

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, JUNE 12, 2017

SESSION OF 2017

201ST OF THE GENERAL ASSEMBLY

No. 31

### HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (MIKE TURZAI)  
PRESIDING**

#### PRAYER

The SPEAKER. We are so honored to have with us today Msgr. Dale R. Rupert, who is the pastor of the Cathedral of St. Peter in Scranton, Pennsylvania, and he is a friend, a very good friend and the guest of Representative Kavulich.

MSGR. DALE RUPERT, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Blessed are You, Lord, God of the universe. You are the creator and ruler of all that exists. You are the source of all law. Bless this legislative body and guide its legislative process. Bless all those who participate in the making of laws that justly order our society and contribute to the common good. Bless the elected Representatives of the citizens of this Commonwealth, their assistants, and their staffs. And in all matters may all praise be Yours now and forever and for ages unending. 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 Thursday, June 8, 2017, will be postponed until printed.

#### BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

**HB 74, PN 69** By Rep. GODSHALL

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for the definition of "new motor vehicle."

CONSUMER AFFAIRS.

**HB 882, PN 1966** (Amended) By Rep. GODSHALL

An Act amending the act of July 22, 1974 (P.L.589, No.205), known as the Unfair Insurance Practices Act, further providing for unfair methods of competition and unfair or deceptive acts or practices defined.

CONSUMER AFFAIRS.

**HB 944, PN 1967** (Amended) By Rep. CAUSER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, further providing for agricultural education and providing for Commission for Agricultural Education Excellence.

AGRICULTURE AND RURAL AFFAIRS.

**HB 1494, PN 1904** By Rep. CAUSER

An Act amending the act of June 28, 1995 (P.L.89, No.18), known as the Conservation and Natural Resources Act, in Department of Conservation and Natural Resources, further providing for contracts and agreements.

AGRICULTURE AND RURAL AFFAIRS.

#### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 385** By Representatives HEFFLEY, MATZIE, DRISCOLL, FREEMAN, METZGAR, READSHAW, HENNESSEY, LONGIETTI, CORR, SOLOMON, ROEBUCK, TALLMAN and MILLARD

A Resolution directing the Legislative Budget and Finance Committee to conduct a study of the feasibility of providing two additional passenger rail trips daily between Pittsburgh and Harrisburg and its impact on existing freight rail service.

Referred to Committee on TRANSPORTATION, June 9, 2017.

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1386** By Representatives PHILLIPS-HILL, GROVE, D. MILLER, RAPP, TALLMAN, WHEELAND and ZIMMERMAN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in certification of teachers, providing for instructional certificate grade spans and age levels.

Referred to Committee on EDUCATION, June 12, 2017.

**No. 1508** By Representative NESBIT

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, providing for professional prescription, administration and dispensing.

Referred to Committee on HEALTH, June 12, 2017.

**No. 1509** By Representatives BRIGGS, FREEMAN, PASHINSKI, CALTAGIRONE, DAVIS, V. BROWN, COX, KINSEY, D. COSTA, DeLUCA, ROEBUCK, THOMAS and WARREN

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in standby guardianship, further providing for definitions and for petition for approval of a designation.

Referred to Committee on CHILDREN AND YOUTH, June 12, 2017.

**No. 1517** By Representatives ZIMMERMAN, BOBACK, HICKERNELL, METZGAR, GREINER, BLOOM, M. K. KELLER, MILLARD, CUTLER, JAMES, PASHINSKI, DUNBAR, COX, WARD, SAYLOR, RADER and GILLEN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for vehicles exempt from registration; and, in licensing of drivers, further providing for persons exempt from licensing.

Referred to Committee on TRANSPORTATION, June 9, 2017.

**No. 1518** By Representatives CAUSER, PASHINSKI, CUTLER, BERNSTINE, JAMES, M. K. KELLER, MILLARD, PICKETT, ZIMMERMAN, BOBACK and LAWRENCE

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in organization of independent administrative boards and commissions, further providing for Agricultural Lands Condemnation Approval Board.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, June 9, 2017.

**No. 1519** By Representative ELLIS

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in entertainment production tax credit, further providing for definitions, establishing the Multimedia Tax Credit Fund, providing for State-certified production companies and making an inconsistent repeal.

Referred to Committee on COMMERCE, June 12, 2017.

**No. 1520** By Representatives KIM, CALTAGIRONE, DEAN, BRIGGS, RABB, SOLOMON, DERMODY, SCHLOSSBERG, CARROLL, SAMUELSON, YOUNGBLOOD, HANNA, FRANKEL, STURLA, DeLISSIO, MARKOSEK, WARREN, V. BROWN, GALLOWAY, DONATUCCI, MATZIE, MADDEN, FREEMAN, D. COSTA, KORTZ, DALEY, HARKINS, COMITTA, FITZGERALD,

McCLINTON, KINSEY, GOODMAN, DAVIS, BULLOCK, THOMAS, WHEATLEY, ROEBUCK, HILL-EVANS, DRISCOLL, DeLUCA, PASHINSKI, O'BRIEN, FLYNN, RAVENSTAHL, McNEILL, McCARTER, MULLERY, KULIK and NEILSON

An Act amending the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, further providing for definitions and for minimum wages; providing for tipped employees; further providing for minimum wage advisory board and for enforcement and rules and regulations; providing for rules and regulations; and further providing for civil actions.

Referred to Committee on LABOR AND INDUSTRY, June 9, 2017.

**No. 1521** By Representatives CHRISTIANA, SAYLOR, BERNSTINE, MARSHALL and DeLUCA

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, further providing for cost of tuition and maintenance of certain exceptional children in approved institutions.

Referred to Committee on EDUCATION, June 9, 2017.

**No. 1522** By Representatives SOLOMON, BERNSTINE, HILL-EVANS, SIMS, McCLINTON, THOMAS, SANTORA, FREEMAN, GODSHALL, CHARLTON, V. BROWN, SCHLOSSBERG, PASHINSKI, BULLOCK, DAVIS, D. COSTA, MACKENZIE, DRISCOLL, CEPHAS, W. KELLER, ROEBUCK and DONATUCCI

An Act establishing the Schools-to-Work Program; providing for powers and duties of the Department of Education; and making an appropriation.

Referred to Committee on EDUCATION, June 9, 2017.

**No. 1523** By Representatives MARSICO, BAKER, O'NEILL, ENGLISH, JOZWIAK, STEPHENS, M. K. KELLER, MILLARD, EVERETT, SACCONI, CORBIN, A. HARRIS, KORTZ, BARBIN, STAATS, DeLUCA, ROTHMAN, KNOWLES, TOPPER, TOOHIL, SCHEMEL, NESBIT, SAYLOR, PYLE, DELOZIER and D. COSTA

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in DNA data and testing, further providing for policy, for definitions, for powers and duties of State Police, for State DNA Data Base, for State DNA Data Bank, for State Police recommendation of additional offenses, for procedural compatibility with FBI and for DNA sample required upon conviction, delinquency adjudication and certain ARD cases, providing for collection from persons accepted from other jurisdictions and further providing for procedures for withdrawal, collection and transmission of DNA samples, for procedures for conduct, disposition and use of DNA analysis, for DNA data base exchange and for expungement.

Referred to Committee on JUDICIARY, June 9, 2017.

**No. 1524** By Representatives SCHLOSSBERG, DAVIS, DeLUCA, DRISCOLL, FREEMAN, GALLOWAY, HILL-EVANS, KINSEY, McNEILL, PASHINSKI, READSHAW, SOLOMON, THOMAS, WARREN and LONGIETTI

An Act providing for the Manufacturing and Apprenticeship Grant Program; imposing powers and duties on the Department of Community and Economic Development; freezing certain funds for programs; and making an appropriation.

Referred to Committee on COMMERCE, June 9, 2017.

**No. 1525** By Representatives WARREN, MILLARD, FREEMAN and FARRY

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for local option.

Referred to Committee on LIQUOR CONTROL, June 12, 2017.

**No. 1526** By Representative SAYLOR

An Act to provide from the General Fund for the expenses of the Executive and Judicial Departments, the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2017, to June 30, 2018, for certain institutions and organizations and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Account Guaranteed Savings Program Fund, the Banking Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account, the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, the Commonwealth Financing Authority Debt Service Restricted Revenue Account, the Insurance Regulation and Oversight Fund, the Pennsylvania Racehorse Development Restricted Receipt Account, the Multimodal Transportation Fund, the State Racing Fund and the ABLE Savings Program Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2017, to June 30, 2018; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2017, to June 30, 2018, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund money; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2017; and to provide for the additional appropriation of Federal and State funds from the General Fund, the State Lottery Fund and the Tobacco Settlement Fund for the Executive and Legislative Departments of the Commonwealth for the fiscal year July 1, 2016, to June 30, 2017, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2016.

Referred to Committee on APPROPRIATIONS, June 12, 2017.

**No. 1527** By Representatives STEPHENS, DRISCOLL, MILLARD, TAYLOR, PICKETT, ROZZI, CORR and JOZWIAK

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for persons required to report suspected child abuse.

Referred to Committee on JUDICIARY, June 12, 2017.

**No. 1529** By Representatives EVERETT, GROVE, MCGINNIS, ROTHMAN, DIAMOND, BAKER, MILLARD, PHILLIPS-HILL, COX, BLOOM, PICKETT, WARD,

TOPPER, IRVIN, WHEELAND, SACCONI, FRITZ, JAMES, SCHEMEL, KAUFFMAN, MAHER, SAYLOR, RADER, DELOZIER, KLUNK and BERNSTINE

An Act repealing the act of May 1, 1913 (P.L.155, No.104), referred to as the Separations Act, and making related repeals.

Referred to Committee on LABOR AND INDUSTRY, June 12, 2017.

**No. 1530** By Representatives EVERETT, GODSHALL, PICKETT, ROZZI, MILLARD and WHEELAND

An Act amending the act of July 11, 2006 (P.L.1134, No.115), known as the Dormant Oil and Gas Act, providing for oil and gas estate abandonment, for preservation of interests in oil and gas and for applicability.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 12, 2017.

**No. 1531** By Representatives CHRISTIANA, D. COSTA, BARRAR and HELM

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in open meetings, further providing for public notice and providing for notification of agency business required.

Referred to Committee on STATE GOVERNMENT, June 12, 2017.

**No. 1532** By Representatives PHILLIPS-HILL, BARBIN, COX, DRISCOLL, GROVE, JAMES, MILLARD, ORTITAY, READSHAW, ROTHMAN, SANTORA, SAYLOR and WHEELAND

An Act amending the act of October 27, 2014 (P.L.2911, No.191), known as the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act, further providing for access to prescription information.

Referred to Committee on HEALTH, June 12, 2017.

**No. 1533** By Representatives KAMPF, BRIGGS, BARRAR, DRISCOLL, MILLARD, SCHLOSSBERG, WARD, RADER, GODSHALL, TOPPER, RAPP, BERNSTINE, PETRI, HARPER, GREINER, CORR and PICKETT

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in corporate net income tax, further providing for definitions and providing for deductions.

Referred to Committee on FINANCE, June 12, 2017.

**No. 1534** By Representatives MATZIE, D. COSTA, DONATUCCI, PASHINSKI, CALTAGIRONE, MILLARD, KINSEY, ROZZI, FREEMAN and JAMES

An Act amending the act of July 20, 1974 (P.L.537, No.184), referred to as the Honey Sale and Labeling Act, providing for a standard of identity for manufactured honey.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, June 12, 2017.

**No. 1535** By Representatives WARD, BULLOCK, PICKETT, DEAN, SOLOMON, ZIMMERMAN, McGINNIS, RYAN, CHARLTON, CAUSER, BOBACK, KAUFER, PEIFER, MILLARD, KINSEY, BOYLE, PHILLIPS-HILL, SAYLOR, LONGIETTI, KAVULICH, GREINER, SANTORA, V. BROWN, WHEELAND, MOUL, WATSON and ROZZI

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for provider payment rates for individuals with an intellectual disability or autism.

Referred to Committee on INSURANCE, June 12, 2017.

**LEAVES OF ABSENCE**

The SPEAKER. Members, we are going to look at the leaves of absence.

The majority whip has requested leaves of absence for the following: Representative Greg ROTHMAN of Cumberland County for the day, Aaron KAUFER of Luzerne County for the day, Tom QUIGLEY of Montgomery County for the day, Ryan WARNER of Fayette County for the day, James SANTORA of Delaware County for the week, Matt GABLER of Clearfield County for the week, Representative Paul SCHEMEL of Franklin County for the week, and Representative Duane MILNE of Chester County for the week. Without objection, those will be granted.

The minority whip requests leaves of absence for the following: Representative Flo FABRIZIO of Erie County for the day, Representative Curtis THOMAS of Philadelphia County for the day, Kevin BOYLE of Philadelphia County for the day, Marc GERGELY of Allegheny County for the day. Without objection, those will be granted.

Representative DeLissio is on the floor. She will be included on the master roll.

**MASTER ROLL CALL**

The SPEAKER. Members will proceed to vote. Members will proceed to vote.

The following roll call was recorded:

**PRESENT—191**

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

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

**ADDITIONS—0**

**NOT VOTING—0**

**EXCUSED—12**

Boyle	Gergely	Quigley	Schemel
Fabrizio	Kaufner	Rothman	Thomas
Gabler	Milne	Santora	Warner

**LEAVES ADDED—10**

Brown, V.	Harper	Marsico	Pashinski
Costa, P.	Harris, A.	McGinnis	Reese
Cox	Keller, M.		

**LEAVES CANCELED—3**

Boyle	Gergely	Warner
-------	---------	--------

The SPEAKER. One hundred and ninety-one members having voted on the master roll, we have a quorum.

Members, if you could please take your seats, we have some guests.

**GUESTS INTRODUCED**

The SPEAKER. To the left of the rostrum, we welcome Shane and Lauren Davis; their son, Jonah. Please stand. And they are guests of Representative Zach Mako. Thank you so much for being us with today. It is great to have you.

Representative Seth Grove has members of the executives and their staff from the American Legislative Exchange Council. These guests of Representative Grove include – and please stand as I call your name – Jonathan Williams, who is the chief economist and vice president of the Center for State Fiscal Reform; Joel Griffith, who is the director of the Tax and Fiscal Policy Task Force; Ashley Varner, the executive director of

ALEC Action; Christine Smith, coordinator of the Center for State Fiscal Reform; and Spencer Chretien, who is membership manager. Thanks to all of you for being with us today. Thank you.

In the rear of the House, guests of Representatives Carl Metzgar and Mike Reese are Alexis and Roxanne Bunchik. Would you please stand. Thanks so much for being with us today. Thank you so much for coming.

In the rear of the House – and, members, I would ask you if you could take your seats, just in the back because we may not be able to see our guests, just for a moment. Representative Petrarca welcomes Joshua Cibik. Joshua Cibik, are you here? Oh, thank you so much. It is great to have you here, Joshua. Thank you.

Representative Margo Davidson has brought with her these guests: Girl Scout Troop No. 5410 from Drexel Hill in the Upper Darby School District. Please stand. The leaders are April Rice, who is Representative Davidson's district office chief of staff, and Joslyn Gray. Will you all please wave. It is so great to have you here. We love the Girl Scouts. Thanks for the great work you do.

We are going to proceed now to resolutions. There are some guests here with respect to some resolutions. So we are going to start voting on the resolutions, members.

## UNCONTESTED CALENDAR

### RESOLUTIONS PURSUANT TO RULE 35

Mr. CONKLIN called up **HR 304, PN 1617**, entitled:

A Resolution congratulating The Pennsylvania State University football team for winning the Big Ten Championship on December 3, 2016.

\* \* \*

Mr. CONKLIN called up **HR 305, PN 1618**, entitled:

A Resolution congratulating The Pennsylvania State University men's ice hockey team on winning its first Big Ten Championship and on its continued success both athletically and academically.

\* \* \*

Mr. CONKLIN called up **HR 306, PN 1619**, entitled:

A Resolution congratulating The Pennsylvania State University wrestling team on their sixth National Collegiate Athletic Association Division I championship in seven years.

\* \* \*

Mr. GOODMAN called up **HR 374, PN 1901**, entitled:

A Resolution designating the month of June 2017 as "Corrections Officers and Employees Month" in Pennsylvania.

\* \* \*

Ms. V. BROWN called up **HR 379, PN 1915**, entitled:

A Resolution designating June 12, 2017, as "Philadelphia Parks and Recreation Day" in Pennsylvania.

On the question,  
Will the House adopt the resolutions?

The following roll call was recorded:

### YEAS—191

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

### NAYS—0

### NOT VOTING—0

### EXCUSED—12

Boyle	Gergely	Quigley	Schemel
Fabrizio	Kaufert	Rothman	Thomas
Gabler	Milne	Santora	Warner

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

UNCONTESTED SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. MURT called up HR 388, PN 1960, entitled:

A Resolution designating June 12, 2017, as "Behavior Analyst Appreciation Day" in Pennsylvania.

\* \* \*

Mr. CONKLIN called up HR 391, PN 1961, entitled:

A Resolution congratulating The Pennsylvania State University men's outdoor track and field team for winning the Big Ten Championship on May 14, 2017.

\* \* \*

Mr. CONKLIN called up HR 392, PN 1962, entitled:

A Resolution congratulating the Pennsylvania State University Women's Indoor Track and Field team for winning the Big Ten Championship on February 25, 2017.

