribute their years of experience and expertise to the conversation. The judicial reinvestment initiative has led us to put greater focus on the risk

of reoffending when making sentencing decisions. Because mandatory minimums limit judicial discretion, they limit the extent to which risk can be considered in sentencing. We should be taking a careful, considerate, deliberative approach to these types of recommendations, and that includes a public hearing to get greater input.

Several States and the Federal government have passed legislation reducing or eliminating mandatory minimum sentences for certain offenses in recent years. These efforts have been drawing bipartisan support. Recommitting HB 741 to the Judiciary Committee for the purpose of holding a hearing will allow Pennsylvania to be a meaningful part of the national conversation surrounding mandatory minimum sentences. It will also ensure that we are enacting sentencing laws that actually work to deter crime, protect victims, and reduce recidivism based on evidence and feedback from stakeholders.

I ask my colleagues to support this motion to recommit.

The SPEAKER. Representative Reed, the majority leader, on the motion to recommit.

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

Respectfully, I would ask the members to oppose the motion to recommit the bill to the Judiciary Committee. Thank you.

The SPEAKER. Representative Madeleine Dean, on the motion, please.

Mrs. DEAN. Thank you, Mr. Speaker.

On the motion, I rise in support of my colleague's motion to recommit to the Judiciary Committee.

I am reading from and paraphrasing from an op-ed in March by Secretary Wetzel and by Dr. Bucklen. Dr. Bret Bucklen is the director of the Pennsylvania Department of Corrections' Bureau of Planning, Research and Statistics, and he provides an awful lot of data and information that says a couple of things. Mandatory minimums waste taxpayers' dollars. They are ineffective to improve public safety. More than 30 States are now reconsidering mandatory minimum sentencing laws.

The SPEAKER. Representative Dean, I apologize. You may speak on the bill, without a doubt, but this is just on the motion.

Mrs. DEAN. I believe it is relevant.

The SPEAKER. And like Representative Frankel, if you could just get, like he did, he got right to the issue of the motion, if you could focus on that. You will have an opportunity to speak on the bill as well.

Mrs. DEAN. Thank you. I appreciate that, Mr. Speaker.

As I said, the reason this should be reconsidered in the Judiciary Committee and offered a hearing is for us to get it right. Thirty States are reconsidering mandatory minimums and recognizing their ineffectiveness. I rise in support of the motion to recommit.

The SPEAKER. Thank you.

Representative Steve Samuelson, on the motion.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I rise in support of the Frankel motion to recommit to the House Judiciary Committee. I know the chairperson of the Judiciary Committee just said that this issue was discussed in some fashion last year. I do realize that was without a public hearing, which is what Representative Frankel is asking for.

But I have to tell you, even if you think that this bill has been discussed last year, take note of what action happened here on the House floor yesterday. On the House floor yesterday, this House passed a Republican budget which cuts funding for the Department of Corrections. Take a look at the fiscal note—

The SPEAKER. Representative, please, with all due respect. You are on the motion to recommit. Representative Frankel spoke for some time but he was always on the motion to recommit.

Mr. SAMUELSON. Yes.

The SPEAKER. I am asking you to please, please focus on the— On final passage, you will be able to speak, not on the budget, but on the bill. But if you could, it is on the motion to recommit, sir.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I am trying to direct the House's attention to the fiscal note for HB 741, which is actually the bill that is before us right now.

The SPEAKER. But this is a motion to recommit. It is why or why it should not be in the Judiciary Committee; it is not about a fiscal note. You may speak as to why it should be in the Judiciary Committee, because that is the motion in front of us.

Mr. SAMUELSON. This bill needs to be in the Judiciary Committee for discussion because there is a huge question about the cost of this bill. The fiscal note says that it is going to cost at least \$19 million, as much as \$85 million, but yesterday the Republican budget cut \$130 million. So this bill costs more in corrections—

The SPEAKER. Sir, please suspend.

Representative Samuelson, you will be given complete latitude with respect to the bill when we have a discussion on the bill. This is a motion to recommit. You are off the topic. You are not sticking to the reasons for recommitment. If you want to speak on the bill, you will have that opportunity depending on what the vote is on this motion.

Mr. SAMUELSON. Let me conclude by saying I think there are important things to discuss in the House Judiciary Committee; namely, how does a bill that cost \$19 million more get by with \$130 million less? That is a relevant question, became even more relevant 24 hours ago.

I urge the House to vote "yes," send this bill to the Judiciary Committee so that we can have some discussions about the bill and the cost of this bill in relation to the budget that was before us just yesterday.

Thank you, Mr. Speaker.

The SPEAKER. Representative Warren Kampf, on the motion to recommit.

Mr. KAMPF. Thank you, Mr. Speaker.

Mr. Speaker, I oppose the motion to recommit. As I understand the purpose of the bill, it is to respond to the Supreme Court decision that said that elements related to the imposition of a mandatory sentence, I think in keeping with the right to a jury trial under our Constitution, must be decided by the jury. So that is a basic legal decision.

Mandatory minimums themselves have been around for decades. These mandatories have been around for decades, and I know that from firsthand experience because as a prosecutor in the 1990s in York County and in Philadelphia County, I pursued mandatory minimums. Our prison system for decades, therefore, has had to accept the costs that are related to this set of mandatory minimums.

I do not believe there is any reason to have a hearing on that subject, and I urge the members to oppose the motion to recommit.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—69

Barbin	Deasy	Keller, W.	Rabb
Bizzarro	DeLissio	Kim	Ravenstahl
Boyle	Dermodly	Kinsey	Readshaw
Bradford	Donatucci	Kirkland	Roebuck
Briggs	Driscoll	Kortz	Rozzi
Bullock	Fitzgerald	Krueger	Samuelson
Caltagirone	Flynn	Kulik	Schlossberg
Carroll	Frankel	Madden	Schweyer
Cephas	Freeman	Markosek	Sims
Comitta	Gainey	McCarter	Snyder
Conklin	Galloway	McClinton	Solomon
Costa, P.	Goodman	McNeill	Sturla
Cruz	Haggerty	Miller, D.	Vazquez
Daley	Hanna	Mullery	Vitali
Davidson	Harkins	Neilson	Warren
Davis	Harris, J.	O'Brien	Wheatley
Dawkins	Kavulich	Pashinski	Youngblood
Dean			

NAYS—123

Baker	Fritz	Mako	Reed
Barrar	Gabler	Maloney	Reese
Benninghoff	Gergely	Marshall	Roae
Bernstine	Gillen	Marsico	Roe
Bloom	Gillespie	Masser	Rothman
Boback	Godshall	McGinnis	Ryan
Brown, R.	Greiner	Mehaffie	Saccone
Brown, V.	Grove	Mentzer	Sainato
Burns	Hahn	Metcalfe	Santora
Causar	Harper	Metzgar	Saylor
Charlton	Harris, A.	Miccarelli	Schemel
Cook	Heffley	Millard	Simmons
Corbin	Helm	Miller, B.	Sonney
Corr	Hennessey	Milne	Staats
Costa, D.	Hickernell	Murt	Stephens
Cox	Hill	Nelson	Tallman
Culver	Irvin	Nesbit	Taylor
Cutler	James	Neuman	Tobash
Day	Jozwiak	O'Neill	Toepel
DeLozier	Kampf	Oberlander	Toohil
DeLuca	Kaufer	Ortitay	Topper
Diamond	Kauffman	Peifer	Walsh
DiGiroalamo	Keefer	Petrarca	Ward
Dowling	Keller, F.	Petri	Warner
Dunbar	Keller, M.K.	Pickett	Wentling
Dush	Knowles	Pyle	Wheeland
Emrick	Lawrence	Quigley	White
English	Lewis	Quinn, C.	Zimmerman
Evankovich	Longietti	Quinn, M.	
Everett	Mackenzie	Rader	Turzai,
Farry	Maher	Rapp	Speaker
Fee			

NOT VOTING—0

EXCUSED—11

Christiana	Fabrizio	Moul	Thomas
Ellis	Klunk	Mustio	Watson
Evans	Matzie	Sankey	

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

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Representative Frankel, on the bill. You may proceed, sir.

Mr. FRANKEL. Thank you, Mr. Speaker.

As you might guess, I rise today in opposition to HB 741. Without holding public hearings on the impact of the court decisions to invalidate a number of our mandatory minimum sentences, how can we know if those mandatory minimum sentences are working? How can we know what the impact has been on crime rates, court caseloads, length of sentences, parole supervision, and recidivism rates?

We do, however, have plenty of data pointing to the conclusion that mandatory minimum sentences do not work to deter crime or reduce recidivism. Our own Commission on Sentencing found that neither the length of the sentence nor the imposition of a mandatory minimum sentence itself was a predictor of recidivism. In addition, the commission's survey results suggest mandatory minimums do not act as a sufficient deterrent because the public does not know enough about them. Only 34 percent of those surveyed could correctly name at least one offense carrying a mandatory minimum sentence, and only 11 percent of respondents knew drug trafficking offenses carry a mandatory minimum sentence. Additionally, a majority of inmates surveyed said they did not think about the sentence they would receive if caught committing their most recent crime.

When the Federal Fair Sentencing Act raised the amount of crack cocaine necessary to trigger a 5-year mandatory minimum, the rate of people reportedly using crack cocaine continued to decline. Additionally, there was no decrease in crack cocaine offenders' willingness to cooperate with law enforcement, nor was there an increase in the seriousness of the offenses. Equally important, mandatory minimums also create injustice. Some sentenced under these laws deserve the sentences they got, while others receive unnecessarily harsh prison sentences for their very minor roles in a crime or for selling small amounts of drugs.

Timothy Lewis, who previously served as a judge on the United States District Court for the Western District of Pennsylvania, shared a story with me – a story of a 19-year-old first-time offender who happened to be in a car with others who were selling drugs. There was no evidence he had been dealing drugs himself. The quantities of drugs involved triggered a 10-year mandatory minimum sentence. The individual had never been in any trouble before, was the first in his family to graduate from high school, and was supposed to begin studying at Allegheny College that fall. He yelled and cried for his mother as he was led away in handcuffs. Lewis writes that this was a child. It was grotesque. It was disgraceful. It was medieval. It reflected far worse on our nation than it did on that young man. He also points out that this was not an aberration. He had seen many such cases resulting from mandatory minimum sentences.

It is not just the defendant's circumstances that the judge cannot consider. When we impose mandatory minimum sentences rather than allowing a judge to use a combination of sentencing guidelines and discretion, we limit the extent to which the judge can take the victim's input into account as well. In some cases, the victim may want to ask for a harsher sentence. In other cases, they may ask a judge for leniency.

Mandatory minimums can encourage plea deals because a defendant facing a long mandatory minimum sentence may choose instead to plead guilty to a lesser offense. Plea bargains can help victims who do not want to go through the trial process, but a victim who wants to take the case to trial may feel shortchanged by a plea agreement.

The bottom line is that judges who have heard all sides of the case, who know the defendant's history and character, as well as the impact of the crime on the victim, are better equipped than we are to determine the most appropriate sentence for each situation. This legislature and the Commission on Sentencing have given judges statutory sentencing ranges and sentencing guidelines. We should allow judges to use those tools.

And our judges, they are not soft on crime. Data from the Commission on Sentencing show that in 2015 judges adhered to the sentencing guidelines in 90 percent – 90 percent – of all cases. Only 7 percent of all sentences departed below the guidelines, and a common reason judges gave for departing below the guidelines was because the prosecutor had recommended it.

The drug-related mandatory minimum sentences are the most concerning. The Commission on Sentencing, in its 2009 report on mandatory minimum sentences, found that on average, 18.7 percent of the area of the largest municipality from each county is covered by a school zone. In Pittsburgh that number is 22.8 percent. Nearly 30 percent of Philadelphia is in a drug-free school zone. Now, I know, I know everyone here wants to keep drugs away from our schools and from our children; however, the way our law is written, someone could be in a drug-free school zone and not even know it.

Voting "yes" on this bill would be voting to keep Pennsylvania in the past. Nearly 30 States – 30 States – have passed laws to reduce mandatory minimums, and they are red, they are blue, and purple States alike. Conservative States that have rolled back mandatory minimum sentences in recent years include Louisiana, Georgia, Kentucky, North Dakota, South Carolina, Missouri, and Oklahoma. Efforts to reduce or repeal mandatory minimums are drawing bipartisan support around the country.

Republicans in Congress and on the national stage who have spoken out against mandatory minimums include House Speaker Paul Ryan, Senator Rand Paul, Senator Ted Cruz, former Arkansas Gov. Mike Huckabee, Senator Mike Lee of Utah, and former House Speaker John Boehner.

Conservative and libertarian groups who have publicly opposed mandatory minimums include Americans for Tax Reform and its founder Grover Norquist, the American Conservative Union Foundation, the Charles Koch Institute, and Pennsylvania's own Commonwealth Foundation.

Poll data show that the residents of our Commonwealth oppose mandatory minimums as well. One poll found that 54 percent of voters favor repealing mandatory minimum sentences for drug offenses, and another found that 85 percent of Pennsylvanians support replacing mandatory minimums with sentencing ranges.

We should be moving Pennsylvania forward and giving judges the tools to select sentences that work for all involved – defendants, victims, prosecutors, and the public. We should not just rely on policies that tie everyone's hands, do not deter crime, do not reduce recidivism, and increase corrections costs.

I ask my colleagues to vote "no" on HB 741. Thank you.

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady, Mrs. Dean, on final passage.

Mrs. DEAN. Thank you, Mr. Speaker.

I rise in opposition to HB 741 for three reasons. Number one, public safety and efficacy; number two, the tying of the hands of judges in a legislative overreach; and number three, the economic impact of mandatory minimums.

So let us start with efficacy. What we know – what the research shows, what the data show, the statistics show, and the experts tell us – is mandatory minimums do not reduce recidivism and they do not increase public safety. Briefly, I will read from the op-ed by Dr. Kristofer "Bret" Bucklen, who is the statistician for the Secretary of the Department of Corrections. It is cowritten with the Secretary of Corrections, and it is entitled "Mandatory minimums still don't work, Pa. lawmakers" please be advised. "Mandatory minimum sentencing" – I am quoting the two experts – "wastes taxpayer dollars and diverts limited resources away from pursuing more serious offenders and supporting law enforcement. Estimates are that if Pennsylvania's Legislature reinstates mandatory minimums it could cost taxpayers as much as \$85.5 million per year."

And that was confirmed moments ago in our Appropriations Committee. And as my colleague pointed out, this comes just one day after we voted, some voted in a budget proposal to reduce the Department of Corrections by \$95 million. So it is going to cost us \$85 million, we are taking away \$95 million, and they do not work.

The Secretary goes on to say, "More than 30 states have now reconsidered mandatory minimum sentencing laws. Conservative groups like Koch Industries, the American Legislative Exchange Council (ALEC), and the Commonwealth Foundation here in Pennsylvania, have all expressed opposition to mandatory minimums. Yet many in our Legislature are ignoring these realities and moving forward to quietly reinstate mandatory minimums. This puts Pennsylvania out of touch with the facts." They do not work. They do not increase public safety.

Second, it is a legislative overreach. We elect judges for a reason. I called attention to a February 19 op-ed, front-page op-ed in the Washington Post by a 22-year U.S. district court judge. Her name is Shira Scheindlin, now retired. She writes, "In my nearly 22 years as a U.S. district judge in New York, I sentenced roughly 1,000 defendants. Thankfully, not all were subject to 'mandatory minimum' sentences.... But many were; 145 federal crimes still require..." mandatory minimums.

"I was often prohibited," she writes, "from assessing a defendant's history, personal characteristics or role in the offense. In sentencing, where judgment should matter most" – and that is the most important thing, judgment should matter most – "I could not exercise my judgement. I felt more like a computer than a judge. And I was not alone.... Mandatory minimums were almost always excessive, and they made me feel unethical, even dirty. After seven years, my patience had run thin and my conscience was troubled; I began to consider resigning. I sought the advice of a...mentor..." who said do not, because whoever replaces you would simply have to impose the mandatory minimums and may not advocate for criminal justice

reform like you. They do not work, it is a legislative overreach, and it ties the hands of judges.

And finally, the fiscal impact. Eighty-five million dollars in a year when we are facing a \$2 billion budget deficit, when we just passed over to the Senate a budget that would cut another \$815 million from the Governor's very reasonable, modest proposal and would take \$100 million out of Corrections.

They do not work, they cost a lot of money, and they tie the hands of judges at the very moment that their wisdom and experience should kick in. I hope Pennsylvania does not turn the clock back. Please vote "no" on HB 741.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman, Mr. Dawkins, on final passage.

Mr. DAWKINS. Thank you, Mr. Speaker.

Before I get started, I wanted to thank the maker of the bill. Too often in this chamber we find ourselves on different sides of issues. Sometimes we do not take a moment to acknowledge why one may be considering supporting this piece of legislation.

For me, the reason why I cannot support this piece of legislation – a few reasons. One, I am going to tell you a little story about – it is a documentary that we all can watch. It is called broken – it is on Netflix, and it is a story about Kalief Browder, who was a 16-year-old who was stopped in New York for a stop and frisk. He was picked up with the suspicion of stealing a backpack. Mr. Browder stayed in Rikers Island for 3 years without being tried or charged, but what they had over Mr. Browder, again, is education of how the criminal law works. Mr. Browder was released after 3 years without being charged, and upon his release, because of what he went through inside of prison, he ended up committing suicide at the age of 22.

Too often my neighborhood and the constituents that I serve have dealt with some of these same interactions in our community. Being in front of a prosecutor who has the option to enforce mandatory minimums becomes a huge leverage point over that particular individual. When you are not skilled in the realm of law and you do not have the means to hire proper representation, you are normally at the behest of the folks who are accusing you and you normally accept whatever deal may be offered because you know the latter normally means more time incarcerated.

We have to take a strong look and ask ourselves, over the years that we have had mandatory minimums enforced, has it decreased our crime levels in our communities? Has it improved the quality of life of our communities? Has it supported our family structures in our communities? And to those answers, you have the choice to make today of what you believe is the right way forward.

Some folks can contribute this particular bill to a selection of "isms." We learned on this House floor that depending on where you may live, you may not be charged a mandatory minimum for selling certain substances. We can look at this bill and ask ourselves, is this the right way forward for the Commonwealth? Is this the right way forward considering that we are now rolling out our medical marijuana licenses, and potentially in a few years we will be doing recreational marijuana? And for those same substances, are we going to go back and retry all the individuals we are giving mandatory minimums for today? I doubt that we will.

So I will ask all my colleagues to take a real hard look at this legislation and ask yourself, will this improve our Commonwealth or will this continue to push us down a road

that we cannot sustain, as we know there is a rising cost in health care, which means there is a rising cost in inmate health care that we cover? And someone has to foot the bill for all those who are incarcerated, because that cost continues to rise and we continue to come back here and impose those taxes and other increases on the folks that we were sent here to actually serve.

So I will hope that all of my colleagues take a hard look and decide if this is the best way forward.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Knowles.

Pardon me, Mr. Knowles. I understand Chairman Marsico had requested recognition.

Mr. Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

I rise to support of HB 741 for a number of reasons: in order to protect our children, get drug dealers off the street, keep child rapists in jail, and keep Pennsylvania safe. As you may or may not know, I have been fighting this fight for a long time and will continue to fight on this issue.

I just want to read to you some real-life cases in Pennsylvania – not stories, not anecdotes, but real-life cases in Pennsylvania without mandatory minimum sentences. Child raped – 12-year-old girl was raped and sodomized in the alley and just 4 years in prison. The defendant pulled a 12-year-old girl off the street and raped and orally sodomized her in the alley. The case was solved via a CODIS (Combined DNA Index System) hit. That is the FBI's DNA database. At trial the defendant was convicted of rape of a child, involuntarily deviate sexual intercourse, unlawful contact with a minor, corruption of minors, and indecent assault – the victim under 13 years of age. The judge sentenced this defendant to just 4 to 5 years in jail, followed by 20 years of probation. Mandatory minimum in this case would have been 10 years of imprisonment. The child rapist received a minimum sentence of just 4 years. This represents a 60-percent reduction of the lowest possible sentence he would have received had mandatory minimums been in effect.

Another real-life case in Pennsylvania – 2,000 doses of heroin, the drug trafficker was sentenced to 9 days in jail. The defendant was caught smuggling bulk heroin. He had 103 grams of heroin. He had enough for about 2,000 separate doses in his car when he was arrested. He was sentenced to 9 days to 33 months in jail and 10 years of probation. Mandatory minimum would have been 5 years in prison. The drug trafficker received a minimum sentence of just 9 days in jail. This is what is going on in Pennsylvania without mandatory minimum sentencing. The defendant, by the way, continued to run his heroin distribution operation while awaiting sentencing. This is outrageous. This is completely unacceptable.

I have a letter from the Pennsylvania D.A.'s Association. The D.A.s across Pennsylvania, our top prosecutors in each county, and I am going to read some excerpts from their letter. HB 741 "...is a critical piece of public safety legislation that will make our neighborhoods safer, incapacitate the most dangerous and violent offenders, and help law enforcement as we try to battle those who traffic in significant quantities of drugs, such as heroin....