\* \* \*

Mr. CONKLIN called up HR 393, PN 1963, entitled:

A Resolution congratulating the Pennsylvania State University Field Hockey Team on winning the 2016 Big Ten Championship on November 6, 2016.

\* \* \*

Mr. CONKLIN called up HR 394, PN 1964, entitled:

A Resolution congratulating The Pennsylvania State University men's volleyball team on its Eastern Intercollegiate Volleyball Association Championship win and its continued success both athletically and academically.

\* \* \*

Mr. CONKLIN called up HR 395, PN 1965, entitled:

A Resolution congratulating The Pennsylvania State University women's soccer team on winning the Big Ten regular season championship.

On the question, Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—191

Table listing names of members who voted in favor (Yeas): Baker, Barbin, Barrar, Benninghoff, Bernstine, Bizzarro, Bloom, Boback, Bradford, Ellis, Emrick, English, Evankovich, Evans, Everett, Farry, Fee, Fitzgerald, Kortz, Krueger, Kulik, Lawrence, Lewis, Longietti, Mackenzie, Madden, Maher, Rabb, Rader, Rapp, Ravenstahl, Readshaw, Reed, Reese, Roae, Roe.

Table listing names of members who did not vote (NAYS-0, NOT VOTING-0, EXCUSED-12): Flynn, Mako, Roebuck, Brown, R., Maloney, Rozzi, Brown, V., Frankel, Ryan, Bullock, Freeman, Markosek, Burns, Fritz, Marshall, Gainey, Marsico, Sainato, Caltagirone, Galloway, Masser, Samuelson, Carroll, Gillen, Matzie, Sankey, Causer, Gillespie, McCarter, Saylor, Cephas, Godshall, McClinton, Schlossberg, Charlton, Goodman, McGinnis, Schweyer, Christiana, Greiner, McNeill, Simmons, Comitta, Grove, Mehaffie, Sims, Conklin, Haggerty, Mentzer, Snyder, Cook, Hahn, Metcalfe, Solomon, Corbin, Hanna, Metzgar, Sonney, Corr, Harkins, Maccarelli, Staats, Costa, D., Harper, Millard, Stephens, Costa, P., Harris, A., Miller, B., Sturla, Cox, Harris, J., Miller, D., Tallman, Cruz, Heffley, Moul, Taylor, Culver, Helm, Mullery, Tobash, Cutler, Hennessey, Murt, Toepel, Daley, Hickernell, Mustio, Toohil, Davidson, Hill, Neilson, Topper, Davis, Irvin, Nelson, Vazquez, Dawkins, James, Nesbit, Vitali, Day, Jozwiak, Neuman, Walsh, Dean, Kampf, O'Brien, Ward, Deasy, Kauffman, O'Neill, Warren, DeLissio, Kavulich, Oberlander, Watson, Delozier, Keefer, Ortitay, Wentling, DeLuca, Keller, F., Pashinski, Wheatley, Dermody, Keller, M.K., Peifer, Wheeland, Diamond, Keller, W., Petrarca, White, DiGirolo, Kim, Petri, Youngblood, Donatucci, Kinsey, Pickett, Zimmerman, Dowling, Kirkland, Pyle, Driscoll, Klunk, Quinn, C., Turzai, Dunbar, Knowles, Quinn, M., Speaker, Dush.

NAYS—0

NOT VOTING—0

EXCUSED—12

Table listing names of members who were excused: Boyle, Gergely, Quigley, Schemel, Fabrizio, Kaufner, Rothman, Thomas, Gabler, Milne, Santora, Warner.

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

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. RYAN called up HR 345, PN 1786, entitled:

A Resolution celebrating the life of Cardinal William H. Keeler in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

## YEAS—191

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

## NAYS—0

## NOT VOTING—0

## EXCUSED—12

Boyle	Gergely	Quigley	Schemel
Fabrizio	Kaufer	Rothman	Thomas
Gabler	Milne	Santora	Warner

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

The SPEAKER. Now we are going to take some remarks with respect to the resolutions, and then soon we are going to be calling for some committee meetings.

## STATEMENT BY MR. MURT

The SPEAKER. Representative Murt is recognized at this time to speak on HR 388. Representative Murt, the floor is yours.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, many of us in the legislature have committed ourselves to finding better ways to help those with special needs live more fulfilling lives. But we could not do this as effectively without the input of the behavioral analysts in our Commonwealth. Mr. Speaker, these mental health professionals treat individuals with autism and developmental disabilities as well as provide behavioral coaching and behavioral psychotherapy.

Mr. Speaker, behavior analysis is widely recognized as one of the most effective treatments for children with autism spectrum disorders and the only treatment shown to lead to significant, lasting improvement in the lives of individuals with autism. These analysts are using cutting-edge techniques to help those with behavioral challenges find fulfillment and an effective level of integration.

HR 367, which declares June 12, 2017 – that is HR 388, Mr. Speaker – I stand corrected – which declares 12 June 2017 as "Behavior Analyst Appreciation Day" in the Commonwealth of Pennsylvania, is our way of recognizing these professionals and the critical role they play in the diagnosis and treatment of those with developmental disabilities and autism spectrum disorders.

Mr. Speaker, I appreciate the opportunity to introduce five guests that are with us today and I am going to ask them to stand as I call their names and introduce them.

The SPEAKER. Yes; Representative Murt, please suspend.

Members, if you will please take your seats. Members, if you will please take your seats. Representative Murt is going to be introducing some guests who have traveled some distance to be with us today with respect to this resolution. We would appreciate if we could take our seats so that he can introduce these esteemed guests to us.

Representative Murt, please introduce the guests to us.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, Dr. Cheryl Tierney is the president of the ABA (Applied Behavior Analysis) in PA Initiative, a not-for-profit advocacy initiative founded in 2012, and Dr. Tierney is also the section chief and associate professor of pediatrics at the Penn State Hershey Children's Hospital. Dr. Jonathan Ivy is an assistant professor of psychology at the Pennsylvania State University Harrisburg where he teaches, mentors students, and conducts research in applied behavior analysis. Additionally, Dr. Ivy is the president of the Pennsylvania Association for Behavior Analysis. Tim Caldwell has been a board-certified behavior analyst for 11 years and serves as the director of ABA Services for Wellspan Philhaven. He is currently in the second year of a doctoral Ph.D. program for applied behavior analysis. Katie Humen is a board-certified behavior analyst at the Vista School in Hershey and a board member of the ABA in Pennsylvania Initiative organization. Erin Demcher is a board-certified behavior analyst who provides therapy in the home, school, and community for individuals with the autism spectrum disorder living in central Pennsylvania. Mr. Speaker,

Dr. Tierney, Dr. Ivy, Mr. Caldwell, Ms. Humen, and Ms. Demcher are all members of the ABA in Pennsylvania Initiative.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Murt.

### STATEMENT BY MS. BROWN

The SPEAKER. Representative Vanessa Brown is recognized to speak on HR 379, and she, too, has some guests with us today. So I would ask members to please take your seats.

Ms. V. BROWN. Good morning and thank you, Mr. Speaker.

As the Representative of the 190th Legislative District and member of the Tourism and Recreational Development Committee, I would like to thank my colleagues for supporting HR 379 and designating June 12 of 2017 as "Philadelphia Parks and Rec Day" in Pennsylvania.

First allow me to welcome my guests that are here today, the executive staff of the Philadelphia Parks and Rec Commission. Tiffany Thurman, chief of staff, please stand. Tiffany is getting extra applause because she used to be chief of staff for one of our members who transitioned to the city of Philadelphia, Representative Cherelle Parker, now city councilwoman Cherelle Parker. Orlando Rendon, deputy commissioner of programs; Raed Nasser, chair of the Commission on Parks and Recreation; Rick Ford, cochair of the Commission on Parks and Recreation; Michael Froelich, Commission on Parks and Recreation member; and Daniel Eicher, Parks and Recreation intern. All right, Daniel. I also want to give a big, big thanks to Parks and Rec Commissioner Kathy Ott Lovell, who unfortunately could not be here today, but I want to thank her for allowing her staff to join us.

So the reason why this was developed is because walkers keeping pace along nature trails, an intense baseball game, visitor tours, special events, swimming, and kids at play – these are the typical scenes of an active parks and recreation program. Philadelphia Parks and Recreation Department offers residents access to outdoor spaces that total more than 10,000 acres and over 215 miles of trails and community centers that include arts and educational programs that serve every age. These services are vital, especially for children within our community. The school year recently ended and working parents must find safe places for their children to go. Other parks and recreation facilities can provide that much-needed safe haven for our local youth and help them continue learning while having fun.

This is a really important resolution for me because I was an inner-city youth and my mom was a single parent, and if it was not for parks and recreation centers that kept safe places for us as children to go to, I may not have been the State Representative that I am today. So I am so grateful for all of the work that the parks and rec centers do.

Even with the budgetary and operational challenges that may arise, governmental stewards like Commissioner Ott work tirelessly to provide residents with a variety of indoor and outdoor activities to enjoy all year round. These facilities offer countless benefits to residents such as an affordable place for people to exercise, enjoy nature, and spend time with their family and friends.

We envision an environmentally rich Philadelphia of healthy people with greater personal and community resources, and we stay connected to each other, to our neighborhoods and to government; open to possibilities and living with pride and confidence within our city. That is the vision of the Philadelphia parks and rec services, and more importantly, that is the vision I see for our neighborhoods throughout the Commonwealth. We must continue to partner and support those services for the good of our residents. We must also spread the word that you can do whatever you want to do outside of your neighborhood for recreational activities but have the affordability right in your own neighborhoods and in your backyard. Let June 12 be a joyous reminder of what our parks and recreation facilities provide for all of our communities.

Mr. Speaker, I want to thank you again for allowing me this moment to just give praise and honor to what we do in Philadelphia and let it just sparkle all through the Commonwealth of Pennsylvania. Thank you, Mr. Speaker.

### STATEMENT BY MR. RYAN

The SPEAKER. Representative Frank Ryan is recognized to speak on HR 345.

Mr. RYAN. Mr. Speaker, thank you so much.

And to my colleagues, thank you so much for voting today unanimously to honor the life of Cardinal William Keeler, who was both a bishop of the Diocese of Harrisburg and the Archbishop of the Diocese of Baltimore. I had a chance to meet him in both capacities, and I had never met an individual with such unbelievable compassion and love for fellow mankind. Regardless of faith, color, or creed, he always was tremendously concerned for helping the poor, the indigent, and those who were in need, and he had a tremendous fondness for children with special needs.

So I want to thank you again for honoring the life of such a wonderful human being who respected the human life from conception until natural death. God bless you all. Thank you.

### LEAVE OF ABSENCE

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

Members, at this time we are going to be taking some committee announcements.

### RULES COMMITTEE MEETING

The SPEAKER. Representative Reed has requested, the majority leader has requested that we break for Rules. We are going to break for Rules at this time.

Representative Reed. Leader Reed, for an announcement, sir.

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

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

The SPEAKER. Thank you. The House Rules Committee will meet immediately in the Appropriations conference room.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Representative Saylor, for an Appropriations Committee announcement.

Mr. SAYLOR. Thank you, Mr. Speaker.

There will be an Appropriations Committee meeting immediately following the Rules Committee in the majority caucus room.

The SPEAKER. There will be an Appropriations Committee meeting immediately following the Rules Committee meeting in the majority caucus room.

### LIQUOR CONTROL COMMITTEE MEETING

The SPEAKER. Representative Adam Harris, for a committee announcement, sir.

Mr. A. HARRIS. Thank you, Mr. Speaker.

Tomorrow at the call of the Chair there will be a voting meeting of the House Liquor Control Committee. That will be sent via e-mail to all of you. That will be in room 60, East Wing. Again, call of the Chair tomorrow, voting meeting of the House Liquor Control Committee. Thank you.

The SPEAKER. Tomorrow at the call of the Chair the Liquor Control Committee will have a voting meeting.

Members, the House is going to stand at ease at this time. We are going to stand at ease while the Rules Committee and the Appropriations Committee meet. We are not adjourned at this time. We are still just going to be at ease while they meet.

We are waiting for guests to arrive from the Senate. Once they arrive, we will take up citations honoring them and resolutions honoring them.

### FILMING PERMISSION

The SPEAKER. Members, Jeff Nelson of Penn State Athletics is going to be on the House floor to take some photographs. Jeff Nelson is granted permission to be on the House floor.

And Kristina Peterson from Penn State Athletics is also permitted to take photos on the floor. Kristina Peterson.

Joseph Hermitt of PennLive. Joseph Hermitt of PennLive is going to be permitted to be on the House floor to take photographs.

Arielle Sargent from Penn State Athletics will be videotaping with audio on the House floor. So Arielle will be on the House floor.

And Mark Selders of Penn State Athletics will be taking still photos on the floor.

And right now I know that the Rules Committee is back on the House floor. We are waiting for the Appropriations Committee. The Appropriations Committee will be meeting and will be back shortly.

But in the interim, I would ask Representative Driscoll and Representative Neilson— Representative Driscoll and Representative Neilson will be taking the rostrum and Representative Taylor and Representative White. I believe— Will Representatives Solomon and Boyle? Boyle is out today.

Okay. So Representative Driscoll, Representative Neilson, Representative Taylor, and Representative White are coming to the rostrum.

I would ask all members and guests to please take your seats. All members and guests, please take your seats. Members and guests, please take your seats.

### ST. HUBERT CATHOLIC HIGH SCHOOL CHEERLEADING TEAM PRESENTED

The SPEAKER. Representative Driscoll, the floor is yours, sir.

Mr. DRISCOLL. Thank you, Mr. Speaker.

I am joined with Representative Taylor, Representative White, and Representative Neilson to recognize a special group of young ladies on the team today. We have coaches Lisa McNesby and Mary Kate McKnight; and Gianna Roddy, Taylor Blazejewski, Bridget Leneghan, and Hailey Lemly.

Today we have the honor of recognizing the St. Hubert High School Cheerleading Team. In February they were crowned champions at the national high school cheerleading championship in Orlando. There were hundreds of other teams competing and the St. Hubert Bambies outperformed them all. Televised on ESPN and ESPN 2, over 100 million viewers in 32 countries enjoyed their performance.

Mr. Speaker, this is not the first national championship the St. Hubert Bambies have dominated. They were crowned the national high school cheerleading champions for the junior varsity division in 2015, and they joined us at that time right here on this House floor. In fact, they have won national championships in cheerleading several years in a row.

With the support of their coach, Lisa McNesby, and their family and friends, the Bambies have been able to outshine their competition year after year. They practice several days throughout the week to perfect their routines and still find time to excel in their academics. Their achievements set an exceptional example for their peers and bring great pride to their community and to northeast Philadelphia.

I also want to recognize their President, Lizanne Pando, who joined us here today.

So I now ask my colleagues that you join me in congratulating these talented athletes and their coaches. Let us give them a hand.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Driscoll.

Mr. DRISCOLL. To the girls from St. Hubert's in the back, please stand. Let us give them a hand as well.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Driscoll.

And thank you, Representatives White, Taylor, Neilson, and Solomon for being with these outstanding young ladies from St. Hubert's High School. Congratulations.

### BILLS REREPORTED FROM COMMITTEES

**HB 302, PN 302**

By Rep. REED

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in professional and occupational licenses, further providing for retention of licenses and certifications of persons entering military service.

RULES.

**HB 366, PN 951** By Rep. REED

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

RULES.

**HB 367, PN 952** By Rep. REED

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

RULES.

**HB 368, PN 953** By Rep. REED

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

RULES.

**HB 369, PN 954** By Rep. REED

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

RULES.

**HB 370, PN 955** By Rep. REED

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

RULES.

**HB 371, PN 956** By Rep. REED

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

RULES.

**HB 372, PN 957** By Rep. REED

An Act making appropriations from the Philadelphia Taxicab and Limousine Regulatory Fund and the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for fiscal year July 1, 2017, to June 30, 2018.

RULES.

**HB 373, PN 958**

By Rep. REED

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2017, to June 30, 2018.

RULES.

**HB 374, PN 959**

By Rep. REED

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Attorney General, the Department of Revenue, the Pennsylvania State Police and the Pennsylvania Gaming Control Board for the fiscal year beginning July 1, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

RULES.

**HB 442, PN 1929**

By Rep. REED

An Act providing for plumbing contractors licensure; establishing the State Board of Plumbing Contractors and providing for its powers and duties; conferring powers and imposing duties on the Department of Labor and Industry; establishing fees, fines and civil penalties; establishing the Plumbing Contractors Licensure Account; and making an appropriation.

RULES.

**HB 831, PN 1840**

By Rep. SAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions relating to operation of vehicles, further providing for obedience to authorized persons directing traffic and providing for drivers in organized motorcycle processions; and, in rules of the road in general, further providing for following too closely.

APPROPRIATIONS.

**HB 866, PN 972**

By Rep. REED

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, in local taxes, further providing for definitions, for payroll tax, for payment of tax to other political subdivisions or states as credit or deduction and withholding tax, for limitation on assessment and for tax limitations; in consolidated collection of local income taxes, further providing for definitions, for declaration and payment of income taxes, for tax collection committees, for powers and duties of Department of Community and Economic Development, for powers and duties of tax officer and for withholding and remittance; and, in collection of delinquent taxes, further providing for penalties and for costs of collection of delinquent per capita, occupation, occupational privilege, emergency and municipal services, local services and income taxes.

RULES.

**HB 913, PN 1944**

By Rep. SAYLOR

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, adding provisions related to incorporated towns, and providing for storm water management plans and facilities.