"Mandatory minimum sentences work to improve public safety: they help to keep the most dangerous offenders off our streets. Those offenders won't be committing any crimes while

incarcerated. They also ensure that defendants who commit similar crimes with similar records receive the same sentences. And they help provide law enforcement the necessary leverage to target and incapacitate the most dangerous heroin and...drug traffickers who are profiting from their sale of drugs into our neighborhoods. The mandatory minimum sentences we support are meant to incarcerate offenders whom a jury of their peers determines to be a danger to society and a threat to public safety....

"The question has been raised: Do mandatories work? For that offender; for that victim; and for that community, the answer is yes.... The child victim of a rape or the elderly victim of a gunpoint robbery do not care about fiscal impacts or recidivism. They care about justice in their case. As a society, we must demand that offenders who commit terrible crimes receive – at a minimum – a certain sentence, to hold them accountable."

The letter also goes onto say that the D.A.s "...can tell you from experience, from being on the front lines every day as we try to keep our communities safe and remove violent and dangerous criminals from our streets and protect our victims of violent crimes, that mandatory minimum sentences keep our neighborhoods safer and protect the public. We ask you to support law enforcement and victims of crime and help to ensure that dangerous offenders receive the appropriate sentences their illegal acts warrant by supporting HB 741, a balanced and appropriate piece of legislation."

Mr. Speaker, these convicted drug dealers that are preying on and poisoning our children and our citizens need to go to jail for a long, long time. These thugs that are killing our constituents and profiting from them in many cases are getting away with murder. I ask for an affirmative vote on HB 741.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the chairman of the Judiciary Committee.

The Chair at this time recognizes the gentleman, Jordan Harris, on final passage.

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

Mr. Speaker, I rise today in opposition of HB 741. You know, I understand that "tough on crime" sounds good, and I understand that when we go back to our districts, it is easy to say we have increased mandatory minimums on folks who sell drugs in our community. Make no mistake about it, for the person selling narcotics in our neighborhoods, I do believe that there should be a punishment. Make no mistake about it, I do believe that we should not allow these persons to get away with poisoning our communities. But I also understand that our constituents go to the polls and they vote in local elections for municipal court judges and judges of the court of common pleas, and those voters believe that their voice will be heard in the decision over who will decide what happens to people when they commit crimes in our communities. Mr. Speaker, those constituents, every time they go and push a button, they are believing that their voice is going to be heard in the equation over whether it should be 2 years, 3 years, or 4 years with regards to a sentence, when they cast their vote for judges in our Commonwealth. We give those judges long terms: municipal court judges, 6 years; common pleas court judges, 10 years. They run for retention and not reelection, because we have faith in our judiciary.

But, Mr. Speaker, today, HB 741 silences the voice of the voter. It silences the voice of the voter who goes and elects their judges in Pennsylvania. Mr. Speaker, it also removes the authority, it removes the discretion from the judge and gives a one-size-fits-all approach to the criminal justice system. Mr. Speaker, just like one-size-fits-all hats typically do not work, one-size-fits-all criminal justice systems, they just do not work. Ninety percent of the time, though, these judges that we elect, their rulings fall within the sentencing guidelines that we already have in place. We do not need HB 741.

Mr. Speaker, what we also know and what we believe in as Pennsylvanians is that justice is provided for everyone regardless of race, color, creed, regardless of income. But, Mr. Speaker, far too often conviction rates are more important than justice. HB 741 is about conviction rates and not about justice, and here is what I mean, Mr. Speaker. When you have these mandatory minimums in place, far too often folks are going and they are talking with assistant district attorneys throughout this Commonwealth and those mandatories are used as leverage, used as leverage when it comes to accepting a plea deal. And what we know right now in our Commonwealth is that more than 90 percent of our trials do not go to a jury, they do not go to a judge. They go to a backroom deal, a backroom deal, and they end at that table, and depending on the quality of your attorney depends on what kind of justice you get in that back room. We talk about this all the time. Folks campaign across this Commonwealth about backroom deals and ending those, but we do not seem to have a problem with them when it comes to our criminal justice system.

Mr. Speaker, the United States population for prisons, when you look at our population and compare it to the world, we are about 4.4 percent of the total world population, yet 22 percent of the world's prisoners. We are doing the wrong thing with HB 741. The Department of Corrections says between \$40 to \$85 million, so I took a number in the middle. And looking at that number, let us talk about all of the things that we should be and could be paying for instead of this bill. Mr. Speaker, we could be sending 2,656 of our students to college at one of our State System schools for free for a year. Mr. Speaker, instead of spending this money on this bill, we could be sending 9,485 of our young people to Pre-K in this Commonwealth. Mr. Speaker, instead of paying for this bill, we could be putting 1,368 nurses in our schools. Mr. Speaker, instead of paying for this bill, we could put 1,106 counselors in our schools. Mr. Speaker, instead of paying for this bill, we could have 2,656 people in a 30-day detox drug treatment program in this Commonwealth.

Mr. Speaker, the numbers are clear here. We should not be spending money on this bill. We should be spending it on our children through our State System, our children through Pre-K, our children through nursing programs, our sons and our daughters through drug treatment programs. That is what we should be spending this money on instead of HB 741.

Now, Mr. Speaker, I know this. I understand. This sounds good. But, Mr. Speaker, leadership is not about what sounds good, it is about doing what is good. Today the good thing would be to vote down HB 741, because we do not need mandatory minimums. We are going in the right direction as a Commonwealth with regards to criminal justice reform. This takes us back to the draconian era, and we do not need that.

Mr. Speaker, I urge all my colleagues to vote "no" on HB 741. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Knowles, on final passage.

Mr. KNOWLES. Thank you, Mr. Speaker.

Mr. Speaker, will the gentleman from Montgomery, would he subject himself to interrogation?

The SPEAKER pro tempore. The gentleman has agreed and you may proceed.

Mr. Knowles.

Mr. KNOWLES. Thank you very much.

Mr. Speaker, I want to make it perfectly clear that I am in strong support of mandatory minimums; however, there are some elements of the bill that I need to have answered by the gentleman. There are elements of the bill dealing – that they adjust the minimum mandatory sentences downward for several offenses. In terms of marijuana, 2 to 10 pounds or 10 to 20 plants. It eliminates the mandatory minimum penalty for first offense and reduces the second offense from 2 years to 1 year. When we are talking about 10 to 50 pounds or 21 to 50 plants of marijuana, it reduces the first offense from 3 years to 1 year and it reduces the second offense from 4 years to 2 years. Fifty pounds or more or 51 plants or more, it reduces the first offense from 5 years to 3 years.

My question to the gentleman is, somebody needs to explain to me exactly why we are doing that and just exactly how that works.

The SPEAKER pro tempore. Mr. Stephens.

Mr. STEPHENS. Thank you, Mr. Speaker.

Thanks so much for the question, and I appreciate the opportunity to clarify this.

After the Supreme Court rulings, since, I guess, 2015, we have no mandatory minimums in place for any of the drugs that you listed. None are enforceable right now in Pennsylvania. So right now you could deliver 50 kilos of cocaine and a judge could give you probation today as we stand in Pennsylvania. So when you say reduced, that is a comparison between what used to exist before the court came and invalidated our mandatory minimum sentences on procedural grounds and what is proposed in the bill. So while I recognize the language may say a reduction, it is a reduction from what used to exist. Right now none of them are in place, so right now you could deliver a truckload of marijuana and there is no mandatory minimum sentence. This bill would reinstate mandatory minimum sentences for certain higher levels of marijuana, higher weights; same with cocaine, same with heroin, same with methamphetamine, and also Schedule I and Schedule II narcotics. They are all restored, whereas, right now we have none.

Mr. KNOWLES. Mr. Speaker, can you tell me a little bit about the procedural element? I mean, I understand and I do not quite get it, and forgive me, I am not an attorney and most of the people that I am dealing with on this issue are attorneys, but can you explain to me about the procedural. Did it have something to do with the judge and now it has to do with the jury?

Mr. STEPHENS. Yes. So the U.S. Supreme Court in a court opinion a few years back found that a jury, not a judge, must make the findings required to trigger a mandatory minimum prison sentence, and in Pennsylvania our statute, as it sits right now, says that a judge would make that finding by a preponderance of the evidence. What the Supreme Court said is that no, a jury must make a finding beyond a reasonable doubt, and so what this bill does is it now adjusts our procedure in

Pennsylvania to reflect that Supreme Court ruling that says a jury has to make the finding beyond a reasonable doubt and not just the judge by a preponderance of the evidence. So we fixed the procedural issue that the court identified.

Mr. KNOWLES. So I do get that, Mr. Speaker, but I am trying to understand, based on what you have just told me, I am trying to understand why those penalties had to be reduced. Why could the process not have been changed and let in there what was in there in terms of penalties?

Mr. STEPHENS. It could have been.

Look, we did this bill last session and the Senate did not even take it up. So we took a look at the numbers from the Sentencing Commission and tried to identify places that maybe we could compromise a little bit in an effort to get the Senate to move something, and so that is what is reflected there – an effort to try to, you know, get the bill to a place where the Senate would be willing to even consider it.

Mr. KNOWLES. Mr. Speaker, I thank you for your explanation. I thank you. I know you put a lot of work into this piece of legislation. I thank you for that. I just get very nervous when we start talking about softening crime in terms of drugs. We all know that we have a heroin problem and, you know, I get grave concerns that doing anything with any other drug, making it easier does not help our heroin problem, but I thank you very much for your explanation, Mr. Speaker.

Mr. STEPHENS. Along those lines, with heroin, they go right back to exactly where they were. There was no change in the heroin levels that would trigger a mandatory minimum sentence, and to your point, without this bill, there are no mandatory minimums in Pennsylvania for delivering heroin. With this bill, there would be mandatory minimums in place for trafficking in heroin.

Mr. KNOWLES. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Gainey, on final passage.

Mr. GAINEY. Thank you, Mr. Speaker. I appreciate it.

I rise to oppose HB 741. I believe that everybody in here wants to make Pennsylvania safe, much safer. I believe we all want to do something to make sure that our children grow up in an environment that is safe. I believe that. I could not imagine one person who would want their child to grow up in a community, a neighborhood that is not safe, so I am under the impression that everybody here wants to make their child safe. There are various ways to do it, and there are various ways not to do it. There are some ways right now that we know just do not work. Mandatory minimums do not work. We know that it does not prevent people from going to jail. We know that it has no impact on public safety. What it has done is had a damaging effect on public health. We have driven up the cost of taxpayers. We stand in here every single day and say how we want to reduce the taxpayers' costs to us, but yet this bill, if we reintroduce mandatory minimums, would take it up between \$50 to \$80 million for something that we know throughout time does not work. What message are we sending by saying we want to decrease the Department of Corrections, but at the same time we want to institute something that through the years we know has not worked? We come back here as if mandatory minimums will stop drug deals. Tell me one decade where mandatory minimums have ever stopped the drug deals. What it has done is taken our eyes off the prize. The problem with the drug community is not the supply, it is how we suppress the

demand. Until we focus on what we need to do to suppress the demand, we will always have a supply of drugs on our streets.

We had mandatory minimums all through the nineties and two thousands, and guess what? All we got was a bigger drug line. We have got more drugs on our streets than ever before, but we want to say this will improve public safety. How can we look at our constituents and tell them that we are telling the truth when the evidence says, the data say that the only thing this will do is increase costs. We have got to do better than that. We are talking about humanity and what it has done to destroy communities. We know that regardless of what race, nationality, or creed, we know that all people use drugs, all people sell drugs, but most of the people that get mandatory minimums look like me. They destroyed our community. They have not helped rehabilitate anything.

We have got an opportunity to take this money, and as the Representative from Philadelphia said, put it to good use – Pre-K education, more money in rehabilitation, more money in education – but let us not duplicate the failures that we did before and call it success. That is not the truth. We have to change the way we do business. We have to begin to put money in rehabilitation and education, and until we get to that level, we are doing the Commonwealth of Pennsylvania an injustice. We just reduced the prison population. We have just begun to see a savings and now you want to bolster it again by saying we need to do mandatory minimums because it will stop the use of drugs, when we know from an evidence standpoint that has never done it, so how does that improve the public safety?

The Department of Corrections has said that it does not work. Many people have said it does not work. I need you to understand that we have to vote down HB 741, because if we do not, we put Pennsylvania on a back row, not a forward row, and we need to be forward-thinking not backward-thinking, because there is nothing back there besides death and destruction. Vote down HB 741.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Kampf, on final passage.

Mr. KAMPF. Thank you, Mr. Speaker.

Mr. Speaker, as I indicated before, I have some personal experience in this field, having been a prosecutor in Philadelphia and also in York County for the first 5 years of my career as an attorney. When I think about mandatory sentences for the enumerated crimes, I believe that those are the collective will for sentences of the people of Pennsylvania for those enumerated crimes. In other words, that the people of Pennsylvania, through this body dating back decades, have said that a minimum sentence of X number of years must be imposed, and it is concerning to me that right now that will – although perhaps for good reasons constitutionally articulated by the United States Supreme Court – that will is not being reflected in our law. For crimes against a person over the age of 60 years old where there is an aggravated assault, the mandatory minimum was supposed to be 2 years. That mandatory minimum is not in place. For rape of an individual over 60 years, the mandatory minimum of 5 years is not in place today. For crimes committed, robberies committed, for example, with a firearm, a mandatory minimum of 5 years is not in place. Where a victim is less than 13 years old and a murder of that victim occurs, a mandatory minimum of 15 years is not in place.

The notion that those minimum sentences are not required in those types of crimes today as I speak to you is concerning to me as a citizen of Pennsylvania. As a former prosecutor, I can tell you that it is difficult for judges to impose serious sentences. Put yourself in the position of a judge and you are called upon, with someone in front of you, to impose a serious sentence. Many times the judges can do this, but I have been in courtrooms where a judge shrinks from that obligation. I have been in courtrooms where a judge is not capable, for whatever reason, of imposing what you and I would think was an appropriate and serious sentence, and the will of the people of Pennsylvania for decades has been that in those situations, the judge is not permitted to shrink from that responsibility to protect all of us. But today that judge is permitted to do that.

I think from personal experience, and simply from the logic of mandatory sentences, that to protect the people of Pennsylvania, this decades-old list of mandatory minimum sentences for serious crimes must be put back into our law.

Please vote for this bill. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Rabb, on final passage.

Mr. RABB. I just heard my colleague from Chester County talking about shrinking from one's responsibility. I believe in an independent judiciary. I also believe that the law of the land is that our judiciary is presently elected, and we have a choice as voters what to do about that if we do not like the judges we have in office, just as those same voters can choose when it is time for our reelection. What happens when we shirk our responsibility, we shrink from the moral courage it takes to do what is right in a particular political moment? It is very easy to say you are tough on crime. It is much harder to look at people in the eye when you live in those communities where crime ravages the people you live near. It destroys families.

But I have also stumbled upon something very interesting, as a new member working in Harrisburg. Politics makes strange bedfellows, they say, and I am up here on one side of the political spectrum and I am asking people to vote against this bill, being supported by none other than the Koch brothers, being supported by none other than ALEC (American Legislative Exchange Council) and the Commonwealth Foundation that oppose mandatory minimums. I think that it is very interesting and perhaps appropriate that people can transcend partisanship and see this for what it is.

I am here because I want to work with folks, and I have found that even as early as this morning, I have worked in bipartisan fashion with some of my fellow freshmen, and being very moved by doing so. But now I am here trying to encourage some of my colleagues to support me along with folks who are on the opposite side of the political spectrum where I am: in opposition to reinstating mandatory minimums.

If there was ever a time to put partisanship aside and put the rhetoric aside and do what is right, the time is now. Please vote against HB 741. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Pyle, on final passage.

Mr. PYLE. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 741. We have just spent 2 hours listening to perspectives from 203 individual legislative districts from as far away as my friend in Philadelphia, which

measures 330 miles from where I live, and I understand they may have a different take on things than we do. I stand in support of 741 for a really simplistic reason. I taught civics for 13 years. The Constitution was my textbook. Now, it says very clearly in that Constitution that the executive branch, our Governor, the honorable gentleman from York County, Governor Wolf, his job is to execute the will of the legislature. The court's job is to rule in disputes of gray areas where the law does not specifically address a situation, but, Mr. Speaker, the only people in this Commonwealth that are allowed to declare a criminal sentence with a penalty attached to it is us. The Governor cannot do it. The courts cannot do it.

You know, I almost asked for parliamentary clarity on this when I heard people say that we have got to give it to the judges to rule on this any way they want. I would buy that if a couple of conditions were in place. Now, we have seen comparisons made between what we do and what our respected jurists do. Now, I know when I go to Walmart, I am fair game. Somebody could walk up to me and say, "What are you going to do with this bill? What are you going to do with that bill? What are you going to do with this bill?" and I have got to answer them if I expect to come back and press the button to vote on the bill, but you know judges cannot do that.

I have got a common pleas election going on in Armstrong right now, first time in a long while, and all these guys are coming up to me going, "Who do you like? Who do you like? Where do they stand on gun rights? Are they pro-life? Are they pro-choice? What are they?" By our code of law, a judge cannot answer that question. When that guy is out there trying to get your vote and you said, "I want to know where you are going to stand on capital punishment," legally they cannot answer that. They have to remain wings level, neutral, reading the law for what is written.

That is what we are working on today. I applaud the gentleman from Montgomery County who has come out with a very, very good bill that addresses a very big problem. I will not leave this floor, flag down the first newspaper reporter, and call the people who voted against it soft on crime or supportive of kiddie rapists. No, we are all accountable to the people back home who are the ones stopping you at the Little League game and grabbing you at the Coke machine and asking you questions.

Now, we have had this discussion before. My people have been very clear. We do not like the opioids flowing through us like water over the beach. We want those guys caught, and that is where an important part of this discussion that has not been mentioned yet has to be introduced: deterrence. Deterrence, that thing that lies out there preventing you from getting it on when you know it is against the law. If you know you are going to jail, you are far less likely to commit that crime. Now, whether it is pedophilic rape or selling drugs on playgrounds or killing people, that is not something that needs to be interpreted. Our code of law is quite blunt and clear about it.

I commend the gentleman from Montgomery and I would encourage all of my colleagues here to reinstitute mandatory minimums, which are justly applied to offenses we all consider so heinous that there must be a downrange consequence.

Now, we have got a Governor now that will not sign an execution warrant. We have got – what? – 200 to 300 people on death row laughing and thanking God they are in Pennsylvania

because we will not put them down. Now, you want to talk about mandatory minimums? Go ahead. I am voting for this. I hope you do too.

Thank you, Mr. Speaker.

THE SPEAKER (MIKE TURZAI) PRESIDING

The SPEAKER. Members, we have had some inquires as to all those who are scheduled to speak. We have Representative Cephas, Representative McClinton, Representative Jozwiak, Representative Wheatley, Representative Vanessa Brown, Representative Kinsey, Representative DeLissio, Representative Bernstine, Representative Davidson, Representative Sturla, and Representative Daley. That is who is listed at this time.

Representative Cephas, the floor is yours.

Miss CEPHAS. Thank you, Mr. Speaker.

As a new member to this legislative body, I have had the opportunity to watch my colleagues have conversation after conversation, months after months, talk about things about best practices, evidence-based practices, performance-based budgeting, request report after report, to look at opportunities to do government right, to invest dollars that are right within our government, and to make sure that we are implementing programs and policies that are proven in evidence and best practices.

I have also had an opportunity to watch this General Assembly do great things around criminal justice reform. I mean, we have seen our prison population decrease. We have seen crime go down in the State of Pennsylvania. We have even made proposals to cut corrections. So all of those things are commendable, but what we are doing today with HB 741 is going into the opposite direction. We are no longer being smart on crime. When we talk about the dollars that we invest in our criminal justice system and needing to invest more dollars in issues of education, issues around public health, issues around neighborhood development, implementing these laws will, again, take us in that wrong direction.

So I am asking my colleagues, like myself, to vote against this bill, because if we want to be smarter in these areas and invest our time and energy that will make our Commonwealth better, make our Commonwealth work for the people that we represent, this is not the direction that we go into.

I thank you for allowing me the opportunity to speak, and again, I urge everyone to not vote for HB 741. Thank you.

The SPEAKER. Representative McClinton.

Ms. McCLINTON. Thank you, Mr. Speaker.

Thank you to all of my colleagues for taking the time to engage in this debate, and special thanks to the gentleman from Montgomery County, Representative Stephens, for being so committed to making sure that we do not have crime on our streets all across this Commonwealth in Pennsylvania.

Last Friday, Mr. Speaker, I spoke at a career day, and the elementary school where I spoke is grades K through 8. The first group that I spoke to, the children are K through the second grade, kindergarten through second grade, and one of the little boys said, "Does anything in your job ever make you sad?" and I was surprised at such a profound question, because it is like, well, I love this job. It is something I enjoy day to day. I am very passionate about being in this legislature and serving my

community and keeping my sleeves rolled up. But I told him, I said, "Some things that make me very sad, I sometimes feel like I'm not able to do anything about," and I asked him, I said, "Do you think you could guess one of the things that makes me very sad that I see on the news a lot where we live?" and he said, "Yes. People shooting. People getting killed. People having guns." And this was a little boy, Mr. Speaker, that was not even in the second grade yet, and I said, "Wow, you know the thing that makes me most sad." And the thing is, it is not just gun violence, and it is not just illegal handguns being on the street – which we cannot seem to find where the source is, that we have all these handguns in Philadelphia and in Delaware Counties – but it is the fact that our children at a young age are recognizing and realizing that the future is not as bright as we paint it for them. It is not as bright for all the children across this Commonwealth because it depends on where you live, because, see, there are many counties where you do not have to worry about who is getting shot. You do not have to worry about someone going into a facility and three people getting killed in one instance. That is not a concern for you because it never comes up across your headline, because you do not live where I have lived my entire life, in southwest Philadelphia. That is not an issue that you have to face or combat.