APPROPRIATIONS.

**HB 914, PN 1945**

By Rep. SAYLOR

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in storm sewers and watercourses, further providing for authority of boroughs and for manner of financing work.

## APPROPRIATIONS.

**HB 915, PN 1946**

By Rep. SAYLOR

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, providing for storm water management plans and facilities.

## APPROPRIATIONS.

**HB 916, PN 1947**

By Rep. SAYLOR

An Act amending Title 11 (Cities) of the Pennsylvania Consolidated Statutes, in watercourses, flood protection projects and storm water systems, further providing for establishing and changing watercourses, flood protection projects and storm water systems and for assessment of benefits and liens.

## APPROPRIATIONS.

**HB 1106, PN 1931**

By Rep. REED

An Act amending the act of May 23, 1945 (P.L.913, No.367), known as the Engineer, Land Surveyor and Geologist Registration Law, further providing for definitions, for continuing professional competency requirements and for exemption from licensure and registration.

## RULES.

**HB 1239, PN 1466**

By Rep. SAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for classes of licenses.

## APPROPRIATIONS.

**HB 1285, PN 1589**

By Rep. SAYLOR

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for exemptions and special provisions.

## APPROPRIATIONS.

**HB 1451, PN 1851**

By Rep. REED

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in Administrative Office of Pennsylvania Courts, further providing for senior judge operational support grants.

## RULES.

The SPEAKER. Representative Steve Samuelson, Representative Marcia Hahn, Representative McNeill, you are invited to the rostrum for the purpose of presenting a citation to a championship team.

I would ask all members and guests to please take your seats.

These champions have traveled a long way to be with us today.

**BETHLEHEM CATHOLIC HIGH SCHOOL GIRLS BASKETBALL TEAM PRESENTED**

The SPEAKER. Representative Samuelson, the floor is yours.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I am joined today by Representative Marcia Hahn and Representative Dan McNeill. We are honored to present House of Representatives citations recognizing the outstanding achievement of the Bethlehem Catholic High School Girls Basketball Team in capturing the 2016-2017 PIAA State Championship in Class AAAA in girls basketball.

To their great credit, the Golden Hawks amassed a season record of 30 wins and only 2 losses as they journeyed toward their first State title. In the State final in Hershey they defeated Villa Maria Academy by a score of 46 to 27. In fact, our newspaper has christened the Golden Hawks as Pennsylvania's "golden girls" and they talk about their impressive playoff run. Just listen to the margin of victory in the games that were held in the district and State playoffs. Bethlehem Catholic Golden Hawks won by scores of 36, 16, 23, 37, 27, 19, and 19. Under the expert guidance of head coach Jose Medina, Bethlehem Catholic became the first District 11 school to win a State title in girls basketball in about a decade.

Standing up front with me are Bethlehem Catholic players Quintessa Zamolyi, Natalie Rhine, Morgan Orloski, and Taliyah Medina, and also head coach Jose Medina. The other outstanding members of the team are located in the rear of the House and include the following players: We have Jaleesa Lanier, Solei Rodriguez – and if these players could stand as I am reading your names – Mikayla Jones, Briana Barnard, Julia Zambo, Abigail Brown, Taliyah Peterson, Yvonne Perez, Kamryn Williamson, Elizabeth Talpis.

So on behalf of the House of Representatives, we congratulate coach Medina and all of the players of Bethlehem Catholic High School Girls Basketball on their hard-fought victory in the State championship as well as their tireless investment of skill and effort in competing on such a high level. We extend best wishes to these outstanding athletes and these outstanding young women in all of their future endeavors.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Samuelson.

And thank you and congratulations to the Bethlehem Catholic Girls Basketball Team on their championship.

Members, we have some outstanding individuals from Penn State.

Representative Conklin, Representative Benninghoff, Representative Hanna, Representative Irvin, if you could all please come up to the rostrum with our esteemed guests.

And then I believe Representative Conklin will be leading the presentation for us.

We have some great champions from Penn State here.

Members, I need everybody to take their seats. I need everybody to please take their seats. I would also ask just temporarily if we could close the doors of the House for this presentation. If any other members wish to be on the floor, come on the floor. Any conversations can go off the floor. We are going to temporarily close the doors of the House. All members, please take your seats. Staff members, please take your seats.

## PENN STATE SPORTS TEAMS HONORED

The SPEAKER. Representative Conklin, will you lead our presentation for us?

Mr. CONKLIN. Thank you, Mr. Speaker.

You know, anytime people say the ideal way to success is a perfect location, for me being located within the Penn State district is a perfect way to success for somebody like myself.

I want to congratulate the teams for not only what they do on the fields but what they do in the community, the outreach they give, the coaches when you see them.

And I am just going to quickly read off the teams that are here today: football, field hockey, women's soccer, men's ice hockey, wrestling, women's indoor, men's indoor, men's volleyball, and the administration.

I have my colleagues with me today. I want to thank each and every one of you that plays on the field and in the sports, I want to thank each person who is a coach, but most of all, I want to thank the Penn State spirit for bringing that winning attitude and that community here today. Thank you, ladies and gentlemen. Penn State!

The SPEAKER. Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Chairman Conklin, thank you for giving us the opportunity today to honor the accomplishments of so many students at Penn State University. I am happy to stand with my colleagues in recognizing the outstanding sportsmanship and dedication of these fine young men and women and their coaches. This is a great honor and one you all should be very, very proud of. Thank you and congratulations.

The SPEAKER. Representative Benninghoff or Representative Irvin?

Representative Benninghoff.

Mr. BENNINGHOFF. I also just wanted to echo the congratulations not only to the coaches but the great students that they are working with, the athletes, and most importantly the academic successes. I am glad that Penn State continues to focus on that as much as the athletics and that they can do them in tandem and produce the great young people we have here in the Commonwealth and those that go to school here in the Commonwealth. So fight on Penn State. Go blue and white.

The SPEAKER. Representative Irvin.

Mr. IRVIN. I would just like to thank all the coaches for making the trip to Harrisburg. And as a Representative of Centre County, I am very proud to have Penn State in our backyard. Go blue and white. We are.

The SPEAKER. Members, the resolutions that we voted upon earlier included HRs 304 to 306 and HRs 391 to 395. Eight Penn State teams won their respected conference championships and won a national title.

These teams, and I am going to introduce the representatives from each of these sports: From field hockey, Char Morrett. Please raise your hand. Obviously we see this good gentleman on TV regularly, coach James Franklin, football. Guy Gadowsky, the men's ice hockey coach. John Gondak, men's and women's track and field. Cael Sanderson, wrestling. Ann Cook, women's soccer. Ryan Walthall, from men's volleyball. Erin Tucker from men's and women's track and field. And also with us, just an outstanding individual, Sandy Barbour, the athletic director at Penn State University.

In addition to their respected conference championships and the national title, listen to these accomplishments. Big Ten Coach of the Year, Char Morrett; Big Ten Coach of the Year, James Franklin; Big Ten Coach of the Year, John Gondak; National Coach of the Year, Cael Sanderson. Cael, what an amazing championship you had. That was amazing. Your guys were winning every match it seemed to all of us as we were watching it, and they just had an amazing, amazing season.

Penn State, though, does as you all know have just outstanding students. I myself, my home school district is North Allegheny and we had – it is a big school – 668 kids who graduated this past Friday and so many of those top students are coming to Penn State University, and they are all so proud to be a part of Penn State and I know that is true for all of the 500 school districts across this Commonwealth.

Thank you very much for taking the time to be with us today. Thank you. And a big round of applause for these individuals.

We will now open the doors of the House.

Members, at this time we are going to be taking, I believe, announcements from our caucus chairs, our caucus chairs.

Members, what we are going to do before we break for caucus, we are going to take votes on third consideration. We will do the votes on third consideration and then we will do the caucus from the chairs, the announcements for today's caucus meetings. So we are going to go to third consideration right now.

## SUPPLEMENTAL CALENDAR B

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1285**, **PN 1589**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for exemptions and special provisions.

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	Ellis	Kortz	Rabb
Barbin	Emrick	Krueger	Rader
Barrar	English	Kulik	Rapp
Benninghoff	Evankovich	Lawrence	Ravenstahl
Bernstine	Evans	Lewis	Readshaw
Bizzarro	Everett	Longietti	Reed
Bloom	Farry	Mackenzie	Reese
Boback	Fee	Madden	Roae
Bradford	Fitzgerald	Maher	Roe

Briggs	Flynn	Mako	Roebuck
Brown, R.	Frankel	Maloney	Rozzi
Brown, V.	Freeman	Markosek	Ryan
Bullock	Fritz	Marshall	Sacone
Burns	Gainey	Marsico	Sainato
Caltagirone	Galloway	Masser	Samuelson
Carroll	Gillen	Matzie	Sankey
Causser	Gillespie	McCarter	Saylor
Cephas	Godshall	McClinton	Schlossberg
Charlton	Goodman	McGinnis	Schweyer
Christiana	Greiner	McNeill	Simmons
Comitta	Grove	Mehaffie	Sims
Conklin	Haggerty	Mentzer	Snyder
Cook	Hahn	Metcalfe	Solomon
Corbin	Hanna	Metzgar	Sonney
Corr	Harkins	Miccarelli	Staats
Costa, D.	Harper	Millard	Stephens
Costa, P.	Harris, A.	Miller, B.	Sturla
Cruz	Harris, J.	Miller, D.	Tallman
Culver	Heffley	Moul	Taylor
Cutler	Helm	Mullery	Tobash
Daley	Hennessey	Murt	Toepel
Davidson	Hickernell	Mustio	Toohil
Davis	Hill	Neilson	Topper
Dawkins	Irvin	Nelson	Vazquez
Day	James	Nesbit	Vitali
Dean	Jozwiak	Neuman	Walsh
Deasy	Kampf	O'Brien	Ward
DeLissio	Kauffman	O'Neill	Warren
Delozier	Kavulich	Oberlander	Watson
DeLuca	Keefer	Ortitay	Wentling
Dermody	Keller, F.	Pashinski	Wheatley
Diamond	Keller, M.K.	Peifer	Wheeland
DiGirolamo	Keller, W.	Petrarca	White
Donatucci	Kim	Petri	Youngblood
Dowling	Kinsey	Pickett	Zimmerman
Driscoll	Kirkland	Pyle	
Dunbar	Klunk	Quinn, C.	Turzai,
Dush	Knowles	Quinn, M.	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—13

Boyle	Gergely	Quigley	Schemel
Cox	Kaufer	Rothman	Thomas
Fabrizio	Milne	Santora	Warner
Gabler			

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 913, PN 1944**, entitled:

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, adding provisions related to incorporated towns, and providing for storm water management plans and facilities.

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 Dush, you wish to speak? Representative Dush.

Mr. DUSH. Thank you, Mr. Speaker.

Did I hear it correctly that he read, the clerk had said that it was for Bloomsburg, because that is not what the bill – I think we are on a different bill.

The SPEAKER. Clerk, can you please read the summary of HB 913, PN 1944, page 1 of today's supplemental B House calendar.

(Bill analysis was read.)

The SPEAKER. Does anybody else have any other additional questions or comments on HB 913?

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—144

Barbin	Dowling	Krueger	Quinn, M.
Barrar	Driscoll	Kulik	Rabb
Benninghoff	Ellis	Lewis	Rader
Bernstine	English	Longietti	Ravenstahl
Bizzarro	Evans	Madden	Readshaw
Bradford	Everett	Maher	Reed
Briggs	Farry	Markosek	Roebuck
Brown, R.	Fee	Marshall	Rozzi
Brown, V.	Fitzgerald	Marsico	Sainato
Bullock	Flynn	Masser	Samuelson
Burns	Frankel	Matzie	Saylor
Caltagirone	Freeman	McCarter	Schlossberg
Carroll	Fritz	McClinton	Schweyer
Cephas	Gainey	McNeill	Sims
Charlton	Galloway	Mehaffie	Snyder
Christiana	Godshall	Mentzer	Solomon
Comitta	Greiner	Miccarelli	Sonney
Conklin	Haggerty	Millard	Staats
Cook	Hahn	Miller, B.	Stephens
Corbin	Hanna	Miller, D.	Sturla
Corr	Harkins	Moul	Taylor
Costa, D.	Harper	Mullery	Toepel
Costa, P.	Harris, A.	Murt	Toohil
Cruz	Harris, J.	Mustio	Topper
Culver	Helm	Neilson	Vazquez
Cutler	Hennessey	Nesbit	Vitali
Daley	Hickernell	Neuman	Warren
Davidson	Irvin	O'Brien	Watson
Davis	James	O'Neill	Wheatley
Dawkins	Jozwiak	Oberlander	Wheeland
Dean	Kampf	Pashinski	White
Deasy	Kavulich	Peifer	Youngblood
DeLissio	Keller, W.	Petrarca	Zimmerman
DeLuca	Kim	Petri	
Dermody	Kinsey	Pyle	Turzai,
DiGirolamo	Kirkland	Quinn, C.	Speaker
Donatucci	Kortz		

NAYS-46

Baker	Gillespie	Mackenzie	Roae
Bloom	Goodman	Mako	Roe
Boback	Grove	Maloney	Ryan
Causer	Heffley	McGinnis	Saccone
Day	Hill	Metcalfe	Sankey
Delozier	Kauffman	Metzgar	Simmons
Diamond	Keefer	Nelson	Tallman
Dunbar	Keller, F.	Ortitay	Tobash
Dush	Keller, M.K.	Pickett	Walsh
Emrick	Klunk	Rapp	Ward
Evankovich	Knowles	Reese	Wentling
Gillen	Lawrence		

NOT VOTING-0

EXCUSED-13

Boyle	Gergely	Quigley	Schemel
Cox	Kaufer	Rothman	Thomas
Fabrizio	Milne	Santora	Warner
Gabler			

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 914, PN 1945**, entitled:

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in storm sewers and watercourses, further providing for authority of boroughs and for manner of financing work.

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-138

Barbin	Donatucci	Kinsey	Quinn, C.
Benninghoff	Dowling	Kirkland	Quinn, M.
Bernstine	Driscoll	Kortz	Rabb
Bizzarro	Ellis	Krueger	Rader
Bradford	English	Kulik	Ravenstahl
Briggs	Evans	Longietti	Readshaw
Brown, R.	Everett	Madden	Reed
Brown, V.	Farry	Maher	Roebuck
Bullock	Fee	Markosek	Rozzi
Burns	Fitzgerald	Marshall	Sainato
Caltagirone	Flynn	Masser	Samuelson
Carroll	Frankel	Matzie	Saylor

Cephas	Freeman	McCarter	Schlossberg
Christiana	Fritz	McClinton	Schweyer
Comitta	Gainey	McNeill	Sims
Conklin	Galloway	Mehaffie	Snyder
Cook	Gillespie	Mentzer	Solomon
Corbin	Godshall	Miccarelli	Sonney
Corr	Goodman	Millard	Stephens
Costa, D.	Haggerty	Miller, B.	Sturla
Costa, P.	Hahn	Miller, D.	Taylor
Cruz	Hanna	Mullery	Toepel
Culver	Harkins	Murt	Toohil
Cutler	Harper	Mustio	Topper
Daley	Harris, A.	Neilson	Vazquez
Davidson	Harris, J.	Nesbit	Vitali
Davis	Helm	Neuman	Warren
Dawkins	Hennessey	O'Brien	Watson
Day	Hickernell	O'Neill	Wheatley
Dean	Irvin	Oberlander	Wheeland
Deasy	James	Pashinski	White
DeLissio	Kampf	Peifer	Youngblood
DeLuca	Kavulich	Petrarca	
Dermody	Keller, W.	Petri	Turzai,
DiGirolamo	Kim	Pyle	Speaker

NAYS-52

Baker	Greiner	Mackenzie	Roae
Barrar	Grove	Mako	Roe
Bloom	Heffley	Maloney	Ryan
Boback	Hill	Marsico	Saccone
Causer	Jozwiak	McGinnis	Sankey
Charlton	Kauffman	Metcalfe	Simmons
Delozier	Keefer	Metzgar	Staats
Diamond	Keller, F.	Moul	Tallman
Dunbar	Keller, M.K.	Nelson	Tobash
Dush	Klunk	Ortitay	Walsh
Emrick	Knowles	Pickett	Ward
Evankovich	Lawrence	Rapp	Wentling
Gillen	Lewis	Reese	Zimmerman

NOT VOTING-0

EXCUSED-13

Boyle	Gergely	Quigley	Schemel
Cox	Kaufer	Rothman	Thomas
Fabrizio	Milne	Santora	Warner
Gabler			

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 915, PN 1946**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, providing for storm water management plans and facilities.

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

(Bill analysis was read.)

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. Representative Warner is on the floor. He will be placed back on the master roll.

Representative Warner, really, you should have been able to vote the last bills. We did not see you on the floor, but we understand you were on the House floor. If you want to stand up for the record when we are done with the third consideration votes, you can just tell us where you would have voted on those earlier bills because you should have been marked on the master roll earlier. So just, if you will review those, we will call you at the end of those votes.