So you say, why am I bringing that up when we are talking about HB 741? Because no matter how many mandatory minimums we have in this Commonwealth, we cannot seem to stop crime. Why is it that we cannot stop crime? Can someone tell me why people are still getting shot; why people are still selling drugs, no matter how many years we sentence them to in the Department of Corrections? Why is it that things are not resolved? It seems as if we are sitting in this hall, we are back again talking about mandatory minimums, which did not go anywhere last year after they left this hall, but here we are with the same conversation. Why are we not having a conversation about how to improve outcomes for our children, about how we can spend some taxpayer dollars on summer jobs so that they get better opportunities earlier in life so that they do not go down that pipeline to prison? Why are we not talking about re-entry programs?

I cannot tell you how many times I was in court representing people who could not afford to hire a fancy, high-priced lawyer, and they would make their decision not based on guilt, innocence, my ability to investigate, or certainly not my ability to put up a strong defense. They would make their decision based on something called mandatory minimums. Many times they would choose a nontrial disposition because they decided, "Well, I've got children and I've got this and I've got the other and I can't even afford to expose myself to possibly spend X amount of time in jail." And many times prosecutors, at least where I used to practice in Philadelphia County, hold that over the head of the defense attorney and say, "Well, if you aren't interested in that, you know it's a school zone." The whole city is a school zone. Are you kidding me? That is not fair, that is not right, and it is not just, and when there are mentions of an interest of judges not imposing harsh sentences, I do not know where that occurs, because in my almost 10 years of practicing, everybody that I practiced in front of seemed to give out a fair sentence. And studies are showing over and over again here in Pennsylvania that the majority of Pennsylvanians do not want mandatory minimum sentences and that judges often, if not always, sentence within the guidelines, already consider one's

prior record, already consider the offense and how serious the offense is, and whether or not there is a victim and how old that victim is. It is the reason why we have the branches, it is the reason why we have prosecutors, it is the reason why we have judges, and it is the reason why we should make fair laws – not just ones that sound fair but are not applied appropriately across the board.

So for all those reasons, I join with the ACLU (American Civil Liberties Union). I join with the Defender Association of Philadelphia. I join with the Montgomery County Defender. I join with ALEC – never thought I would say that – I join not only with ALEC, but with the Koch brothers – never thought I would say that. I also join with the Commonwealth Foundation and say, vote "no" on HB 741.

The SPEAKER. Representative Jake Wheatley, followed by Representative Barry Jozwiak.

Representative Jake Wheatley.

Mr. WHEATLEY. Mr. Speaker, thank you.

Mr. Speaker, I rise and ask if I may interrogate the maker of the bill?

The SPEAKER. Representative Stephens, will you stand for interrogation?

He will, sir. You may proceed.

Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, I just have a couple of questions for clarity's sake. Can you tell me, if this was to go into effect, being that I heard a lot about making sure those who commit these violent crimes or sell these drugs to our children or near our children – when we say mandatory sentencing, will that mean 100 percent of the people who are convicted or charged with these crimes will actually have to serve that mandatory minimum? Meaning they will get charged, they will go to jail for whatever that mandatory minimum is.

Mr. STEPHENS. No.

Mr. WHEATLEY. Okay. So our victims out there at home, when we are talking about mandatory minimum and being tough on these criminals and we are going to impose this law and we are going to send people to jail, what we are really saying is, we are going to empower prosecutors to leverage our law to give them a better sentence.

Mr. STEPHENS. So as I mentioned yesterday when the amendment was filed about requiring a prosecutor to move forward in every single instance, there might be an instance where you have an 8-year-old little girl, and you know what? She really does not want to testify. She really does not want to have to testify about all the horrible things that her uncle did to her at their cabin at the lake, and she does not want to have to do that in public and have that story in the newspaper. She might not want to endure that. So there might be a reason for the prosecutor to turn and say, hey, you know what? We are not going to impose the mandatory in this instance, but we are going to impose a sentence, whatever the prosecutor might find just when balancing that out. You know there are a lot of victims, especially our most innocent victims, our children, who really should never have to endure the confrontation that comes with the criminal justice system. But our Constitution, rightfully so, gives everyone who has been accused the right to confront their accuser. So there might be instances where someone like that, in that type of situation, the prosecutor might say, you know what? I am going to spare this little girl the ordeal of a trial, the ordeal of the public sentiment and humiliation, and

then go ahead and move forward without imposing the mandatory minimum sentence. So yes, that opportunity is still available for the prosecutor here.

Mr. WHEATLEY. Thank you. Do you know, in the time between when the Supreme Court invalidated our mandatory minimums to these particular sets of crime, do you know what the sentencing for similar crimes in that time span has been? Are an overwhelming majority of them within that same frame of what they may have received under a mandatory minimum sentence?

Mr. STEPHENS. So give me just one second. I have some data on that.

So let us talk about heroin, all right? Before heroin, the lowest tier, 1 to 10 grams of heroin. So a dealer who dealt between 1 and 10 grams of heroin, while the mandatory minimums were in place, 47 percent of them went to State prison, received an average minimum sentence of 27 months. With no mandatory minimums in place, only 36 percent of them are going to State prison, with an average minimum sentence of 20 months. So we have already seen a more than 6-month reduction in the bottom end of sentences for trafficking heroin. That is the lowest tier – and by the way, when I say lowest tier, that is at least 33 individual doses of heroin.

Now, on the second tier, which is more than 330 doses of heroin, between 10 and 50 grams, well, what we have seen is a reduction in the average sentence by more than a year, for those that are dealing more than 330 individual doses of heroin.

When you move up to the next tier, 50 to 100 grams – just to understand, 50 to 100 grams is 1,650 individual doses – we have seen a reduction again of more than a year in the prison sentences for people who are dealing more than 1650 doses of heroin.

And at the highest level, the 100 to 1,000 grams of heroin, which is more than 3,300 individual doses of heroin, we have also seen a reduction in sentences.

So that is heroin. That is an example of the impact of losing the mandatory minimum sentences. The number one priority of just about everybody in this building, from the Governor to the Senate to the House, has been eradicating heroin from our communities, and unfortunately, with the loss of mandatory minimums, the folks who are the suppliers who are out there supplying the heroin are getting less time and are back out on the street sooner. We need to end that and pass this bill.

Mr. WHEATLEY. So I am going to, in the interest of time, I am just going to ask, Mr. Speaker, if the gentleman from Montgomery County, I know you came in after this was released, but have you had a chance to look at the Sentencing Commission's report that they did in response to a House resolution that we asked them to look at, as it relates to mandatory minimums?

Mr. STEPHENS. I have it right here.

Mr. WHEATLEY. So when you based your recommendations in this bill, were they used or were any of these recommendations a part of your thought process in basing your bill?

Mr. STEPHENS. Yeah, as a matter of fact, you know, what is interesting is, this report – there are a couple of concerns— Yes. The short answer to your question is yes. One of the reasons why I proposed the amendment yesterday to change the school zone is because this report spends considerable time talking about the school zones. So you might remember yesterday that we did an amendment that changed the school

zone mandatory from 2 years to 1 year and instead changed the delivery to a child mandatory from 1 year to 2 years. So that was based on the recommendations and taking a look at school zone mandatories in here.

But what is a little troubling, and really, limiting, in terms of our ability to use this report, are a couple things. The report is based on data largely from 1990 to 1994, which at this point is getting pretty old. It talks about the most prevalent drug being cocaine, and heroin was only 6 percent, I believe, of the offenders that the report looked at, but most importantly, this only looked at four mandatories. It did not look at the mandatory for violence against the elderly. It did not look at the mandatory for violence against infants or children, things like that. So we would need some more information to better inform ourselves on this issue, and it is certainly something that we can work on over at the commission.

Mr. WHEATLEY. Thank you.

Mr. Speaker, may I speak on the bill?

The SPEAKER. Yes. On the bill, please.

Mr. WHEATLEY. So Mr. Speaker, the reason why I was interested in learning the thought process of the maker of this bill is because I found it very ironic when I read this report and I compared it to the bill, some of the things that were discussed in this report. They talked about the fact that they did not look at violent-related crimes was because when they compared the sentencing between what they were getting and what the mandatories were imposing, they were pretty much the same. They were in the same realm. So they did not really look at that, and then when they looked at these other crimes, it was interesting; they said the one thing that they found when people talked about deterrents and public safety, the one thing that is important in that whole thing is the consistency of knowing that when you commit a crime, regardless of who you are, what you are, if you commit one of these crimes that we think are so critical, that you receive a punishment. Now, it did not matter about the length of time. It did not matter if it was – because most of the people did not even know what crimes were mandatory sentencing, were going to impact the mandatory sentencing or whatever, but it was that you were going to be assured a punishment.

The thing they said about drug crimes, and they said you have to make these things very intentional to the types of the crimes that you want to punish, correct, and deter, but what they were saying with drugs, which is what we heard a lot about today, it was saying that – and I want to read it from the report because I do not want to misrepresent it, because I have a couple members who were on this commission – it was saying that for incapacitation as it relates to drugs, the failure to appropriately target offenders at high risk of violence or serious reoffense may result in an overbroad application of incapacitation, and especially since the commission's research indicates that those who are incarcerated are at a higher risk of recidivism upon release from incarceration. The use of incapacitation is not supported in circumstances where an offender is quickly replaced by another, such as a drug dealer.

Now, when you talk about public safety, the study found that neither the length nor the imposition of a mandatory minimum sentence alone would relate to recidivism, but in the four recidivism studies conducted as a part of this process – and this is based from the report – 3 years after release, the drug dealers were offenders again 54 percent of the time. School zone offenders who were violated on this, 57 percent would repeat

the offense. Fifty percent of firearms offenders will reoffend. Younger offenders were those who have a number of prior arrests and other convictions or those sentenced to prisons were more likely to reoffend. Those sentenced for drug mandatories were more likely to rearrest for drug offense, and those sentenced for repeat violent offense or firearm mandatory were more likely to reoffend against a person.

Consistent with the findings of the research on deterrents and recidivism, the certainty of incarceration may be more important than the duration of confinement. I am harping on that point because in this utilization, they saw that because there was uneven application or selective use of mandatory prosecutions, it actually undermined the purposes of certainty and deterrents, which means because we know it is a tool for prosecutors to use at their discretion, it actually might be counterproductive to what we ultimately want to have. We want to have a safer society. We want to do something where we punish offenders, we recorrect their behavior, and then we hope that they will not do it again. Well, if that is the case, if that is what people say they want, then why give loopholes to allow it to be used that actually is counterproductive to what we want?

Now, I do not know about you, but I have been, not just as a Representative, but as an African-American male who lives in a community that is one of the most victimized communities as it relates to violence, drugs, and all these other atrocities, and when you talk about victims and having a voice for victims, I personally can attest to being confronted, having a pistol in my face, being robbed at gunpoint. And I will tell you that I would not and I will never be against trying to punish and stop behaviors that are counter to having a quality of life in all communities, but I am telling you what I know.

We pass these laws as if we are doing something that ultimately makes people safer, and we are not doing that. Passing a mandatory minimum and then giving discretion for prosecutors to use it how they want to use it is not going to create a safe environment. You are not protecting children who are being raped because you give a mandatory minimum sentence and then you tell a prosecutor, use it how you see fit. You are not making communities safer from drugs or drug dealers because you have a mandatory minimum on the books and 34 percent of the time, the mandatory minimum is never even used. You are not making communities safer because you have a mandatory minimum for firearms when anybody can get a firearm, and then the prosecutor decides who and how he wants to make a deal so that person never sees the 5-year mandatory. We need to be smarter in our tougher stance on crime, and all I am asking for us to do – I know that many of us, this does not matter to you, because when you go home you are going home to a safe community that is probably rarely ever under siege. But I am telling you from somebody who is going to go home and live on a street that is going to probably have someone who gets shot at, that is probably going to have some drug dealing being done right on the corner and the police know it. I am telling you, you are not making these communities safer by putting mandatory minimums and then providing loopholes to allow for them to be used however they want it to be used.

Now, if you do not want to have this argument about a disparity and you do not want to have this argument about when you go home to your constituents and they bump into you in the grocery store and they say, what did you do to make my community safer by taking this rapist off the street? You want

to tell them, I created a process, a law that says if you are convicted of rape, you are going to serve 10 years in jail. You are not going to be using that to leverage to see if you know somebody else who might be doing a worse crime and you snitch on them and I am going to give you a lesser one. So you bypass that mandatory.

Because what I found is, the most hardened criminals, they know the system and they know how to manipulate the system, just like some of us know how to manipulate this legislative process. And if you really want to make an impact, then let us go back to the drawing board. Let us sit down and really talk about what are the things that we need to have so that we do not have any loopholes in our laws, that we are real clear, because apparently, we do not trust the commission that we commissioned. We do not trust the Sentencing Commission to do their job. We believe we are the only ones that are able to tell and protect our citizens when we create these mandatory instructional laws that we know are not even mandatory.

The only thing I am asking us for – I am not asking for us to soften up on crime, I am not asking for us to soften up the process, and I am not asking for us to be easy on criminals who commit heinous crimes. I am not asking for any of that. I am saying, we have an opportunity to do it right. Why rush it? We want to do something; you all feel like we need to do something. Well, let us do it right. Let us take our time. Let us bring the victims to the table and say, what would you like for us to do in this process? Let us bring the defense attorneys together and say, what should we be doing in this process? Let us bring the prosecutors, let us bring the judges, let us bring our public to this process and say, what should we be doing to make all of us safer, to make sure we punish people who commit crimes, we correct their behavior while they are in our facilities, and then hopefully they will not reoffend? But let us not just do something to say we did it. It sounds good. And many of you know I typically will not come down here and I will not waste your time, because obviously we all want to be somewhere else than where we are right now. But I am telling you, this is an important issue. We cannot, we cannot allow ourselves to go back to where we were in the midnineties, when we know better now than what we may have known then. This is not the process that will get us to where we want to go. And all I am asking for you all, hopefully, for some of you all who may believe that you want to have a criminal justice system that is fair, equitable, and that the punishments are distributed the same way no matter what it is, then do not do this, because this does not get you to where you want to go.

MOTION TO TABLE

Mr. WHEATLEY. So I will say, Mr. Speaker, I really appreciate the leeway in letting me talk more than I probably should have, but I am going to ask that we really table this – I guess I ought to make a motion.

So, Mr. Speaker, I would like to make a motion.

The SPEAKER. Sir, please state your motion for the record.

Mr. WHEATLEY. I would like to table the vote on this bill or table this bill until such time – I guess I have got to give you a date certain.

The SPEAKER. Yes— No, you do not, sir. You do not. You do not need a date certain. You can do just a motion to table.

Mr. WHEATLEY. May I make a motion to table this bill to allow us more time to discuss a way to make this bill a better bill?

The SPEAKER. Yes. The good gentleman from Allegheny County has moved to table the legislation. It is only debatable by the floor leaders and the maker of the bill. We have heard from Representative Wheatley. If either of the leaders wish to speak on the motion to table.

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

The SPEAKER. Representative Reed, on the motion.
Mr. REED. Thank you very much, Mr. Speaker.

Although after hours of debate it is somewhat tempting to table the bill, I think I am going to go ahead and ask people to oppose the motion to table the bill. Thank you.

The SPEAKER. Representative Dermody, on the motion to table.

Mr. DERMODY. Thank you, Mr. Speaker.
Mr. Speaker, the gentleman from Allegheny makes a very strong argument. HB 741 is not ready for prime time. It never was, never will be. I think the motion to table at this time is appropriate.

LEAVES OF ABSENCE

The SPEAKER. Representative John MAHER and Representative Bryan BARBIN have requested to be placed on leave. Without objection, those will be granted.

CONSIDERATION OF HB 741 CONTINUED

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

The following roll call was recorded:

YEAS—77

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

NAYS—113

Baker	Gabler	Marshall	Roae
Barrar	Gillen	Marsico	Roe
Benninghoff	Gillespie	Masser	Rothman

Bernstine	Godshall	McGinnis	Ryan
Bloom	Greiner	Mehaffie	Saccone
Boback	Grove	Mentzer	Santora
Brown, R.	Hahn	Metcalfe	Saylor
Causer	Harper	Metzgar	Schemel
Charlton	Harris, A.	Miccarelli	Simmons
Cook	Heffley	Millard	Sonney
Corbin	Helm	Miller, B.	Staats
Corr	Hennessey	Milne	Stephens
Cox	Hickernell	Murt	Tallman
Culver	Hill	Nelson	Taylor
Cutler	Irvin	Nesbit	Tobash
Day	James	O'Neill	Toepel
Delozier	Jozwiak	Oberlander	Toohil
Diamond	Kampf	Ortity	Topper
DiGirolamo	Kaufert	Peifer	Walsh
Dowling	Kauffman	Petri	Ward
Dunbar	Keefer	Pickett	Warner
Dush	Keller, F.	Pyle	Wentling
Emrick	Keller, M.K.	Quigley	Wheeland
English	Knowles	Quinn, C.	White
Evankovich	Lawrence	Quinn, M.	Zimmerman
Everett	Lewis	Rader	
Farry	Mackenzie	Rapp	Turzai,
Fee	Mako	Reed	Speaker
Fritz	Maloney	Reese	

NOT VOTING—0

EXCUSED—13

Barbin	Fabrizio	Matzie	Sankey
Christiana	Klunk	Moul	Thomas
Ellis	Maier	Mustio	Watson
Evans			

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

On the question recurring,
Shall the bill pass finally?

The SPEAKER. The good gentleman has spoken on the bill.
Representative Barry Jozwiak.
Mr. JOZWIAK. Thank you, Mr. Speaker.

First of all, I just would like to thank the maker of the bill for doing all the research he did. He explained the bill thoroughly. He answered all these questions. He spent a lot of time on this, and I think this is a really good bill.

But what I want to point out to everybody is, a lot of the discussion here today is about drugs. This bill is not just about drugs. These are very serious violent crimes against the public – violent offenses using firearms; violent offenses against the elderly, children; drug traffickers; violent offenses against infants; sexual offenders; registration of sexual offenders. These are specific crimes. And here is the one that the public is really vulnerable to: people impersonating a police officer. They think they are safe with that person and they are not. Now, these criminals that commit these crimes need to be taken off the street, because if you take them off the street, they are not going to commit more crimes. It is that simple.

So I heard that users of the system do not have a say. Well, you know my background. I was a user of the system. The maker of the bill is a user of the system, and there are even a few people in this chamber that were users of the system; so are the State Police, the Chiefs of Police, the State F.O.P. (Fraternal

Order of Police), the District Attorneys Association, and the Office of Victim Advocate. They are all users of the system and they all support this bill.

I have heard people say that it is expensive to put people in jail. Well, public safety is expensive, but I have never had a taxpayer or anybody come up to me and complain about putting a violent criminal offender in jail and it costing money to do it. They want them off the street. This is not just a public safety issue; this is also a law enforcement issue. This is public safety for the police.

So I just want to say that I support this bill, and I am glad the maker brought it up. I would ask everyone here to vote "yes" on this bill. Thank you.

The SPEAKER. Representative Vanessa Brown.

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

Mr. Speaker, here we are again discussing legislation that would create a justice system ripe for discrimination and abuse. And why do I say that? It is because there are more victims than just the ones that you typically think about, and the victims that this was actually drafted for, HB 741, my heart goes out to those victims. And if this was anyone in my family, I understand why you would want a mandatory minimum, but there are other victims, Mr. Speaker, that we are not talking about.

In my district, many of us serve about 60,000 people. Of those 60,000, 3,000 are incarcerated in the State system from my district alone. When I go to the prisons and I visit those gentlemen and those ladies, all of them did not do the crime. All of them were not guilty, Mr. Speaker. Some of them took a plea deal, and on some of these most heinous crimes, when they were faced with whether or not they will get a proper defense or whether they can afford a proper defense and they are faced with these mandatory minimums, many will take a plea deal so they can go back home to their families sooner than what the mandatory minimums dictate, even though they know in their heart they did not do the crime.

It is not easy in the Commonwealth of Pennsylvania to fight for your freedoms. It is very expensive. It is about relationships, and many people from the districts that many people who look like me serve do not have those relationships or those dollars to fight for their lives, so therefore, they take the best way out, and that is taking a plea deal, which is less than the mandatory minimum. Many of our district attorneys know that. Many of them know that that is the way to negotiate and close a case and look like a winner when they express that these mandatory minimums are what they are going to lean on people who are less fortunate to fight back. We see this every day in our community, Mr. Speaker, and somebody has to stand up for those victims, somebody has to stand up for those victims because they are voiceless. They are the voiceless people who are filling up our prisons.

You cannot tell me that my district, having 3,000 people incarcerated, that somebody does not think that something is wrong with that. How could it be that all the criminals live in my district, because they do not, Mr. Speaker? They do not live in just my district. All of our districts are plagued with people who do good and people who do bad, but not 3,000 from my district are all bad.