**CONSIDERATION OF HB 915 CONTINUED**

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—142**

Baker	DiGirolamo	Kinsey	Quinn, C.
Barbin	Donatucci	Kirkland	Quinn, M.
Benninghoff	Dowling	Kortz	Rabb
Bernstine	Driscoll	Krueger	Rader
Bizzarro	Ellis	Kulik	Ravenstahl
Bradford	English	Longietti	Readshaw
Briggs	Evans	Madden	Reed
Brown, R.	Everett	Maher	Roebuck
Brown, V.	Farry	Markosek	Rozzi
Bullock	Fee	Marshall	Sainato
Burns	Fitzgerald	Masser	Samuelson
Caltagirone	Flynn	Matzie	Saylor
Carroll	Frankel	McCarter	Schlossberg
Cephas	Freeman	McClinton	Schweyer
Charlton	Fritz	McNeill	Sims
Christiana	Gainey	Mehaffie	Snyder
Comitta	Galloway	Mentzer	Solomon
Conklin	Gillespie	Miccarelli	Sonney
Cook	Godshall	Millard	Staats
Corbin	Goodman	Miller, B.	Stephens
Corr	Haggerty	Miller, D.	Sturla
Costa, D.	Hahn	Mullery	Taylor
Costa, P.	Hanna	Murt	Toepel
Cruz	Harkins	Mustio	Toohil
Culver	Harper	Neilson	Topper
Cutler	Harris, A.	Nesbit	Vazquez
Daley	Harris, J.	Neuman	Vitali
Davidson	Helm	O'Brien	Warren
Davis	Hennessey	O'Neill	Watson
Dawkins	Hickernell	Oberlander	Wheatley
Day	Irvin	Pashinski	Wheeland
Dean	James	Peifer	White
Deasy	Kampf	Petrarca	Youngblood
DeLissio	Kavulich	Petri	
DeLuca	Keller, W.	Pickett	Turzai,
Dermody	Kim	Pyle	Speaker

**NAYS—49**

Barrar	Heffley	Mako	Roe
Bloom	Hill	Maloney	Ryan
Boback	Jozwiak	Marsico	Saccone
Causar	Kauffman	McGinnis	Sankey
Delozier	Keefer	Metcalfe	Simmons
Diamond	Keller, F.	Metzgar	Tallman

Dunbar	Keller, M.K.	Moul	Tobash
Dush	Klunk	Nelson	Walsh
Emrick	Knowles	Ortitay	Ward
Evankovich	Lawrence	Rapp	Warner
Gillen	Lewis	Reese	Wentling
Greiner	Mackenzie	Roae	Zimmerman
Grove			

**NOT VOTING—0**

**EXCUSED—12**

Boyle	Gabler	Milne	Santora
Cox	Gergely	Quigley	Schemel
Fabrizio	Kaufer	Rothman	Thomas

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 916, PN 1947**, entitled:

An Act amending Title 11 (Cities) of the Pennsylvania Consolidated Statutes, in watercourses, flood protection projects and storm water systems, further providing for establishing and changing watercourses, flood protection projects and storm water systems and for assessment of benefits and liens.

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—139**

Barbin	Dowling	Kortz	Quinn, C.
Benninghoff	Driscoll	Krueger	Quinn, M.
Bizzarro	Ellis	Kulik	Rabb
Bradford	English	Lewis	Rader
Briggs	Evans	Longietti	Ravenstahl
Brown, R.	Everett	Madden	Readshaw
Brown, V.	Farry	Maher	Reed
Bullock	Fee	Markosek	Roebuck
Burns	Fitzgerald	Marshall	Rozzi
Caltagirone	Flynn	Marsico	Sainato
Carroll	Frankel	Masser	Samuelson
Cephas	Freeman	Matzie	Saylor
Charlton	Fritz	McCarter	Schlossberg
Christiana	Gainey	McClinton	Schweyer
Comitta	Galloway	McNeill	Sims
Conklin	Gillespie	Mehaffie	Snyder
Cook	Goodman	Mentzer	Solomon
Corbin	Haggerty	Miccarelli	Sonney
Corr	Hahn	Millard	Stephens

Costa, D.	Hanna	Miller, B.	Sturla
Costa, P.	Harkins	Miller, D.	Taylor
Cruz	Harper	Mullery	Toepel
Culver	Harris, A.	Murt	Toohil
Cutler	Harris, J.	Mustio	Topper
Daley	Helm	Neilson	Vazquez
Davidson	Hennessey	Nesbit	Vitali
Davis	Hickernell	Neuman	Warren
Dawkins	Irvin	O'Brien	Watson
Day	James	O'Neill	Wheatley
Dean	Kampf	Oberlander	Wheeland
Deasy	Kavulich	Pashinski	White
DeLissio	Keller, W.	Peifer	Youngblood
DeLuca	Kim	Petrarca	
Dermody	Kinsey	Petri	Turzai,
DiGirolamo	Kirkland	Pyle	Speaker
Donatucci			

NAYS—52

Baker	Godshall	Mackenzie	Roe
Barrar	Greiner	Mako	Ryan
Bernstine	Grove	Maloney	Saccone
Bloom	Heffley	McGinnis	Sankey
Boback	Hill	Metcalfe	Simmons
Causar	Jozwiak	Metzgar	Staats
Delozier	Kauffman	Moul	Tallman
Diamond	Keefer	Nelson	Tobash
Dunbar	Keller, F.	Ortitay	Walsh
Dush	Keller, M.K.	Pickett	Ward
Emrick	Klunk	Rapp	Warner
Evankovich	Knowles	Reese	Wentling
Gillen	Lawrence	Roae	Zimmerman

NOT VOTING—0

EXCUSED—12

Boyle	Gabler	Milne	Santora
Cox	Gergely	Quigley	Schemel
Fabrizio	Kaufer	Rothman	Thomas

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 831, PN 1840**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions relating to operation of vehicles, further providing for obedience to authorized persons directing traffic and providing for drivers in organized motorcycle processions; and, in rules of the road in general, further providing for following too closely.

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, do you have a question on the bill or remarks on the bill?

Mr. VITALI. I do.

The SPEAKER. Sir, you may proceed.

Mr. VITALI. Would the maker give a brief explanation of this bill? How does it work?

The SPEAKER. Representative Mark Keller has agreed to stand for interrogation. You may ask questions with respect to the interpretation or language of the bill.

Mr. VITALI. Could you just sort of explain what this bill does?

Mr. M. KELLER. Thank you, Mr. Speaker.

I thought I did that last week, but we will be glad to do it again.

What it is, is it allows motorcycle processions that are done for benefits or charities to actually proceed on a safety issue through possible intersections or, the best way I know to explain it, if you have a procession of 400 bikes going down a highway, and when you come onto an on-ramp, you can have four-wheel vehicles coming into that and causing a safety issue. What this does is it allows a designated member of that group to pull into that area and actually legally stop those vehicles from coming out till that procession is through. It kind of follows the same pattern as, the best way I know to explain it is as if a funeral procession was going through.

But again, it has to be – there are requirements that they have to have flashing lights, certain areas through the thing, through the procession. It also has to have designation by whatever, you know, a yellow flag or something as such.

Mr. VITALI. Okay. Now, would this be if one of the biking members was deceased and in a funeral or could this be for any purpose whatsoever?

Mr. M. KELLER. Let me give you an example. I belong to ABATE (Alliance of Bikers Aimed Towards Education) and every year on Memorial Day we get together and ride to Indiantown Gap for a memorial service. That in itself— There is nobody that is deceased at that. But it could be if you want it to be. But nobody is deceased. What we are doing is honoring the fallen veterans on that particular thing. Another example is when we leave the Capitol here and ride to Gettysburg in benefit of the monuments there also.

Mr. VITALI. Could it be if a bicycle club just went on a recreational ride on a Sunday afternoon? Would this still apply there?

Mr. M. KELLER. If a corporation or a nonprofit organization was sponsoring them and that they had flashing lights in the front and back, they could do it, as long as they complied by the criteria that the bill speaks about.

Mr. VITALI. So if a bicycle club had an organized ride for recreational purposes, they could stop traffic to let 400 bicycles go by?

Mr. M. KELLER. For a memorial or charitable purpose.

Mr. VITALI. So it would have to be raising money? It could not simply be for an organized club activity?

Mr. M. KELLER. I said a memorial or charitable organization, and a memorial ride is not collecting dollars.

Mr. VITALI. If you, for example, were going to take 400 bicycles through Havertown or my hometown on a Sunday afternoon, would you need to get permission from or a permit from my local police department or the State Police before you stopped traffic for 400 bicyclists?

Mr. M. KELLER. Under this particular piece of legislation, no, you would not be required to have a permit. If this does not proceed through, as it stands right now, yes, you are to get a permit, but I can tell you, after checking with the department, there were only 11 total permits issued last year.

Mr. VITALI. I mean, just to be clear, HB 831 if this were to be signed into law in its present form, would a bicycle club need to get a permit if they were going to stop traffic for 400 bicycles through a given community? Motorcycles.

Mr. M. KELLER. No, they would not. They would not need to get a permit, but they would have to comply with the regulations of part of the bill that says they have to have the flashing lights in front and behind and designations.

Mr. VITALI. Okay. And I am aware just in caucus that the State Police oppose this legislation, but I am not sure why. Could you tell me why the State Police oppose this legislation?

Mr. M. KELLER. I think you should ask the State Police.

One of the reasons that PSP indicated in the meeting that I had with them was the fact that there was concern of safety until we explained it even further to them. But I think the safety issue is even greater if we do not do this bill.

Mr. VITALI. But just to be clear, they currently oppose, the Pennsylvania State Police currently oppose this legislation?

Mr. M. KELLER. Yes, they do.

Mr. VITALI. And it is also my understanding again, just in passing in caucus, that the Pennsylvania Department of Transportation opposes this legislation?

Mr. M. KELLER. Yes, they do too, and let me explain that a little bit—

The SPEAKER. Sir, please suspend for a moment.

### POINT OF ORDER

The SPEAKER. Representative Evankovich, for what point do you rise, sir?

Mr. EVANKOVICH. Point of order, Mr. Speaker.

The SPEAKER. Yes, sir, you may proceed.

Mr. EVANKOVICH. Mr. Speaker, it is my understanding that interrogation is designed for one member to question another member to gain information that they do not already have. It seems like this line of questioning is one member asking another member questions which they know the answer to.

Mr. VITALI. Well, that is not true because I wanted to know why—

The SPEAKER. Sir, sir—

Mr. VITALI. —the objection was—

The SPEAKER. Sir, please suspend. Representative Vitali. Representative Vitali, please suspend.

Mr. VITALI. I was just responding to that point of order.

The SPEAKER. I know but you have to wait until the Chair calls on you, sir. Okay?

Sir, it is true that with respect to interrogation it is to ask the questions for which you do not know the answer and it is about the legislation. We do not put people on the witness stand here or ask leading questions. That is not what we do. If you wish to state that the Pennsylvania Department of Transportation or the Pennsylvania State Police is against something, which you are perfectly within your boundary to do, by the way, in your remarks on the legislation itself, you may do so. If you have any additional questions with respect to the legislation itself, you

may proceed. If you do not, I will recognize you for remarks on the bill.

Mr. VITALI. But just to be clear, Mr. Speaker, I truly admit and admitted in my question I knew they were opposed, but I truly did not know why they were opposed and that was my question.

The SPEAKER. Sir, I understand, but those are questions that you can call those organizations and ask them for the answers and then say them in your remarks. That is not Representative Keller's job or any other member's job here to articulate why somebody is opposed to their legislation if in fact they are.

Mr. VITALI. I just will assume—

The SPEAKER. The Chair has ruled, we ruled, and you may ask additional questions on the bill or you may speak on the bill. Yes, sir.

Mr. VITALI. No further questions, Mr. Speaker.

The SPEAKER. Do you wish to speak on the bill itself?

Mr. VITALI. No, sir.

The SPEAKER. Representative Barbin, on the bill, sir.

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

The maker of the bill indicated that this is a safety issue. There is a flashing yellow light that is required for these types of processions. It is for memorial and charitable purposes, and I have been on these rides before. It does make it substantially safer with the passage of this legislation, and I ask for everyone to join in an affirmative vote.

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—166

Baker	English	Krueger	Quinn, M.
Barbin	Evankovich	Kulik	Rader
Barrar	Evans	Lawrence	Rapp
Benninghoff	Everett	Lewis	Ravenstahl
Bernstine	Farry	Longiatti	Readshaw
Bizzarro	Fee	Mackenzie	Reed
Bloom	Fitzgerald	Madden	Reese
Boback	Flynn	Maher	Roae
Briggs	Freeman	Mako	Roe
Brown, R.	Fritz	Maloney	Rozzi
Brown, V.	Galloway	Markosek	Ryan
Burns	Gillen	Marshall	Saccone
Caltagirone	Gillespie	Marsico	Sainato
Carroll	Godshall	Masser	Samuelson
Causar	Goodman	Matzie	Sankey
Charlton	Greiner	McGinnis	Saylor
Christiana	Grove	McNeill	Schlossberg
Comitta	Haggerty	Mehaffie	Schweyer
Conklin	Hahn	Mentzer	Simmons
Cook	Hanna	Metcalfe	Snyder
Corbin	Harkins	Metzgar	Solomon
Corr	Harper	Miccarelli	Sonney
Costa, P.	Harris, A.	Millard	Staats
Cruz	Heffley	Miller, B.	Stephens
Culver	Helm	Moul	Tallman
Cutler	Hennessey	Mullery	Taylor
Davidson	Hickernell	Murt	Tobash
Davis	Hill	Mustio	Toepel
Dawkins	Irvin	Nelson	Toohil
Day	James	Nesbit	Topper
Dean	Jozwiak	Neuman	Walsh

Deasy	Kampf	O'Brien	Ward
DeLissio	Kauffman	O'Neill	Warner
Delozier	Kavulich	Oberlander	Warren
DeLuca	Keefer	Ortitay	Watson
Diamond	Keller, F.	Pashinski	Wentling
DiGirolamo	Keller, M.K.	Peifer	Wheeland
Dowling	Kim	Petrarca	White
Dunbar	Kinsey	Petri	Zimmerman
Dush	Klunk	Pickett	
Ellis	Knowles	Pyle	Turzai,
Emrick	Kortz	Quinn, C.	Speaker

NAYS—25

Bradford	Driscoll	McCarter	Sims
Bullock	Frankel	McClinton	Sturla
Cephas	Gainey	Miller, D.	Vazquez
Costa, D.	Harris, J.	Neilson	Vitali
Daley	Keller, W.	Rabb	Wheatley
Dermody	Kirkland	Roebuck	Youngblood
Donatucci			

NOT VOTING—0

EXCUSED—12

Boyle	Gabler	Milne	Santora
Cox	Gergely	Quigley	Schemel
Fabrizio	Kaufer	Rothman	Thomas

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 1239, PN 1466**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for classes of licenses.

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

(Bill analysis was read.)

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. Representative Boyle is on the floor and should be placed back on the master roll.

**CONSIDERATION OF HB 1239 CONTINUED**

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

NAYS—1

Metzgar

NOT VOTING—0

EXCUSED—11

Cox	Gergely	Quigley	Schemel
Fabrizio	Kaufer	Rothman	Thomas
Gabler	Milne	Santora	

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.

**VOTE CORRECTIONS**

The SPEAKER. The Chair recognizes Representative Ryan Warner. He was on the House floor for HBs 1285, 913, and 914, and for the record you can tell us how you wish to be recorded on those bills.

Mr. WARNER. Thank you, Mr. Speaker.

May I please be recorded in the positive on HB 1285 and in the negative on HBs 913 and 914. Thank you.

The SPEAKER. Thank you, sir. All those votes will be placed in the record.

Representative Bernstine, for what purpose do you stand, sir?

Mr. BERNSTINE. Mr. Speaker, I was recorded in the affirmative on HB 914 and HB 915 and should have been recorded in the negative.

The SPEAKER. Yes, sir. That will be reflected in the record.

**REPUBLICAN CAUCUS**

The SPEAKER. Right now we are going to take caucus announcements. We will begin with Representative Marcy Toepel, the majority caucus chair, for a caucus announcement.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus at 3:30. We would be prepared to return to the floor at 4:30.

**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 3:30. Democrats will caucus at 3:30. Thank you.

**RECESS**

The SPEAKER. Members, at this time we will stand in recess until 4:30 p.m. Until 4:30 p.m. we are going to stand in recess.

Does anybody else wish to be recognized? Okay. Thank you.

We will be in recess until 4:30 p.m., unless sooner recalled by the Speaker.

**RECESS EXTENDED**

The time of recess was extended until 5 p.m.; further extended until 5:30 p.m.; further extended until 5:45 p.m.

**AFTER RECESS**

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

**LEAVE OF ABSENCE CANCELED**

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

**LEAVES OF ABSENCE**

The SPEAKER. These members have requested to be placed on leave: Representative HARPER has asked to be placed on leave. Without objection, that will be granted. Representative Mike REESE has asked to be placed on leave. Without objection, that will be granted. Representative McGINNIS has requested to be placed on leave. Without objection, that will be granted. Representative Adam HARRIS has requested to be placed on leave. Without objection, that will be granted. Representative PASHINSKI has asked to be placed on leave. Without objection, that will be granted. Representative Vanessa BROWN has asked to be placed on leave. Without objection, that will be granted.

**SENATE MESSAGE****HOUSE BILL  
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 267, PN 226**, with information that the Senate has passed the same without amendment.

**BILL SIGNED BY SPEAKER**

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

**HB 267, PN 226**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in theft and related offenses, defining the offense of theft of secondary metal; and prescribing penalties.

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

**SUPPLEMENTAL CALENDAR C****BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 366, PN 951**, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

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 367**, **PN 952**, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

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 368**, **PN 953**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

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 369**, **PN 954**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

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 370**, **PN 955**, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

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 371**, **PN 956**, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

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 372**, **PN 957**, entitled:

An Act making appropriations from the Philadelphia Taxicab and Limousine Regulatory Fund and the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for fiscal year July 1, 2017, to June 30, 2018.

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 373**, **PN 958**, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2017, to June 30, 2018.

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 374**, **PN 959**, entitled:

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Attorney General, the Department of Revenue, the Pennsylvania State Police and the Pennsylvania Gaming Control Board for the fiscal year beginning July 1, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

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 866**, **PN 972**, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, in local taxes, further providing for definitions, for payroll tax, for payment of tax to other political subdivisions or states as credit or deduction and withholding tax, for limitation on assessment and for tax limitations; in consolidated collection of local income taxes, further providing for definitions, for declaration and payment of income taxes, for tax collection committees, for powers and duties of Department of Community and Economic Development, for powers and duties of tax officer and for withholding and remittance; and, in collection of delinquent taxes, further providing for penalties and for costs of collection of delinquent per capita, occupation, occupational privilege, emergency and municipal services, local services and income taxes.

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 1451, PN 1851**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in Administrative Office of Pennsylvania Courts, further providing for senior judge operational support grants.

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 1106, PN 1931**, entitled:

An Act amending the act of May 23, 1945 (P.L.913, No.367), known as the Engineer, Land Surveyor and Geologist Registration Law, further providing for definitions, for continuing professional competency requirements and for exemption from licensure and registration.

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 302, PN 302**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in professional and occupational licenses, further providing for retention of licenses and certifications of persons entering military service.

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 442, PN 1929**, entitled:

An Act providing for plumbing contractors licensure; establishing the State Board of Plumbing Contractors and providing for its powers and duties; conferring powers and imposing duties on the Department of Labor and Industry; establishing fees, fines and civil penalties; establishing the Plumbing Contractors Licensure Account; and making an appropriation.

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

The SPEAKER. Representative Christiana, you have amendment 1726? Representative, is that withdrawn? Amendment 1726 is withdrawn.

Representative Quinn had amendments 1729 and 1730. Representative Quinn, I believe it was Representative Marguerite Quinn, had those amendments and those have been withdrawn. Those are withdrawn, Representative Quinn? Thank you.

So there are no amendments on HB 442, PN 1929.

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

## CALENDAR CONTINUED

### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 864, PN 970**, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, in preliminary provisions, further providing for legislative intent and for definitions; in games of chance, providing for airport 50/50 drawing; and, in enforcement, further providing for enforcement.

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

The SPEAKER. Representative Mustio has, I believe, amendment 1695. Amendment 1591 is withdrawn, and amendment 1695 is being offered.

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

Mr. **MUSTIO** offered the following amendment No. **A01695**:

Amend Bill, page 1, line 10, by inserting after "chance," further providing for major league sports drawing and Amend Bill, page 2, lines 19 and 20, by striking out all of said lines and inserting

Section 2. The definitions of "affiliated nonprofit organization," "major league sports drawing" and "major league sports team" in section 103 of the act are amended and the section is amended by adding definitions to read:

Amend Bill, page 2, by inserting between lines 26 and 27 "Affiliated nonprofit organization." An organization established by or affiliated with [a Major League Baseball, National Hockey League, National Basketball Association or Major League Soccer team] an athletic team for the purpose of raising funds for charity, which is qualified for an exemption under section 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 101(c)(3)).

Amend Bill, page 3, by inserting between lines 1 and 2 "Athletic event drawing." A 50/50 drawing that is conducted by an affiliated nonprofit organization in accordance with section 304.1. "Athletic team." A sports team or racing facility that is any of the following:

- (1) A member of Major League Baseball, the National Hockey League, the National Basketball Association, the National Football League or Major League Soccer.
- (2) A professional sports team affiliated with a team under paragraph (1).
- (3) Any other professional sports team that has a sports facility or an agreement with a sports facility to conduct home

games at the facility.

(4) A stadium, grandstand or bleacher at a closed-course motor facility where spectators directly observe motor races with NASCAR, Indy, stock or drag racing cars.

(5) A collegiate team that competes on behalf of an institution of higher education.

\* \* \*

"Institution of higher education." Any of the following:

(1) A community college operating under Article XIX-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

(2) A university within the State System of Higher Education.

(3) The Pennsylvania State University.

(4) The University of Pittsburgh.

(5) Temple University.

(6) Lincoln University.

(7) Any other institution that is designated as "State related" by the Commonwealth.

(8) Any accredited private or independent college or university.

\* \* \*

["Major league sports drawing." A 50/50 drawing conducted by a nonprofit affiliate of a major league sports team in accordance with section 304.1.

"Major league sports team." A sports team or racing facility that is any of the following:

(1) A member of Major League Baseball, the National Hockey League, the National Basketball Association, the National Football League or Major League Soccer.

(2) A professional sports team affiliated with a team under paragraph (1).

(3) Any other professional sports team that has a sports facility or an agreement with a sports facility to conduct home games at the facility.

(4) A stadium, grandstand or bleacher at a closed-course motor facility where spectators are directly observing motor races with NASCAR, Indy, stock or drag racing cars.]

Amend Bill, page 3, by inserting between lines 2 and 3 Section 3. Section 304.1 of the act is amended to read:

Section 304.1. [Major league sports] Athletic event drawing.

(a) General rule.—A person may purchase one or more [major league sports] athletic event drawing tickets at a home game, and each ticket purchased shall represent one entry in the drawing for a winner. A single ticket shall be randomly chosen as the winner after a certain number of tickets are sold or a specified time period expires as designated by the affiliated nonprofit organization. Purchase of athletic event drawing tickets may be made by cash, credit card or debit card.

(b) Frequency.—An affiliated nonprofit organization may conduct no more than one [major league sports] athletic event drawing per home game.

(b.1) Sales restricted.—Tickets for [a major league sports] an athletic event drawing may not be sold in any seating area designated as a family section.

(b.2) Charitable event.—[A major league sports] An athletic event drawing may be conducted by the affiliated nonprofit organization during a charitable event held within the same arena, stadium, grandstand, bleachers or other facility during a home game or car race of the [major league sports] athletic team. Drawings may only be held within spectator areas within the arena, stadium, grandstand or bleachers where the home game or car race is being conducted and, except as provided for in subsection (b.3), not at ancillary areas or facilities, including parking areas, restaurants and bars or areas outside the arena, stadium, grandstand or bleachers or areas where the sport is shown on remote electronic equipment.

(b.3) Outside sales.—Notwithstanding subsection (b.2), athletic event drawing tickets may be sold prior to a home game or car race in an officially designated parking area adjacent to the arena, stadium,

grandstand or bleachers or similar facility where the home game or car race is being conducted and which is not separated by a highway or street, unless the highway or street is adjacent to the arena, stadium, grandstand, bleachers or similar facility.

(c) Distribution.—The prize amount of [a major league sports] an athletic event drawing shall be 50% of the total amount collected from the sale of [major league sports] athletic event drawing tickets. Except as set forth in subsection (c.1), the other 50% of the total amount collected from the sale of [major league sports] athletic event drawing tickets shall be donated within seven days from the date of the drawing by the affiliated nonprofit organization conducting the [major league sports] athletic event drawing to one or more designated charitable organizations for which the drawing was conducted.

(c.1) Use of funds.—

(1) The affiliated nonprofit organization may utilize nonprize money collected for the following:

(i) To employ or provide payment to individuals 18 years of age or older to sell [major league sports] athletic event drawing tickets [at a professional sporting event].

(ii) For administrative expenses directly related to the conduct of the athletic event drawing under this section.

(2) Authorized expenses under paragraph (1)(ii) may not exceed 2% of the total amount collected from the sale of [major league sports] athletic event drawing tickets.

(d) Designated charitable organization.—The affiliated nonprofit organization conducting the [major league sports] athletic event drawing shall disclose to all ticket purchasers the designated charitable organization for which the [major league sports] athletic event drawing is being conducted.

(e) Eligibility.—In order to receive proceeds from [a major league sports] an athletic event drawing, a charitable organization must be in existence and fulfilling its purposes for at least two years prior to the drawing and shall be eligible for exemption under section 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3)). A political subdivision shall not qualify as a charitable organization under this section.

(f) Unclaimed prizes.—Any [major league sports] athletic event drawing prize remaining unclaimed by a winner at the end of the [major league sports] athletic team's season shall be donated within 30 days from the end of the season by the affiliated nonprofit organization to the designated charitable organization for which the [major league sports] athletic event drawing was conducted.

(g) Applicability.—The limitations under sections 302, 303(b), 308 and 704 shall not apply to [a major league sports] an athletic event drawing.

(h) Additional recordkeeping.—The department may require additional recordkeeping or accountability measures for [major league sports] athletic event drawings.

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

Amend Bill, page 4, line 17, by striking out "4" and inserting  
5

Amend Bill, page 5, line 3, by striking out "5" and inserting  
6

Amend Bill, page 5, line 6, by striking out "6" and inserting  
7

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question, the Chair recognizes Representative Mustio for a summary of the amendment.

Mr. MUSTIO. Thank you, Mr. Speaker.

The amendment will – currently, as you know, at various major league sporting events, the teams have 50/50 raffles to

raise money for charity. This will enable those to be purchased using cash, credit cards, or debit cards, but also be done inside or outside the facility in designated parking areas adjacent to the venue.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

Does anybody else wish to be recognized?

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—65

Barrar	Everett	Masser	Sankey
Benninghoff	Farry	Matzie	Saylor
Caltagirone	Fritz	Metzgar	Sonney
Christiana	Gergely	Moul	Stephens
Cook	Gillespie	Mustio	Sturla
Corbin	Grove	Nelson	Taylor
Costa, D.	Hahn	Nesbit	Tobash
Costa, P.	Heffley	O'Neill	Toepel
Davis	Hennessey	Ortitay	Topper
Deasy	Hill	Pyle	Walsh
DeLissio	Irvin	Quinn, M.	Warner
DeLuca	Jozwiak	Rader	Wheeland
Diamond	Kampf	Ravenstahl	White
Dunbar	Klunk	Readshaw	
Ellis	Kortz	Reed	Turzai,
English	Kulik	Roae	Speaker
Evankovich	Maher	Ryan	

NAYS—122

Baker	Dowling	Kirkland	Petrarca
Barbin	Driscoll	Knowles	Petri
Bernstine	Dush	Krueger	Pickett
Bizzarro	Emrick	Lawrence	Quinn, C.
Bloom	Evans	Lewis	Rabb
Boback	Fee	Longietti	Rapp
Boyle	Fitzgerald	Mackenzie	Roe
Bradford	Flynn	Madden	Roebuck
Briggs	Frankel	Mako	Rozzi
Brown, R.	Freeman	Maloney	Saccone
Bullock	Gainey	Markosek	Sainato
Burns	Galloway	Marshall	Samuelson
Carroll	Gillen	Marsico	Schlossberg
Causer	Godshall	McCarter	Schweyer
Cephas	Goodman	McClinton	Simmons
Charlton	Greiner	McNeill	Sims
Comitta	Haggerty	Mehaffie	Snyder
Conklin	Hanna	Mentzer	Solomon
Corr	Harkins	Metcalfe	Staats
Cruz	Harris, J.	Miccarelli	Tallman
Culver	Helm	Millard	Toohil
Cutler	Hickernell	Miller, B.	Vazquez
Daley	James	Miller, D.	Vitali
Davidson	Kauffman	Mullery	Ward
Dawkins	Kavulich	Murt	Warren
Day	Keefer	Neilson	Watson
Dean	Keller, F.	Neuman	Wentling
Delozier	Keller, M.K.	O'Brien	Wheatley
Dermody	Keller, W.	Oberlander	Youngblood
DiGirolamo	Kim	Peifer	Zimmerman
Donatucci	Kinsey		

NOT VOTING—0

EXCUSED—16

Brown, V.	Harper	Milne	Rothman
Cox	Harris, A.	Pashinski	Santora
Fabrizio	Kaufner	Quigley	Schemel
Gabler	McGinnis	Reese	Thomas

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

On the question recurring,

Will the House agree to the bill on second consideration?

BILL PASSED OVER TEMPORARILY

The SPEAKER. At this time the Chair is going to go over that bill. We will be going over that bill. I do think there is another amendment that has been filed, but we are going to go over the bill for the time being.

\* \* \*

The House proceeded to second consideration of **SB 8, PN 719**, entitled:

An Act amending Titles 4 (Amusements), 18 (Crimes and Offenses), 30 (Fish), 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, extensively revising forfeiture provisions as follows: in administration and enforcement relating to gaming, further providing for prohibited acts and penalties; in inchoate crimes, further providing for the offense of manufacture, distribution, use or possession of devices for theft of telecommunications services; in assault, further providing for the offense of terrorism; in loss of property rights relating to sexual offenses, further providing for general rule and repealing provisions relating to process and seizure, to custody of property and to disposal of property; in forgery and fraudulent practices, further providing for the offenses of copying and recording devices and for trademark counterfeiting; in riot, disorderly conduct and related offenses, further providing for the offense of gambling devices, gambling, etc.; in wiretapping and electronic surveillance, further providing for seizure and forfeiture of electronic, mechanical or other devices; in minors, further providing for sentencing and penalties for trafficking drugs to minors; in nuisances, further providing for the offense of scattering rubbish; in other offenses, further providing for drug trafficking sentencing and penalties; in vehicle chop shop and illegally obtained and altered property, further providing for loss of property rights to Commonwealth and repealing provisions relating to procedure with respect to seized property subject to liens and rights of lienholders; in enforcement relating to Fish and Boat Code, further providing for forfeiture of fish and devices; in actions, proceedings and other matters generally relating to Judicial Code, providing for forfeiture of assets; in forfeitures, repealing provisions relating to controlled substances forfeiture, to terrorism forfeiture and to procedure with respect to seized property subject to liens and rights of lienholders; in size, weight and load relating to Vehicle Code, further providing for transporting foodstuffs in vehicles used to transport waste; in liquid fuels and fuel use tax enforcement, further providing for forfeitures and process and procedures and for disposition of fines and forfeitures; providing for conduct of forfeiture; and making repeals of provisions of the Liquor Code and another act relating to certain forfeiture of property.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. Now, there were three amendments offered. Two are by Representative Cutler, 1681 and 1703, and, Representative Cutler, you are recognized on the amendments.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, the amendments that I had drafted and prepared for this bill dealt with a threshold for where the civil asset forfeiture would apply.

Mr. Speaker, while I still believe that is a good idea and a discussion that we should have and one that I had with the prime sponsor, I also recognize that in my drafting of the amendments it did not cover certain nonconviction areas, such as ARD (Accelerated Rehabilitative Disposition) and other outcomes where asset forfeiture might apply.

I spoke with the prime sponsor of the bill. He agreed to work, as we head into the next year and perhaps the next session, on a different proposal that would encompass all kinds of convictions, ARD and other outcomes, and we would also reexamine the threshold component that I had proposed in both of these amendments. But in the interest of getting the bill moved and the reports passed, I will be pulling them at this time and keep working on them with the prime sponsor.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

Then Representative DeLuca had amendment 1756.

The Chair recognizes Representative DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

That amendment I will be withdrawing, but I will be working on the bill. There were a couple errors in the drafting, but I personally believe that our local police departments deserve at least 25 percent of forfeiture money when the county and district attorney foreclose on different cases. They do a lot of work in the municipalities, the police departments. The task forces could not survive without the local police departments, and I believe that they should not have to beg like a WAM (walking-around money) to get some of that money back for the time they put in to help out.

So I would be withdrawing that amendment, Mr. Speaker. Thank you.

The SPEAKER. Thank you, Representative DeLuca.

So amendment 1756 is withdrawn.

I do not see any other amendments for SB 8.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

\* \* \*

The House proceeded to second consideration of **SB 560, PN 922**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in wiretapping and electronic surveillance, further providing for definitions, for exceptions to prohibition of interception and disclosure of communications, for exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices and for expiration of chapter; and providing for recordings by law enforcement officers.

On the question,

Will the House agree to the bill on second consideration?

## BILL PASSED OVER TEMPORARILY

The SPEAKER. Members, we are going to go over SB 560. I will be right back to that.

## CONSIDERATION OF HB 864 CONTINUED

The SPEAKER. We are going to return to HB 864, PN 970, page 2 of today's House calendar.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **PETRARCA** offered the following amendment No. **A01474**:

Amend Bill, page 1, line 11, by inserting after "drawing" and further providing for licensing of eligible organizations; in club licensees, further providing for club licensee and for distribution of proceeds

Amend Bill, page 4, line 17, by striking out all of said line and inserting

Section 4. Sections 307(d.1), 501(a)(1), 502(a.1)(1) and 702(g) of the act are amended to read:

Section 307. Licensing of eligible organizations.

\* \* \*

(d.1) Bank account and records.—An eligible organization with proceeds of games of chance that exceed [\$40,000] \$60,000 per year shall maintain a bank account, which shall be separate from all other funds belonging to the licensed eligible organization. Account records shall show all expenditures and income and shall be retained by the licensed eligible organization for at least two years.

\* \* \*

Section 501. Club licensee.

(a) Report.—

(1) Beginning in 2014, a club licensee with proceeds in excess of [\$20,000] \$30,000 in a calendar year shall submit annual reports to the department for the preceding 12-month period on a form and in a manner prescribed by the department.