And it is enough, Mr. Speaker. We have looked at this. We have decided that this is wrong. We know that this is an issue. Why would we go back to doing the same things that we know are wrong unless you just want to make money off a prison system, unless it is about contracts that the prison system gives

out on a regular basis based on people who do not belong there. You cannot continue to make money off the backs of people who do not belong there and think that we will stay silent. We will no longer stay silent, Mr. Speaker. We will call you out, because we should be thinking about how money should be diverted to help those people not fall into those traps. They should be getting better education, Mr. Speaker. They should be living in better and safer neighborhoods, Mr. Speaker.

Many people get stuck because they have a gun in their car and they get pulled over from a live stop, and because of that gun in the car, there is a mandatory minimum for that, Mr. Speaker. But we do not talk about people in communities that are not policed well, where money is not allocated for their safety, where young African-American males only feel safe when they have a gun. It is not because they want to do a crime. It is because they want to be safe, Mr. Speaker, just like people in other communities have guns and they are safe, Mr. Speaker, but because of so many criminal issues that plague the communities where I come from, many are not eligible to have guns in a legal way. So illegally, because they want to be safe, they have them and they get caught up into the mandatory minimum trap. I know too many of them personally. Too many of them are my neighbors, they are my family members, and they are my friends, Mr. Speaker, and I will not be silenced, will not be silenced. I will make sure that they know that there are people who stand for their justice as well as the justice of other victims who fall to the crime.

So, Mr. Speaker, I just want to say, thank you so much for the time. I hope that my colleagues understand that everybody's reality is not the same, Mr. Speaker, everybody's reality is not the same. And we are all sent here to fight for the good of the entire Commonwealth of Pennsylvania and not just one small class. I am asking to look at the many thousands and thousands of victims who have taken the plea deal because they did not have what they needed to defend themselves in this Commonwealth of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Representative DeLissio.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, I have been following this debate very closely, not only today but yesterday, and am particularly intrigued by the reason that the Supreme Court tossed out mandatory minimums. The reason was because juries had not been apprised upon deliberation what the mandatory minimums were. So this is what has caused this, and I think some of my colleagues have referred to this as a "technicality," but it provides an interesting opportunity. And I think this interesting opportunity is that the fact that these mandatory minimums for many of these sentences have been removed allows us to take a step back and to look at whether or not these should be reinstated. And the data and the evidence and the literature is fairly compelling, compelling enough to cause us to make another decision as to whether or not mandatory minimums should be reinstated by the legislature.

Now, as a matter of policy, probably for the past short couple of years, any legislation that has included mandatory minimums I have been a "no" vote, and I will be a "no" vote on this legislation again today. And I have been a "no" vote for a very specific reason, because I think it is indeed the rule of the judiciary branch to make these decisions. If there are indeed judges that are shy or hesitant for whatever reason to put sentences in place, perhaps they need to think about a career

change or perhaps the voters need to think about a career change when that comes to our attention.

The one thing that I did learn that was brand-new yesterday in caucus was that mandatory minimums are not applied ubiquitously and across the board, and that was very disconcerting, Mr. Speaker, that D.A.s have the discretion to decide whether a mandatory minimum will even be imposed and whether they use it then to plead somebody out. I do not want those to be used as a tool. So I urge that given all of the discussion and the unique opportunity before us to take a good hard look at this, that we do just that.

And I do recognize that some of the crimes that have had mandatory sentences that currently do not certainly sound horrible. They are horrible; they are egregious. But I am also aware from quite a bit of reading that I do that many defendants, then convicted felons, are convicted inappropriately. They are actually innocent, and with new tools, particularly like DNA testing, quite a few of those people have had their convictions removed, as it should be, and I am not even sure how we make up for the fact that we may have incarcerated somebody for literally years inappropriately.

So our system is not perfect, and I am not sure I have heard a whole lot of discussion acknowledging that it is not a perfect system, and in order to ensure justice for the victim and justice perhaps for a defendant who is really not guilty, we need to refine this system. This is that opportunity.

I will be a "no" vote, Mr. Speaker. Thank you.

The SPEAKER. Representative Steve Kinsey. Waives off.

Representative Margo Davidson.

Members, we have Representative Davidson, Representative Sturla, Representative Daley, and Representative Bernstine.

I would ask all members to please take their seats. All members, please take your seats.

Mrs. DAVIDSON. Thank you, Mr. Speaker, and I intend to be brief.

Is the criminal justice system just? That is really the central question in the deliberation on HB 741. Is our criminal justice system just? Is it fair?

Let us take off the table for a moment the question of whether or not anybody in this House believes that a guilty criminal of heinous crimes and of drug dealing should not be put in prison. Look around you. These are your colleagues. These are folks that you sit in committee with. These are people that you have come to know over the years. I can say without fear of exception that there is not a single person in the House of Representatives that would not want to see a child abuser in prison. There is not a single person in the House of Representatives that would not want to see a drug dealer selling drugs on our streets placed in prison. So let us take that off the table. Let us stop talking about the heinousness of the crimes, because no matter how heinous it is, there is not one of us here that does not want to see justice against that criminal.

One of the questions that we do need to also take off the table is, is this a deterrent? Are mandatory minimums a deterrent to criminals? They are not. There is no reputable think tank, whether conservative – and we have heard from ALEC; we have heard from the Commonwealth Foundation – whether it is conservative or progressive, that will tell you that mandatory minimums are a deterrent. They are not. They may put somebody who committed a crime in prison for a period of time so that one criminal is off the street, but we know from the

toughest death penalty States that the murder rate does not decline. So it does not matter how tough you are, how tough the sentence is, it does not affect the crime rates. So let us take that off the table.

On the question of trusting the criminal system, we are talking about who it is we trust. That is really the central core of this debate. Some of us do not trust the judges. We do not trust the judges to make sound decisions about getting violent criminals off our street. We do not trust them, so we want a mandatory minimum to force them to do the right thing because we do not believe that they will.

Some of us do not trust the prosecutors. We do not trust the prosecutors. All they want to do is do a plea deal so they do not have to go through the rigors of putting somebody through trial to determine whether or not they are guilty, and we already know that many in that community have said this is a great tool to get plea deals. So there are many of us in this House that do not trust the prosecutors.

And there are some of us that do not trust the public defenders. Why do we not trust the public defenders? Because they have an enormous caseload of poor people, people with mental health issues, people with drug addictions who are filling up our prisons. They would like to get through this as quickly as possible, many times, themselves, and so this acts as a deterrent for them to go through the rigors of defending every one of these accused individuals. There is a high percentage of plea deals. Most of these crimes do not even make it to trial.

This House is full of lawyers. Most of you know that. Deals, plea deals are so that you do not have to go through the costs and the rigors and even sometimes take the victim through the trauma of going through a trial.

So here we are in the House of Representatives making a determination from 1,000 feet above the courtroom that we know what is best in every single case and that we are going to mandate what the minimum should be and that we cannot trust our criminal justice system to be just.

Now, I am not naive. I have been here for 7 years. We have come to the House of Representatives knowing what we are going to do before we even take our seat, so I am not naive to think that I am going to change very many minds, although that is my hope when I rise to speak. But I am going to ask you if you feel that you have to continue the narrative that "I am tough on crime" when you go back home to your constituents? I want you to think about that narrative that you have of yourself when you ride back home, and I am going to ask you that if you do not change your vote, to at least do a little self-reflection. Are you really tough on crime? Are you really presenting effective governance when you do things that cause the taxpayers to pay more, do not reduce crime and do not act as a deterrent? Is that effective governance?

Some of us come here and we have a narrative of ourselves as a Mahatma Gandhi. We are fighting violence and oppression with levelheaded resistance.

I am going to ask you to think about what role you want to play, if you want to be the kind of legislator that fights violence and oppression with levelheaded resistance, or are you going to be the kind of legislator that puts forth legislation that is effective governance? Are you just going to click your straps and say, "I'm tough on crime," although we really have done nothing to address the injustices that we all believe are in the criminal justice system?

I urge you to vote "no." Thank you.

The SPEAKER. Thank you, Representative Davidson.
Representative Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, my speech today is not for today; my speech is for those members who may still be here 20 years from now.

I have heard members talk about the decades-long practice of listening to the people and imposing mandatory sentences. Well, I was here decades ago when we first imposed those mandatory sentences and increased those penalties. There was a special session on crime during the Ridge administration, and we were going to solve the crime problem once and for all, and I do not think there was a single sentence that did not get increased. I do not think there was a single sentence that did not get a mandatory added to it. We went through the books and searched out every possible thing we could do to increase sentences in the State of Pennsylvania, and 20 years later the result is that we now have 40,000 more people in prison than we did 20 years ago and the crime rate is exactly the same as it was 20 years ago. Mr. Speaker, as has been pointed out numerous times here today, every study that has ever been done that is worth its salt says mandatory sentences do nothing – zero – nothing to deter crime.

Mr. Speaker, part of this bill is based on statistics, and the fiscal note on this is based on statistics and information from the Pennsylvania Commission on Sentencing, and what the Pennsylvania Commission on Sentencing said was that for violent crimes, there is no clear decrease in sentences after the mandatories were invalidated between 2013 and 2015. Since that time there has been no clear decrease in sentences after those mandatories were overturned. The average prison sentence length for crimes of violence decreased by 1.5 months on average, from 6.05 years to 5.93 years, but within that list of offenses, the average sentence length increased for some and decreased for others. The end result was that there was no change. So when you look at the fiscal note and you see that for firearms and public transportation and young victims and elderly victims and sex offenders and impersonating an officer, the cost difference by imposing mandatories is zero because the sentences are still the same. So this notion that we are somehow getting violent people off the streets by doing this bill just does not add up.

You know, facts are funny things. In this particular case, the supposed intent of this bill is not being met. What is instead happening is that we are imposing mandatory sentences for a lot of drug-related offenses, and as was pointed out by the sponsor himself, mandatories do not really mean mandatories. Mandatories mean mandatories for some and not for others. And so when the prosecutor looks across at the person he is trying to prosecute and there is a \$500-an-hour lawyer and a pillar of the community who is the parent of the person sitting across from them, they just do not bother to ask the judge to impose the mandatory minimum.

The SPEAKER. Sir, just for a moment, please suspend.

Members, please take your seats. Please take your seats.

The good gentleman is entitled to be heard. If there needs to be conversations, if you could just take them off the House floor.

Members, please take your seats. Staff members, I know you have important work to do, but if you could take those conversations off the House floor, we would appreciate it.

Representative Sturla, you may proceed.

Mr. STURLA. Thank you, Mr. Speaker.

So as I was saying, because mandatory sentences do not really mean mandatory sentences for all, when the prosecutor is looking across the table and he sees a \$500-an-hour lawyer and a pillar of the community who is the parent of the person who is charged with one of those drug crimes sitting across the table, they do not bother to ask the judge to impose the mandatory minimum. On the other hand, when they have some inner-city kid who is being represented by a public defender who has a couple minor offenses on their rap sheet, they go for the mandatory minimum. This is not a case of fair justice, and it is not a case that in any way, shape, or form deters crime.