\* \* \*

Section 502. Distribution of proceeds.

\* \* \*

(a.1) Amounts retained.—

(1) Notwithstanding subsection (a), if in a calendar year beginning January 1, 2013, the proceeds from a game of chance for a club licensee are [\$40,000] \$60,000 or less, the licensee shall be eligible to retain the first [\$20,000] \$30,000 in proceeds in the following calendar year before subsection (a) applies.

\* \* \*

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question, the Chair recognizes Representative Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

This amendment is to provide relief for our club licensees, and as many of you know, to be a club licensee you have a license for small games of chance and also for alcohol. Unfortunately, many of our clubs, veterans organizations, and the like are having a very difficult time staying afloat. What this legislation does is it raises the amount from \$20,000 to \$30,000 that they get to retain for their own operations prior to it being subject to the 60/40 split.

Again, to support our veterans organizations and our small clubs in our districts, I would appreciate your support. Thank you.

The SPEAKER. Representative Mustio, on the amendment? Waives off.

Representative Mullery, on the amendment.

Mr. MULLERY. Thank you, Mr. Speaker.

I want to rise in support of amendment A01474. This amendment is very similar to a bill I introduced about a month ago, HB 1334. The basis for me introducing that bill and supporting this amendment is I went out and met with several of the veterans groups, private clubs, nonprofit organizations in my area and listened to them, as they explained to me the difficulty they were having with the reporting guidelines, and also the fact that they struggled to meet their charitable mission because of the relatively low number that they are required to submit back to the State.

So I can tell you, if you have VFWs, Legions, nonprofits in your legislative district, they absolutely will support this amendment, and for that reason I rise in support and ask for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

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

The following roll call was recorded:

YEAS—154

Baker	Dowling	Kinsey	Readshaw
Barbin	Driscoll	Kirkland	Reed
Barrar	Dunbar	Klunk	Roebuck
Benninghoff	Ellis	Kortz	Rozzi
Bernstine	English	Krueger	Ryan
Bizzarro	Evankovich	Kulik	Saccone
Boback	Evans	Lewis	Sainato
Boyle	Everett	Longiotti	Samuelson
Bradford	Farry	Madden	Sankey
Briggs	Fee	Markosek	Saylor
Brown, R.	Fitzgerald	Marshall	Schlossberg
Bullock	Flynn	Masser	Schweyer
Burns	Frankel	Matzie	Sims
Caltagirone	Freeman	McCarter	Snyder
Carroll	Fritz	McClinton	Solomon
Causar	Gainey	McNeill	Sonney
Cephas	Galloway	Mehaffie	Staats
Charlton	Gergely	Mentzer	Stephens
Christiana	Gillen	Metzgar	Sturla
Comitta	Gillespie	Miccarelli	Taylor
Conklin	Goodman	Millard	Tobash
Cook	Greiner	Miller, D.	Toepel
Corbin	Grove	Moul	Toohil
Corr	Haggerty	Mullery	Topper
Costa, D.	Hanna	Mustio	Vazquez
Costa, P.	Harkins	Neilson	Vitali
Culver	Harris, J.	Nesbit	Walsh
Cutler	Heffley	Neuman	Ward
Daley	Helm	O'Brien	Warner
Davidson	Hickernell	O'Neill	Warren
Davis	Hill	Oberlander	Watson
Dawkins	Irvin	Peifer	Wentling
Dean	James	Petrarca	Wheatley
Deasy	Jozwiak	Pickett	Wheeland
DeLissio	Kampf	Pyle	White
DeLuca	Kavulich	Quinn, C.	Youngblood
Dermody	Keefer	Quinn, M.	
DiGirolamo	Keller, W.	Rabb	Turzai,
Donatucci	Kim	Ravenstahl	Speaker

NAYS—33

Bloom	Hennessey	Mako	Petri
Cruz	Kauffman	Maloney	Rader
Day	Keller, F.	Marsico	Rapp
DeLozier	Keller, M.K.	Metcalfe	Roae
Diamond	Knowles	Miller, B.	Roe
Dush	Lawrence	Murt	Simmons
Emrick	Mackenzie	Nelson	Tallman
Godshall	Maher	Ortitay	Zimmerman
Hahn			

NOT VOTING—0

EXCUSED—16

Brown, V.	Harper	Milne	Rothman
Cox	Harris, A.	Pashinski	Santora
Fabrizio	Kaufner	Quigley	Schemel
Gabler	McGinnis	Reese	Thomas

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?

The SPEAKER. I see no other amendments to the bill. If anybody else has any other amendments, please call it to my attention.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

CONSIDERATION OF SB 560 CONTINUED

The SPEAKER. Members, please now turn once again to SB 560, PN 922, page 4 of today's House calendar.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. MARSICO offered the following amendment No. A01769:

- Amend Bill, page 11, by inserting between lines 24 and 25
  - (3) Upon disclosure, information that would:
    - (i) Reveal the institution, progress or result of an agency investigation.
    - (ii) Deprive a person of the right to an impartial administrative adjudication.
    - (iii) Constitute an unwarranted invasion of privacy.
    - (iv) Hinder an agency's ability to secure an administrative or civil sanction.
    - (v) Endanger the life or physical safety of an individual.

Amend Bill, page 16, line 10, by inserting after "deemed" denied

Amend Bill, page 16, line 10, by striking out "denied"  
 Amend Bill, page 17, line 3, by striking out "approval" and inserting judicial review  
 Amend Bill, page 18, line 20, by inserting after "OFFICER" for personal delivery or certified mail with proof of service  
 Amend Bill, page 21, lines 18 and 19, by striking out "Attorney General- OR a district attorney or a law enforcement agency" and inserting a prosecuting attorney with jurisdiction or a law enforcement agency  
 Amend Bill, page 21, line 23, by striking out "ATTORNEY General or the district attorney" and inserting The prosecuting attorney  
 Amend Bill, page 21, line 24, by inserting after "agree" in writing  
 Amend Bill, page 21, line 24, by striking out "in writing"  
 Amend Bill, page 21, line 25, by inserting after "if" the prosecuting attorney determines that  
 Amend Bill, page 22, lines 7 through 12, by striking out all of lines 7 through 11 and "(2)" in line 12

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

**LEAVE OF ABSENCE**

The SPEAKER. At this time it is my understanding Representative MARSICO has requested to be placed on leave. Without objection, that will be granted.

**CONSIDERATION OF SB 560 CONTINUED**

The SPEAKER. Does anybody wish to speak on the amendment?

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

The following roll call was recorded:

**YEAS—172**

Baker	Ellis	Kulik	Ravenstahl
Barbin	Emrick	Lawrence	Readshaw
Barrar	English	Lewis	Reed
Benninghoff	Evankovich	Longietti	Roae
Bernstine	Everett	Mackenzie	Roe
Bizzarro	Farry	Maher	Roebuck
Bloom	Fee	Mako	Rozzi
Boback	Fitzgerald	Maloney	Ryan
Boyle	Flynn	Markosek	Saccone
Bradford	Freeman	Marshall	Sainato
Briggs	Fritz	Masser	Samuelson
Brown, R.	Galloway	Matzie	Sankey
Bullock	Gergely	McClinton	Saylor
Burns	Gillen	McNeill	Schlossberg
Caltagirone	Gillespie	Mehaffie	Schweyer
Causar	Godshall	Mentzer	Simmons
Cephas	Greiner	Metcalfe	Sims
Charlton	Grove	Metzgar	Snyder
Christiana	Haggerty	Miccarelli	Solomon
Comitta	Hahn	Millard	Sonney
Conklin	Hanna	Miller, B.	Staats
Cook	Harkins	Miller, D.	Stephens
Corbin	Harris, J.	Moul	Sturla
Corr	Heffley	Mullery	Tallman

Costa, D.	Helm	Murt	Taylor
Costa, P.	Hennessey	Mustio	Tobash
Cruz	Hickernell	Neilson	Toepel
Culver	Hill	Nelson	Toohil
Cutler	Irvin	Nesbit	Topper
Davis	James	Neuman	Vazquez
Dawkins	Jozwiak	O'Brien	Walsh
Day	Kampf	O'Neill	Ward
Dean	Kauffman	Oberlander	Warner
Deasy	Keefer	Ortitay	Warren
Delozier	Keller, F.	Peifer	Watson
DeLuca	Keller, M.K.	Petrarca	Wentling
Dermody	Keller, W.	Petri	Wheeland
Diamond	Kim	Pickett	White
DiGirolamo	Kinsey	Pyle	Youngblood
Donatucci	Kirkland	Quinn, C.	Zimmerman
Dowling	Klunk	Quinn, M.	
Driscoll	Knowles	Rader	Turzai,
Dunbar	Kortz	Rapp	Speaker
Dush	Krueger		

**NAYS—14**

Carroll	Evans	Kavulich	Rabb
Daley	Frankel	Madden	Vitali
Davidson	Gainey	McCarter	Wheatley
DeLissio	Goodman		

**NOT VOTING—0**

**EXCUSED—17**

Brown, V.	Harris, A.	Milne	Rothman
Cox	Kaufner	Pashinski	Santora
Fabrizio	Marsico	Quigley	Schemel
Gabler	McGinnis	Reese	Thomas
Harper			

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?

Mrs. DEAN offered the following amendment No. **A01768**:

Amend Bill, page 14, line 4, by striking out "20" and inserting 60

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

The SPEAKER. Representative Dean is recognized on the amendment.

You may proceed.

Mrs. DEAN. Thank you, Mr. Speaker.

I think this is a reasonable extension. Back to what was originally in this legislation, which was 60 days, the period of time within which a request for the audio or visual recording of the law enforcement agency, you would have up to 60 days. I think 20 days is entirely too short. I think 60 days is reasonable. I am hoping, actually, this could be an agreed-to amendment.

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

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

The following roll call was recorded:

## YEAS—149

Barbin	Dowling	Kortz	Quinn, M.
Barrar	Driscoll	Krueger	Rabb
Benninghoff	Dunbar	Kulik	Rader
Bernstine	Dush	Lawrence	Ravenstahl
Bizzarro	Ellis	Lewis	Readshaw
Boback	English	Longietti	Reed
Boyle	Evans	Madden	Roe
Bradford	Everett	Maher	Roebuck
Briggs	Farry	Maloney	Rozzi
Brown, R.	Fee	Markosek	Ryan
Bullock	Fitzgerald	Masser	Sainato
Burns	Flynn	Matzie	Samuelson
Caltagirone	Frankel	McCarter	Sankey
Carroll	Freeman	McClinton	Saylor
Cephas	Gainey	McNeill	Schlossberg
Charlton	Galloway	Mehaffie	Schweyer
Christiana	Gergely	Mentzer	Sims
Comitta	Gillen	Metzgar	Snyder
Conklin	Godshall	Miccarelli	Solomon
Cook	Goodman	Millard	Staats
Corbin	Greiner	Miller, B.	Sturla
Costa, D.	Haggerty	Miller, D.	Toepel
Costa, P.	Hahn	Mullery	Toohil
Cruz	Hanna	Murt	Topper
Culver	Harkins	Mustio	Vazquez
Cutler	Harris, J.	Neilson	Vitali
Daley	Helm	Nelson	Ward
Davidson	Hennessey	Nesbit	Warren
Davis	Hickernell	Neuman	Watson
Dawkins	James	O'Brien	Wheatley
Dean	Jozwiak	O'Neill	Wheeland
Deasy	Kampf	Oberlander	White
DeLissio	Kavulich	Ortitay	Youngblood
DeLuca	Keller, W.	Peifer	Zimmerman
Dermody	Kim	Petrarca	
Diamond	Kinsey	Petri	Turzai,
DiGiroloam	Kirkland	Pyle	Speaker
Donatucci	Klunk	Quinn, C.	

## NAYS—37

Baker	Grove	Mackenzie	Simmons
Bloom	Heffley	Mako	Sonney
Causar	Hill	Marshall	Stephens
Corr	Irvin	Metcalfe	Tallman
Day	Kauffman	Moul	Taylor
Delozier	Keefer	Pickett	Tobash
Emrick	Keller, F.	Rapp	Walsh
Evankovich	Keller, M.K.	Roae	Warner
Fritz	Knowles	Saccone	Wentling
Gillespie			

## NOT VOTING—0

## EXCUSED—17

Brown, V.	Harris, A.	Milne	Rothman
Cox	Kaufner	Pashinski	Santora
Fabrizio	Marsico	Quigley	Schemel
Gabler	McGinnis	Reese	Thomas
Harper			

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

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

The SPEAKER. Representative Dan Miller has filed many, many amendments, but I understand we are supposed to call up 1771 first.

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

Mr. **D. MILLER** offered the following amendment  
No. **A01771**:

Amend Bill, page 2, line 17, by striking out "ON OFFICIAL DUTY"

Amend Bill, page 3, line 21, by inserting a bracket before "Before"

Amend Bill, page 3, line 24, by striking out the bracket before "telephone"

Amend Bill, page 3, lines 24 through 26, by striking out "] oral" in line 24, all of line 25 and "communication" in line 26

Amend Bill, page 3, line 27, by inserting after "divulged."

] Before the effective date of this paragraph, all inmates of the facility shall be notified in writing that their oral communication, electronic communication or wire communication may be intercepted, recorded, monitored or divulged. Appropriate notification shall be provided specifically to inform inmates who are visually impaired, whose primary language is not English or who have literacy challenges.

(A.1) Orientation for inmates of the facility admitted after the effective date of this paragraph shall include the notification requirements described under clause (A).

Amend Bill, page 4, line 5, by inserting after "have" custody of or

Amend Bill, page 4, line 15, by inserting after "Corrections" or an agent of the Department of Corrections

Amend Bill, page 4, line 18, by inserting after "attorney" or permit any other person or entity to do so

Amend Bill, page 4, line 26, by inserting after "monitoring" before commencing communication with an inmate

Amend Bill, page 4, line 27, by inserting after "promulgate" written

Amend Bill, page 4, line 29, by inserting after "facilities." The designation shall be in writing and available to the public.

Amend Bill, page 5, line 13, by inserting a bracket before "Before"

Amend Bill, page 5, line 16, by striking out the bracket before "telephone"

Amend Bill, page 5, lines 16 through 18, by striking out "] oral" in line 16, all of line 17 and "communications" in line 18

Amend Bill, page 5, line 19, by inserting after "divulged."

] Before the effective date of this paragraph, all inmates of the facility shall be notified in writing that their oral communication, electronic communication or wire communication may be intercepted, recorded, monitored or divulged. Appropriate notification shall be provided specifically to inform inmates who are visually impaired, whose primary

language is not English or who have literacy challenges.

(A.1) Orientation for inmates of the facility admitted after the effective date of this paragraph shall include the notification requirements described under clause (A).

Amend Bill, page 5, line 27, by inserting after "have"  
custody of or

Amend Bill, page 6, line 7, by inserting after "facility"  
or an agent of the county correctional facility

Amend Bill, page 6, line 10, by inserting after "attorney"  
or permit any other person or entity to do so

Amend Bill, page 6, line 18, by inserting after "monitoring"  
before commencing communication with an inmate

Amend Bill, page 6, line 22, by inserting after "promulgate"  
written

Amend Bill, page 6, line 23, by inserting after "facilities."  
The designation shall be in writing and available to the public.

Amend Bill, page 8, line 3, by inserting after "buy,"  
lease and

Amend Bill, page 8, line 15, by inserting after "buy"  
lease

Amend Bill, page 8, line 18, by inserting a bracket before  
"section"

Amend Bill, page 8, line 19, by inserting after "5713.1"  
] 42 Pa.C.S. Ch. 67A (relating to recordings by law  
enforcement officers)

Amend Bill, page 8, line 23, by inserting a bracket before  
"section"

Amend Bill, page 8, line 24, by inserting after "5713.1"  
] 42 Pa.C.S. Ch. 67A

Amend Bill, page 9, line 5, by inserting after "buy,"  
lease.

Amend Bill, page 10, line 8, by striking out "expiration or  
renewal of the"

Amend Bill, page 10, line 8, by inserting after "contract"  
renewal or extension

Amend Bill, page 10, by inserting between lines 29 and 30  
"Body camera." A device which is approved under section  
5706(b)(4) (relating to exceptions to prohibitions in possession, sale,  
distribution, manufacture or advertisement of electronic, mechanical or  
other devices) and affixed or otherwise in the possession of a law  
enforcement officer.

Amend Bill, page 13, lines 22 through 28, by striking out the  
period in line 22 and all of lines 23 through 28 and inserting  
using body cameras or other recording devices not fixed to the  
exterior or interior of a building or a vehicle under circumstances  
within paragraph (2) of the definition of "oral communication" in 18  
Pa.C.S. § 5702 (relating to definitions).

(b) Exceptions.—Requests for an audio recording or a video  
recording made by the owner or tenant of a residence where the  
recording was made inside, or a request made by an individual who  
appears on or is heard on the recording, shall be subject to the Right-to-  
Know Law. Audio recordings and video recordings involving police  
shootings or the use of deadly force shall likewise be subject to the  
Right-to-Know Law.

Amend Bill, page 14, lines 3 through 5, by striking out the  
comma in line 3, all of line 4 and "recording was made," in line 5

Amend Bill, page 14, line 11, by inserting after "SERVICE."  
The Office of Open Records shall develop a uniform  
request form which shall be accepted by all law enforcement  
agencies in addition to any form that may be developed by the  
agency to file a request under this chapter.

Amend Bill, page 14, line 15, by inserting after "event"  
to the best of the requester's ability

Amend Bill, page 14, lines 16 through 19, by striking out all of

lines 16 through 18 and "(4)" in line 19 and inserting  
(3)

Amend Bill, page 15, lines 5 through 12, by striking out "The  
written denial shall state that ~~no~~ reasonable" in line 5 and all of lines 6  
through 12 and inserting

, stating the reason, unless approved by the Attorney General or  
the district attorney with jurisdiction.

Amend Bill, page 16, line 2, by inserting after "agree"  
in writing

Amend Bill, page 16, lines 14 through 22, by striking out the  
period in line 14 and all of lines 15 through 22 and inserting  
thereby entitling the requester to file a petition for judicial  
review within 30 days with the burden on the law enforcement agency  
to prove why the audio recording or video recording should not be  
released.

(c) Electronic record retention.—A law enforcement agency shall  
develop a retention policy to include audio recordings and video  
recordings, with procedures to ensure the preservation of unaltered  
recordings that have been requested, denied and subject to judicial  
review. Unless an audio recording or video recording contains potential  
evidence in a criminal matter, contains information pertaining to an  
investigation or to a matter in which a criminal charge has been filed or  
contains information that has been subpoenaed, a recording made  
inside an occupied residence shall be destroyed, erased or otherwise no  
longer maintained by the law enforcement agency after six months.

Amend Bill, page 16, lines 25 through 27, by striking out "shall  
be paid by the requesting" in line 25 and all of lines 26 and 27 and  
inserting

;

(1) shall not be greater than actual costs;

(2) shall be publicly displayed;

(3) may be required to be paid in full or in part before  
disclosure of the audio recording or video recording; and

(4) shall be paid by the requester before transfer.

Amend Bill, page 17, line 7, by inserting after "denied"  
or denied by operation of law under section 67A05  
(relating to procedure)

Amend Bill, page 17, line 9, by striking out the period after  
"denial" and inserting

unless the denial involves a request for material which is  
subject to section 67A02(b) (relating to scope of chapter), in  
which case the requester shall proceed under the act of February  
14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

Amend Bill, page 18, lines 21 through 23, by striking out "A" in  
line 21, all of line 22 and "ACTION" in line 23 and inserting  
the Attorney General or a district attorney with jurisdiction may  
intervene in any administrative action or judicial appeal

On the question,

Will the House agree to the amendment?

The SPEAKER. Representative Miller, on the amendment,  
sir.

Please provide us a summary of the amendment and any  
remarks in favor thereof.

Mr. D. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, as mentioned, this is a large-scale amendment  
that touches on a variety of concerns but also continues to have  
several elements of support for the underlying premise, and that  
is that I think it is integral for us to have body cameras available  
to law enforcement in the Commonwealth.

The issue, of course, and the reason for the amendment is  
that I am very concerned with the access and the transparency to  
those body cameras and the scope of the underlying bill in itself  
in relation to other videos. So my omnibus amendment here  
does several things. First, it requires notification to both State

and county inmates about the recording and monitoring of communication, and it does so in a way that keeps in mind that some of these inmates have disabilities, some of them may be illiterate, some of them may not speak English as a primary language. It makes sure that we are notifying them of the change. It also makes sure that new inmates who are coming into the facility, likewise, get an ongoing responsibility on behalf of the facility to educate them as to these notifications of recordings and monitoring. It also makes a reasonable effort to make sure that those who are contacting into the facility, those who are calling loved ones, those who are e-mailing loved ones, get a notification as well about what can be recorded and what can be monitored.

It continues to go on and make sure that the DOC (Department of Corrections) guidelines are written in public. It makes sure that we define "body camera." It reestablishes that interior camera footage that is currently subject to Right-to-Know remains subject to Right-to-Know. So it continues. It keeps access to videos that we currently get through Right-to-Know in Right-to-Know. However, it does allow for body camera footage to be available through what I would call to be the enhanced police protection system that is in place in the underlying bill, but it recognizes that there are certain types of footage that require an easier path, that require more access to the public, and so it takes, for example, incidents that involve police shootings and it makes sure those police shooting incidents go through Right-to-Know, and it makes sure incidents that involve use of deadly force go through the easier path and the more transparent path of Right-to-Know, and in recognizing that so many of these videos could be done and recorded inside homes, inside people's homes, it makes sure that if it is your home you do not have to go through a harder, less transparent process to get the videos, you go through Right-to-Know, and it makes sure that if you are actually on the videos, if you are the subject of the recording, you go through Right-to-Know.

It makes sure that it keeps a window of opportunity for these recordings. It does not do away with – I think where a lot of people's concerns are, which are overarching, long-standing, Right-to-Know requests that could come for everybody's body camera footage. Unless you are an exception, unless you are in what people are asking about, nobody is that interested to say, "I want to know what a police officer did walking down the street from 2 to 3 o'clock in the afternoon." Clearly the motivation behind these bills is that when we know that there is a heightened issue, like a shooting, like deadly force, that clearly we represent what the whole point of the Right-to-Know Law was, which is we say that those incidents go through the easier and more transparent Right-to-Know process. It makes absolutely no sense for us to have body cameras entirely absent the Right-to-Know Law, to which, in my opinion, has been part of the crowning jewel of what this body has accomplished in the last 10 to 15 years, and while there is always work to be done on the bill, it is what the public has come to know, as the best, most accountable way to keep tabs on what their government is doing.

My bill, my ominous bill goes on. It makes sure that videos that are inside dash cams, that we currently get access to, go through Right-to-Know. It keeps in place what was not subject of a body camera bill. The body camera bill includes every video recording, every audio recording that comes into play, the majority of which right now is easily handled through the Right-

to-Know, and of course, both in my bill it keeps reference to the exceptions that every one of us wants. We want to be sure that whether you go Right-to-Know or whether you go through the enhanced police decisionmaking that has been put in the other bill, that exceptions for criminal investigations are still there. We keep in place those things now that are currently working, overwhelmingly working in relation to access to public records.

I tell you, it also eliminates a couple aspects that I find to be very troubling in the bill. My amendment here also says that you do not have to explain yourself to the government because you want a record. It says right now, as the bill is, you have to state why or who you are or how you are possibly related to that record, and I tell you what, I find that to be a large step back, a large step back for us to take. My bill says that just like every other record that comes through the Right-to-Know office, whether you request it for local government, State government, or anything in between, you do not have to explain yourself to your government why you want to see a type of record or not. This bill as written, without my amendment, has that step back. Now we have to hear why you happen to want to see it.

I will tell you, there is no doubt to me, Mr. Speaker, that what I represent here is a change. This is a change in the underlying bill. What it does is it creates, in my opinion, a compromise between body camera footage and things that we already have access to. So it, in large scale, will protect what currently exists, not change access to what currently people get, and in relation to body cameras, all it says is that if you have a police shooting or an issue of deadly force being used, then you should go through the easier to access established path of Right-to-Know. Every other aspect for it, assuming it is not your house or you are on the video, you go through the process that is currently in the other bill.

This, to me, is a compromise. Over 90 percent of the footage that somebody would fit on a typical 8-hour shift in a body camera would not be touched by my amendment. However, if you believe as I do that in relation to police shootings, in relation to deadly force, and most importantly, in relation to your own house, that you should know what the government is filming and has on your house, then you should support my amendment. I would ask you to support my amendment.

Thank you, Mr. Speaker.

The SPEAKER. Representative Cutler, on the amendment.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, while normally I am in agreement with the maker of the amendment on some of the more civil libertarian issues, I do want to convey the reasons as to why I will not be supporting it currently.

This is an omnibus amendment that, in my opinion, also would be inconsistent with the amendments that we just previously adopted by both the gentleman from Dauphin County and the gentlelady from Montgomery County. Additionally, I think that it is internally inconsistent, and I actually have some concerns in how it restricts the PSP (Pennsylvania State Police) from purchasing and lending devices used in wiretaps and pen registers, other items that are covered under the Wiretap Act, but then would require them to purchase and lend out body cameras, which the amendment defines as any device for recording audio used by an officer who is in uniform that is affixed to or possessed by an officer. Mr. Speaker, that internal inconsistency, I am afraid, would open it up for challenges going forward.

Additionally, I know the gentleman mentioned the Right-to-Know Law, and I think it is worth noting, my understanding of the Right-to-Know Law specific to areas of the Wiretap Act, that is actually appealable to the district attorney in terms of if it is an ongoing investigation or other area, and I do not know that the gentleman's amendment is necessarily consistent with that.

For those reasons I would urge a "no" vote on this amendment, but I certainly do appreciate the gentleman's interest in protecting civil liberties. Thank you.

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

The following roll call was recorded:

YEAS—67

Bizzarro	Deasy	Kavulich	Ravenstahl
Boyle	DeLissio	Keller, W.	Roebuck
Bradford	Dermody	Kim	Rozzi
Briggs	Diamond	Kinsey	Saccone
Bullock	Donatucci	Kirkland	Samuelson
Caltagirone	Evans	Krueger	Schlossberg
Carroll	Fitzgerald	Kulik	Schweyer
Cephas	Flynn	Madden	Sims
Conklin	Frankel	Maloney	Snyder
Costa, P.	Freeman	Matzie	Solomon
Cruz	Gainey	McCarter	Sturla
Daley	Galloway	McClinton	Vazquez
Davidson	Godshall	McNeill	Vitali
Davis	Goodman	Miller, D.	Warren
Dawkins	Hanna	Mullery	Wheatley
Day	Harkins	Nesbit	Youngblood
Dean	Harris, J.	Rabb	

NAYS—119

Baker	Farry	Maher	Rapp
Barbin	Fee	Mako	Readshaw
Barrar	Fritz	Markosek	Reed
Benninghoff	Gergely	Marshall	Roae
Bernstine	Gillen	Masser	Roe
Bloom	Gillespie	Mehaffie	Ryan
Boback	Greiner	Mentzer	Sainato
Brown, R.	Grove	Metcalfe	Sankey
Burns	Haggerty	Metzgar	Saylor
Causar	Hahn	Miccarelli	Simmons
Charlton	Heffley	Millard	Sonney
Christiana	Helm	Miller, B.	Staats
Comitta	Hennessey	Moul	Stephens
Cook	Hickernell	Murt	Tallman
Corbin	Hill	Mustio	Taylor
Corr	Irvin	Neilson	Tobash
Costa, D.	James	Nelson	Toepel
Culver	Jozwiak	Neuman	Toohil
Cutler	Kampf	O'Brien	Topper
Delozier	Kauffman	O'Neill	Walsh
DeLuca	Keefer	Oberlander	Ward
DiGirolamo	Keller, F.	Ortitay	Warner
Dowling	Keller, M.K.	Peifer	Watson
Driscoll	Klunk	Petrarca	Wentling
Dunbar	Knowles	Petri	Wheeland
Dush	Kortz	Pickett	White
Ellis	Lawrence	Pyle	Zimmerman
Emrick	Lewis	Quinn, C.	
English	Longietti	Quinn, M.	Turzai,
Evankovich	Mackenzie	Rader	Speaker
Everett			

NOT VOTING—0

EXCUSED—17

Brown, V.	Harris, A.	Milne	Rothman
Cox	Kaufner	Pashinski	Santora
Fabrizio	Marsico	Quigley	Schemel
Gabler	McGinnis	Reese	Thomas
Harper			

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

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

Mr. D. MILLER offered the following amendment  
No. A01713:

- Amend Bill, page 3, line 21, by inserting a bracket before "Before"
- Amend Bill, page 3, line 24, by striking out the bracket before "telephone"
- Amend Bill, page 3, lines 24 through 26, by striking out "] oral" in line 24, all of line 25 and "communication" in line 26
- Amend Bill, page 3, line 27, by inserting after "divulged."

] Before the effective date of this paragraph, all inmates of the facility shall be notified in writing that their oral communication, electronic communication or wire communication may be intercepted, recorded, monitored or divulged. Additional notification shall be provided specifically to inform inmates who are visually impaired, whose primary language is not English or who have literacy challenges.

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

The SPEAKER. Representative Miller, on the amendment, please.

Mr. D. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment, like the subsequent ones to follow, stays within the framework of the existing bill. What it does, though, is it focuses on the reality of who is in our jails and who is in our prisons, and as someone, of course, who in my previous career as a public defender I have visited both county jails and our State facilities with it, I can assure you that the straight notification as written will not assist many of our inmates in understanding the change of law.

What this bill does here is it recognizes that, and in particular, it talks about how if you are, for example, visually impaired, a written notification is not going to work. If you, perhaps, cannot read, no matter what you do with that written notification, it will not work, and of course, if you are someone who English was not your primary language, there is a chance that you may not understand the notification.

So, Mr. Speaker, in my opinion, this right here is a very well thought out amendment that deals with our population fairly and assures that notification is tailored to those of all types, abilities, and kinds that are in our facilities. Thank you.

The SPEAKER. Representative Cutler, on the amendment, sir.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, the components of this amendment were included in the prior vote that we just took. I would urge the members to vote "no."

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

The following roll call was recorded:

## YEAS—68

Boyle	Dean	Keller, W.	Nelson
Bradford	Deasy	Kim	Rabb
Briggs	DeLissio	Kinsey	Ravenstahl
Brown, R.	Dermody	Kirkland	Readshaw
Bullock	Diamond	Kortz	Rozzi
Caltagirone	Evans	Krueger	Saccone
Carroll	Fitzgerald	Kulik	Samuelson
Cephas	Flynn	Madden	Schlossberg
Comitta	Frankel	Maloney	Schweyer
Costa, D.	Freeman	Markosek	Sims
Costa, P.	Gainey	Matzie	Solomon
Cruz	Haggerty	McCarter	Sturla
Daley	Hanna	McClinton	Vazquez
Davidson	Harris, J.	McNeill	Vitali
Davis	Hennessey	Miller, D.	Warren
Dawkins	Kavulich	Mullery	Wheatley
Day	Keefer	Murt	Youngblood

## NAYS—117

Baker	Everett	Mackenzie	Roae
Barbin	Farry	Maher	Roe
Barrar	Fee	Mako	Roebuck
Benninghoff	Fritz	Marshall	Ryan
Bernstine	Galloway	Masser	Sainato
Bizzarro	Gergely	Mehaffie	Sankey
Bloom	Gillen	Mentzer	Saylor
Boback	Gillespie	Metcalfe	Simmons
Burns	Godshall	Metzgar	Snyder
Causar	Goodman	Miccarelli	Sonney
Charlton	Greiner	Millard	Staats
Christiana	Grove	Miller, B.	Stephens
Conklin	Hahn	Moul	Tallman
Cook	Harkins	Mustio	Taylor
Corbin	Heffley	Nesbit	Tobash
Corr	Helm	Neuman	Toepel
Culver	Hickernell	O'Brien	Toohil
Cutler	Hill	O'Neill	Topper
Delozier	Irvin	Oberlander	Walsh
DeLuca	James	Ortitay	Ward
DiGirolamo	Jozwiak	Peifer	Warner
Donatucci	Kampf	Petrarca	Watson
Dowling	Kauffman	Petri	Wentling
Driscoll	Keller, F.	Pickett	Wheeland
Dunbar	Keller, M.K.	Pyle	White
Dush	Klunk	Quinn, C.	Zimmerman
Ellis	Knowles	Quinn, M.	
Emrick	Lawrence	Rader	Turzai,
English	Lewis	Rapp	Speaker
Evanovich	Longietti	Reed	

## NOT VOTING—1

Neilson

## EXCUSED—17

Brown, V.	Harris, A.	Milne	Rothman
Cox	Kaufner	Pashinski	Santora
Fabrizio	Marsico	Quigley	Schemel
Gabler	McGinnis	Reese	Thomas
Harper			

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

### THE SPEAKER PRO TEMPORE (JOHN MAHER) PRESIDING

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

Mr. **D. MILLER** offered the following amendment  
No. **A01714**:

Amend Bill, page 4, line 26, by inserting after "monitoring"  
before commencing communication with the  
inmate

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

The SPEAKER pro tempore. On the amendment, the gentleman, Representative Miller, is recognized.