Now, as was pointed out by the last speaker, I really do not expect to influence any votes here today, which is why when I got up I said that this is really a speech for 20 years from now, because I was here 20 years ago when we did the mandatory minimum sentences. Democrats and Republicans, we all voted for it. Great idea. We all went home and beat our chest and said, "Look at what we did. We've solved the crime problem." And 20 years later I am here to tell you it did not work. So for those that are going to be here 20 years from now, just remember, when this issue comes up again 20 years from now, I warned you.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Mary Jo Daley.

Ms. DALEY. Thank you, Mr. Speaker.

I want to bring your attention to an analysis of HB 741 by the Pennsylvania Sentencing Commission. I know we have all heard a little bit about it, but I want to just go into a little bit more depth.

So the Sentencing Commission found a significant fiscal impact on the Department of Corrections, \$47.3 million per year. It is important to note that this \$47.3 million comes from the projected increase in mandatory sentences for drug offenses. This is in contrast to no cost impact from reinstating mandatory minimums for violent offenses. The Sentencing Commission found that sentences for violent crimes remained the same as before mandatory minimums were overturned. So while the maker of the bill is talking about violent offenses, the truth is that only drug offense sentences would be affected.

The Sentencing Commission found that judges use their own discretion and decrease sentences for offenses for cocaine, heroin, marijuana, and drug trafficking in school zones, but not for violent crimes. So at \$100.83 per day, with 1,285 increased prison beds per year, the cost for each case in which these mandatories applies is \$36,703 and a total of \$47.3 million per year. Let us just think what that would mean if we used these funds, this \$47.3 million for substance abuse treatment; \$47.3 million would provide 30 days of drug treatment for 6500 people. That is a lot of people, a lot of families and communities that would have a better chance at a better life than any results that reinstating mandatory minimums would.

Mandatory minimum sentences are not proven to reduce crime. Mandatory minimum sentences are expensive, and we as elected Representatives in Pennsylvania can do better in reinstating mandatory minimum sentences for drug-related crimes.

I want to wrap up my statement with this. I live in and represent one of those districts that does not really worry about mandatory minimums, but I live 8 miles from these districts that

Representative McClinton described in her statement earlier today and I read the same newspaper that Representative McClinton reads, so I know – maybe not firsthand, maybe not in my neighborhood or district, maybe not me personally – but I know the reality that the world is vastly different in my neighborhood and district from Representative McClinton's district.

It is a matter of justice. So I urge my colleagues to vote "no" on HB 741. It is the right thing to do. Thank you, Mr. Speaker.

The SPEAKER. Representative Aaron Bernstine.

Mr. BERNSTINE. Thank you, Mr. Speaker.

This today – that we will be voting on in a few minutes, hopefully – this is a public safety bill. This is a public safety bill that protects kids, this is a public safety bill that protects addicts, and this is a public safety bill that protects the elderly. This is also an accountability bill. This is an accountability bill for rapists, this is an accountability bill for drug dealers, this is an accountability bill for child molesters, and this is an accountability bill for elderly abusers.

See, there are good guys and there are bad guys, and I am going to go ahead today and I am going to side with the good guys. This bill puts bad guys in jail cells, exactly where they belong, and in that cell they cannot hurt, they cannot hurt our most vulnerable, they cannot hurt our kids, they can no longer sell drugs to the addicts, and they cannot hurt the elderly, and if that takes a couple dollars, then so be it.

No one, no one is making these criminals do the crimes – not where they came from, not based on their socioeconomic status, nothing else other than they choose to go and commit these crimes. And it is very, very simple: When you do the crime, you will do the time.

Pass this bill. Put these criminals right where they belong – away from our kids, away from our families, and away from our neighborhoods. Thank you, Mr. Speaker.

The SPEAKER. All those in favor of the bill will be voting "aye"—

Whom am I missing? Does anybody else wish to speak?

Representative Ed Neilson.

Mr. NEILSON. Thank you, Mr. Speaker.

Mr. Speaker, it is my understanding before we started debate that we were not allowed to vote this at this particular time. I just wanted to make sure of that.

The SPEAKER. You are absolutely correct. You are completely correct. My apologies; you are completely correct. My apologies.

We are not able to vote this bill until 4:24 p.m. Thank you, Representative Neilson, and I do apologize. You get into a motion and you think you are there. I apologize. It is my mistake.

So does anybody else wish to speak on the bill?

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. Representative Reed.

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

I would make a motion to the immediate consideration of HB 741. Thank you.

On the question,

Will the House agree to the motion?

The SPEAKER. Representative Dermody, on the motion.

Mr. DERMODY. Mr. Speaker, the House Democrats do not support the motion to proceed.

MOTION WITHDRAWN

The SPEAKER. Members, it requires a two-thirds vote with respect to a motion to proceed. The leader is going to withdraw the motion to proceed.

RECESS

The SPEAKER. We will stand in recess until 4:24 p.m. We will stand in recess until that time. We will be able to vote the bill at that time. The 24 hours will have been met. Thank you.

AFTER RECESS

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

LEAVE OF ABSENCE

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

SUPPLEMENTAL CALENDAR A CONTINUED

CONSIDERATION OF HB 741 CONTINUED

The SPEAKER. At this time we will call up HB 741, PN 1262.

I know many members spoke. Does anybody else wish to speak?

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—122

Baker	Farry	Mako	Reed
Barrar	Fee	Maloney	Reese
Benninghoff	Fritz	Marshall	Roae
Bernstine	Gabler	Marsico	Roe
Bizzarro	Gillen	Masser	Rothman
Bloom	Gillespie	McGinnis	Saccone
Boback	Godshall	Mehaffie	Sainato
Brown, R.	Greiner	Mentzer	Santora
Burns	Grove	Metcalfe	Saylor
Causar	Hahn	Metzgar	Schemel
Charlton	Harper	Miccarelli	Simmons
Conklin	Harris, A.	Millard	Snyder
Cook	Heffley	Miller, B.	Sonney
Corbin	Helm	Milne	Staats
Corr	Hickernell	Mullery	Stephens
Costa, D.	Hill	Murt	Tallman
Cox	Irvin	Nelson	Taylor
Culver	James	Nesbit	Tobash
Cutler	Jozwiak	Neuman	Toepel

Davis	Kampf	O'Neill	Toohil
Day	Kaufer	Oberlander	Topper
DeLozier	Kauffman	Ortitay	Walsh
DeLuca	Keefer	Peifer	Ward
DiGiolamo	Keller, F.	Petrarca	Warner
Dowling	Keller, M.K.	Petri	Wentling
Dunbar	Knowles	Pickett	Wheeland
Dush	Kortz	Pyle	White
Emrick	Lawrence	Quigley	Zimmerman
English	Lewis	Quinn, C.	
Evankovich	Longietti	Quinn, M.	Turzai,
Everett	Mackenzie	Rapp	Speaker

NAYS—67

Boyle	Dermody	Keller, W.	Ravenstahl
Bradford	Diamond	Kim	Readshaw
Briggs	Donatucci	Kinsey	Roebuck
Brown, V.	Driscoll	Kirkland	Rozzi
Bullock	Fitzgerald	Krueger	Ryan
Caltagirone	Flynn	Kulik	Samuelson
Carroll	Frankel	Madden	Schlossberg
Cephas	Freeman	Markosek	Schweyer
Comitta	Gainey	McCarter	Sims
Costa, P.	Galloway	McClinton	Solomon
Cruz	Gergely	McNeill	Sturla
Daley	Goodman	Miller, D.	Vazquez
Davidson	Haggerty	Neilson	Vitali
Dawkins	Hanna	O'Brien	Warren
Dean	Harkins	Pashinski	Wheatley
Deasy	Harris, J.	Rabb	Youngblood
DeLissio	Kavulich	Rader	

NOT VOTING—0

EXCUSED—14

Barbin	Fabrizio	Matzie	Sankey
Christiana	Hennessey	Moul	Thomas
Ellis	Klunk	Mustio	Watson
Evans	Maher		

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.

ANNOUNCEMENT BY MR. MALONEY

The SPEAKER. Representative Dave Maloney is recognized on unanimous consent.

Mr. MALONEY. Thank you, Mr. Speaker.

I just wanted to take the opportunity to wish one of our colleagues a happy 39th birthday, Representative Kate Harper.

The SPEAKER. Happy birthday.

**REPORT OF
COMMITTEE ON COMMITTEES**

The SPEAKER. The clerk will read the following supplemental report of the Committee on Committees.

The following report was read:

Committee on Committees
Supplemental Report

In the House of Representatives
April 5, 2017

RESOLVED, That

Representative Todd Stephens, Montgomery County, resigned as a member of the Urban Affairs Committee and the Health Committee and is elected as a member of the Children & Youth Committee and the Transportation Committee.

Representative Jim Cox, Berks and Lancaster Counties, resigned as a member of the Human Services Committee and is elected as a member of the Health Committee.

Representative John Lawrence, Chester and Lancaster Counties, resigned as a member of the Liquor Control Committee and is elected as a member of the Health Committee.

Representative Dawn Keefer, Cumberland and York Counties, resigned as a member of the Human Services Committee and is elected as a member of the Commerce Committee.

Representative Michael Corr, Montgomery County, resigned as a member of the Commerce Committee and is elected as a member of the Human Services Committee.

Representative Eli Evankovich, Allegheny and Westmoreland Counties, resigned as a member of the Urban Affairs Committee and is elected as a member of the Liquor Control Committee.

Representative Jonathan Fritz, Susquehanna and Wayne Counties, resigned as a member of the Children & Youth Committee and is elected as a member of the Human Services Committee.

Representative Ryan Warner, Fayette and Westmoreland Counties, resigned as a member of the Tourism & Recreational Development Committee and is elected as a member of the Commerce Committee.

Representative Sheryl DeLozier, Cumberland County, resigned as a member of the Commerce Committee and is elected as a member of the Tourism & Recreational Development Committee.

Representative Justin Simmons, Lehigh, Montgomery and Northampton Counties, resigned as a member of the Children & Youth Committee and the Transportation Committee and is elected as a member of the Insurance Committee and the Urban Affairs Committee.

Representative Seth Grove, York County, resigned as a member of the Insurance Committee.

Representative Frank Farry, Bucks County, resigned as a member of the Health Committee.

Respectfully submitted,
Robert Godshall, Chairman
Committee on Committees

On the question,
Will the House adopt the resolution?
Resolution was adopted.

BILLS RECOMMITTED

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

HB 45;
HB 93;
HB 199;
HB 269;
HB 283;
HB 303;
HB 381;
HB 409;
HB 580; and
SB 250.

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 217;
HB 267;
HB 438;
HB 453;
HB 489; and
HB 991.

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 Sheryl Delozier moves that the House be adjourned until Tuesday, April 18, 2017, 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 4:30 p.m., e.d.t., the House adjourned.