Mr. D. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, this one here, instead of being directed toward notification of our inmates, this one here is talking about notification to our noninmates, those who may visit: family members, clergy visitations, anything along those lines. And what it talks about, Mr. Speaker, is in recognizing how technology has allowed us to, for example, when a phone call is made, to allow for notification to be made at the beginning of phone calls, or when people walk into visitation, for signs to be reasonably there that can give the rules for how contact should be done, this one here just simply says that as we are changing what currently can be done regarding recording and monitoring of conversations, that we provide reasonable notification of those changes to those noninmates who happen to walk in to visit our inmates in our State facilities.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, like the prior amendment, the components of this were included in the first vote that we took and reasonable notice is already required under existing law. Therefore, I would request a "no" vote.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

## YEAS—74

Bizzarro	Dean	Harris, J.	Nelson
Boyle	Deasy	Hennessey	Quinn, M.
Bradford	DeLissio	Kavulich	Rabb
Briggs	DeLuca	Keller, W.	Ravenstahl
Brown, R.	Dermody	Kim	Readshaw
Bullock	DiGirolamo	Kinsey	Rozzi
Caltagirone	Donatucci	Kirkland	Saccone
Carroll	Evans	Kortz	Samuelson
Cephas	Fitzgerald	Krueger	Schlossberg
Comitta	Flynn	Kulik	Schweyer
Conklin	Frankel	Madden	Sims
Costa, D.	Freeman	Matzie	Solomon
Costa, P.	Gainey	McCarter	Sturla
Cruz	Galloway	McClinton	Vazquez
Daley	Gergely	McNeill	Vitali
Davidson	Goodman	Metzgar	Warren
Davis	Haggerty	Miller, D.	Wheatley
Dawkins	Hanna	Murt	Youngblood
Day	Harkins		

## NAYS—112

Baker	Fritz	Marshall	Roe
Barbin	Gillen	Masser	Roebuck
Barrar	Gillespie	Mehaffie	Ryan
Benninghoff	Godshall	Mentzer	Sainato
Bernstine	Greiner	Metcalfe	Sankey
Bloom	Grove	Miccarelli	Saylor
Boback	Hahn	Millard	Simmons
Burns	Heffley	Miller, B.	Snyder
Causar	Helm	Moul	Sonney
Charlton	Hickernell	Mullery	Staats
Christiana	Hill	Mustio	Stephens
Cook	Irvin	Neilson	Tallman
Corbin	James	Nesbit	Taylor
Corr	Jozwiak	Neuman	Tobash
Culver	Kampf	O'Brien	Toepel
Cutler	Kauffman	O'Neill	Toohil
Delozier	Keefer	Oberlander	Topper
Diamond	Keller, F.	Ortitay	Walsh
Dowling	Keller, M.K.	Peifer	Ward
Driscoll	Klunk	Petrarca	Warner
Dunbar	Knowles	Petri	Watson
Dush	Lawrence	Pickett	Wentling
Ellis	Lewis	Pyle	Wheeland
Emrick	Longietti	Quinn, C.	White
English	Mackenzie	Rader	Zimmerman
Evankovich	Maher	Rapp	
Everett	Mako	Reed	Turzai,
Farry	Maloney	Roae	Speaker
Fee	Markosek		

## NOT VOTING—0

## EXCUSED—17

Brown, V.	Harris, A.	Milne	Rothman
Cox	Kaufer	Pashinski	Santora
Fabrizio	Marsico	Quigley	Schemel
Gabler	McGinnis	Reese	Thomas
Harper			

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

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

Mr. **D. MILLER** offered the following amendment  
No. **A01715**:

Amend Bill, page 5, line 13, by inserting a bracket before  
"Before"

Amend Bill, page 5, line 16, by striking out the bracket before  
"telephone"

Amend Bill, page 5, lines 16 through 18, by striking out "J oral"  
in line 16, all of line 17 and "communications" in line 18

Amend Bill, page 5, line 19, by inserting after "divulged."

] Before the effective date of this paragraph, all inmates of the facility shall be notified in writing that their oral communication, electronic communication or wire communication may be intercepted, recorded, monitored or divulged. Appropriate notification shall be provided specifically to inform inmates who are visually impaired, whose primary language is not English or who have literacy challenges.

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

## AMENDMENT WITHDRAWN

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman, Representative Miller.

Mr. D. MILLER. Thank you, Mr. Speaker.

In brief, I recognize that both this amendment as well as 1716 are very similar in nature regarding notification requirements. Obviously, this body has already spoken regarding the types of notification that should go out to the visually impaired or illiterate or those that do not speak English. So given that that decision has already been made for our State facilities, I would withdraw both 1715 and 1716.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. **D. MILLER** offered the following amendment  
No. **A01717**:

Amend Bill, page 10, line 8, by striking out "expiration or renewal of the contract" and inserting  
contract renewal or extension

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

The SPEAKER pro tempore. On that question, the Chair recognizes Representative Miller.

You are ready to proceed?

Mr. D. MILLER. Yes. I am sorry. I am not withdrawing this one, Mr. Speaker.

Mr. Speaker, thank you.

This one here, knowing how some of these contract relationships work in relation to services in particular, I am referring to an incident I had back in law school regarding communication giants and their use of telecommunications in prisons. I know that sometimes contracts can be renewed and sometimes contracts can be extended. Those are two different terms of art in relation to contracts, and I want to be sure that the intent of the underlying section in the bill applies, regardless of how that language can be used in relation to these standards that we are saying should be met. So my amendment makes sure that whether you simply renew or extend your contract, both of those options assure that you follow the law as written in the section. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes majority whip, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, like all the prior amendments, this was included in the first vote of the evening. Additionally, I would offer that I believe that the underlying bill already covers this and this amendment is unnecessary. Please vote "no."

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—71

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

NAYS—115

Baker	Farry	Maher	Reed
Barbin	Fee	Mako	Roae
Barrar	Fritz	Maloney	Roe
Benninghoff	Gillen	Marshall	Ryan
Bernstine	Gillespie	Masser	Saccone
Bloom	Godshall	Mehaffie	Sainato
Boback	Goodman	Mentzer	Sankey
Brown, R.	Greiner	Metcalfe	Saylor
Causar	Grove	Millard	Simmons
Charlton	Hahn	Miller, B.	Sonney
Christiana	Heffley	Moul	Staats
Cook	Helm	Murt	Stephens
Corbin	Hennessey	Mustio	Tallman
Corr	Hickernell	Neilson	Taylor
Costa, D.	Hill	Nelson	Tobash

Culver	Irvin	Nesbit	Toepel
Cutler	James	O'Brien	Toohil
Day	Jozwiak	O'Neill	Topper
Delozier	Kampf	Oberlander	Walsh
Diamond	Kauffman	Ortitay	Ward
DiGirolamo	Keefer	Peifer	Warner
Dowling	Keller, F.	Petri	Watson
Driscoll	Keller, M.K.	Pickett	Wentling
Dunbar	Klunk	Pyle	Wheeland
Dush	Knowles	Quinn, C.	White
Ellis	Kortz	Quinn, M.	Zimmerman
Emrick	Lawrence	Rader	
English	Lewis	Rapp	Turzai,
Evankovich	Mackenzie	Readshaw	Speaker
Everett			

NOT VOTING—0

EXCUSED—17

Brown, V.	Harris, A.	Milne	Rothman
Cox	Kaufner	Pashinski	Santora
Fabrizio	Marsico	Quigley	Schemel
Gabler	McGinnis	Reese	Thomas
Harper			

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

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

Mr. D. MILLER offered the following amendment  
No. A01719:

Amend Bill, page 14, lines 3 through 5, by striking out the comma in line 3, all of line 4 and "recording was made." in line 5

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Miller.

Mr. D. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, 1719 deals with access, when somebody can make a request. I would note, just for the record, that both 1720 and 1721 deal with that as well. I will be withdrawing those instead to focus my argument on 1719. And I know that is a common refrain, and I appreciate it, that aspects of these amendments were incorporated into my omnibus bill. I would note, of course, that the entire framework of that does not apply in relation to this new section of law that we are creating that is outside of the scope of the Right-to-Know Law. That is the whole point of these amendments.

So knowing that we are outside the Right-to-Know Law in this underlying bill, one of the key questions I think for this body to decide is, why should we be treating these records any different than anything else that is produced by government? So what I mean, of course, in this regard for this amendment is right now any requester has the right to go down and file a request, regardless of the time period for which that record was created. There is nothing – whether it be 20 days, 60 days – that deals with this in Right-to-Know. Instead, what we are doing is,

we are creating, along with a new path for people to go, time periods that mandate why they have to do things. So if you recognize that a video was recorded in your home on the 61st day of the amended text, you are out of luck. You are out of luck, because on the face of it, your request no longer meets that requirement. On the existing bill, before the amendment, if you had recognized 3 weeks later, you were in trouble.

So what I would urge this body to consider is that as this body looks to create a new path, one, in my opinion, that offers less accountability to the public, at the very least allow them to have similar access in relation to time periods for when they can make a request. What this amendment does is it says that you can make a request whenever you come across the need to make a request. Now, some people would say, "Well, hey, what if it is already destroyed at that point?" That is another part of the bill, but I would say to this, just like today, if a record does not exist, a record does not exist. That is how it is now. So we do not ask our local government to go create a record that they otherwise did not have in order to comply with a request of a time period.

So that is what is impactful about this amendment, that is what is different for it, and that is why I think that it is important to this bill, as you push us away from the Right-to-Know Law. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Just to confirm his understanding, the gentleman has withdrawn A01720 and A01721 and is proceeding on A01719, which is the question before us. Is that correct? The Chair thanks the gentleman.

On the question, the Chair recognizes the majority whip, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, as in all the prior amendments, I would offer that we have already addressed this issue with the gentledady from Montgomery County's amendment that set the time period that is different than this one and, in fact, is a little bit better I would argue.

Additionally, one of the unintended consequences, I think, in the way that it is drafted is that it would require, potentially, to store this information indefinitely, and as we all know, when you have those kinds of requirements, it could add up exponentially in the out-years, and I think the gentledady from Montgomery County's amendment was a reasonable compromise for the likelihood – within the time period of the likelihood of a challenge would come up, and therefore, I would urge a "no" vote on this, since we have already adopted the prior amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes for the second time the gentleman, Representative Miller.

Mr. D. MILLER. You know, one of the big parts with this is how – the gentleman brought up the issue of holding records indefinitely. I would agree that there are concerns with how long any government agency should hold the video of your house, and I actually have a subsequent amendment that would address that concern. That is exactly why I think we need to bookend this issue, how long do you have to make access, and

then the follow-up amendment, which I think, hopefully, will be called up and addressed with it, is how long do you want people to hold videos of your house absent a criminal investigation or any other court order. Is it years?

So the underlying bill actually holds no limitation on how long your government can hold the video of your house. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—70

Boyle	Deasy	Harris, J.	Mullery
Bradford	DeLissio	Kavulich	Murt
Briggs	DeLuca	Keller, W.	Petrarca
Bullock	Dermody	Kim	Rabb
Burns	Diamond	Kinsey	Ravenstahl
Caltagirone	Donatucci	Kirkland	Roebuck
Carroll	Evans	Kortz	Rozzi
Cephas	Fitzgerald	Krueger	Sainato
Comitta	Flynn	Longietti	Schlossberg
Conklin	Frankel	Madden	Schweyer
Costa, P.	Freeman	Markosek	Sims
Cruz	Gainey	Matzie	Sturla
Daley	Galloway	McCarter	Vazquez
Davidson	Gergely	McClinton	Vitali
Davis	Godshall	McNeill	Warren
Dawkins	Haggerty	Metzgar	Wheatley
Day	Hanna	Miller, D.	Youngblood
Dean	Harkins		

NAYS—116

Baker	Fee	Marshall	Roe
Barbin	Fritz	Masser	Ryan
Barrar	Gillen	Mehaffie	Saccone
Benninghoff	Gillespie	Mentzer	Samuelson
Bernstine	Goodman	Metcalfe	Sankey
Bizzarro	Greiner	Miccarelli	Saylor
Bloom	Grove	Millard	Simmons
Boback	Hahn	Miller, B.	Snyder
Brown, R.	Heffley	Moul	Solomon
Causar	Helm	Mustio	Sonney
Charlton	Hennessey	Neilson	Staats
Christiana	Hickernell	Nelson	Stephens
Cook	Hill	Nesbit	Tallman
Corbin	Irvin	Neuman	Taylor
Corr	James	O'Brien	Tobash
Costa, D.	Jozwiak	O'Neill	Toepel
Culver	Kampf	Oberlander	Toohil
Cutler	Kauffman	Ortitay	Topper
Delozier	Keefer	Peifer	Walsh
DiGirolamo	Keller, F.	Petri	Ward
Dowling	Keller, M.K.	Pickett	Warner
Driscoll	Klunk	Pyle	Watson
Dunbar	Knowles	Quinn, C.	Wentling
Dush	Kulik	Quinn, M.	Wheeland
Ellis	Lawrence	Rader	White
Emrick	Lewis	Rapp	Zimmerman
English	Mackenzie	Readshaw	
Evankovich	Maher	Reed	Turzai,
Everett	Mako	Roae	Speaker
Farry	Maloney		

NOT VOTING—0

## EXCUSED—17

Brown, V.	Harris, A.	Milne	Rothman
Cox	Kaufert	Pashinski	Santora
Fabrizio	Marsico	Quigley	Schemel
Gabler	McGinnis	Reese	Thomas
Harper			

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

On the question recurring,

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

Mr. **D. MILLER** offered the following amendment No. **A01728**:

Amend Bill, page 3, by inserting between lines 27 and 28

(A.1) Orientation for inmates of the facility admitted after the effective date of this paragraph shall include the notification requirements described under clause (A).

On the question,

Will the House agree to the amendment?

## AMENDMENT WITHDRAWN

The SPEAKER pro tempore. On the question of that amendment, the Chair recognizes the gentleman, Representative Miller.

Mr. D. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, I would recognize that both 1728 and 1731 deal with similar issues. I would also note that I do feel that I have made my point regarding my concerns for what type of notification is made. It would be inconsistent, I think, for me to expect the body to entertain a different conclusion than they have already reached regarding how to communicate or when to communicate these changes to inmates. So I would respectfully withdraw both 1728 and 1731.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

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

Mr. **D. MILLER** offered the following amendment No. **A01732**:

Amend Bill, page 14, line 15, by inserting after "event"  
, to the best of the requester's ability

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Mount Lebanon.

Mr. D. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, there is no doubt that under current law we require some degree of specificity in our requests. However, the wording of this section here, in my opinion, stresses a level of competency, a high degree of accuracy, to which is not consistent in our current Right-to-Know Law. Indeed, the language absent my amendment says that the requester shall specify with particularity the incident or event that is subject to the audio or video recording, including the date, time, and location of the incident or event.

The problem that I find with this language and why I suggest an alternative is, in particular, I will focus on the location of the event. So let us think about it. Is the corner of Cedar Boulevard and Washington Boulevard a good enough location? Would you require it to be 255 Washington Road? Would you require it to be the second floor of 255 Washington Road? I believe that the specificity here, again, is beyond what we do otherwise, and more, my greater concern is this requirement could again be used to limit requests. For those people who say, "I think it was at the corner of Washington and Cedar, but I don't know the address," or "I didn't know it was on the second floor," and because of that degree of specificity, on its face, with the "shall" provision for this section, this will instead have the effect, in my opinion, of declining requests on its face and be done.

So I believe that putting in the language that, by the way, mirrors an aspect that was already done in committee, that talks about to the best of the requester's ability, provides a degree of flexibility to the law enforcement agency in understanding and working with the individual, rather than the straightforward denial, and saying, "I'm sorry, because you didn't realize it was in the second floor of 255 Washington Road, you don't get the information."

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the majority whip, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, in regards to the specific nature of the request, I would offer that it already happens, and in that way, I mean the following: you know, if we simply requested records that said, "I need a recording," and you give a broad range of dates, the assumption is that the requester will be specific because they were involved in a traffic stop or an altercation on a specific date and time, and absent language that requires specificity, or if we would adopt the gentleman's language to the best of the requester's ability, I would argue that that would significantly increase the time spent looking for items, because that is a very subjective term. That is not a term of law, and therefore, there would be no incentive for the requesters to be as specific as possible, therefore making the locating of these even more difficult, if not impossible. In many cases, law enforcement agents are under our existing Right-to-Know Law, requests are denied because of lack of specificity, and then you can come back and approach it again with more facts once you are able to determine them.

I would urge a "no" vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

## YEAS—68

Bizzarro	Dean	Harkins	Miller, D.
Boyle	Deasy	Harris, J.	Neuman
Bradford	DeLissio	Kavulich	Petrarca
Briggs	DeLuca	Keller, W.	Rabb
Bullock	Dermody	Kim	Ravenstahl
Caltagirone	Diamond	Kinsey	Rozzi
Carroll	Donatucci	Kirkland	Samuelson
Cephas	English	Krueger	Schlossberg
Comitta	Evans	Kulik	Schweyer
Conklin	Fitzgerald	Madden	Sims
Costa, P.	Flynn	Maher	Snyder
Cruz	Frankel	Markosek	Sturla
Daley	Freeman	Matzie	Vazquez
Davidson	Gainey	McCarter	Vitali
Davis	Galloway	McClinton	Warren
Dawkins	Haggerty	McNeill	Wheatley
Day	Hanna	Metzgar	Youngblood

## NAYS—118

Baker	Fritz	Maloney	Roae
Barbin	Gergely	Marshall	Roe
Barrar	Gillen	Masser	Roebuck
Benninghoff	Gillespie	Mehaffie	Ryan
Bernstine	Godshall	Mentzer	Saccone
Bloom	Goodman	Metcalfe	Sainato
Boback	Greiner	Miccarelli	Sankey
Brown, R.	Grove	Millard	Saylor
Burns	Hahn	Miller, B.	Simmons
Causar	Heffley	Moul	Solomon
Charlton	Helm	Mullery	Sonney
Christiana	Hennessey	Murt	Staats
Cook	Hickernell	Mustio	Stephens
Corbin	Hill	Neilson	Tallman
Corr	Irvin	Nelson	Taylor
Costa, D.	James	Nesbit	Tobash
Culver	Jozwiak	O'Brien	Toepel
Cutler	Kampf	O'Neill	Toohil
Delozier	Kauffman	Oberlander	Topper
DiGiolamo	Keefer	Ortitay	Walsh
Dowling	Keller, F.	Peifer	Ward
Driscoll	Keller, M.K.	Petri	Warner
Dunbar	Klunk	Pickett	Watson
Dush	Knowles	Pyle	Wentling
Ellis	Kortz	Quinn, C.	Wheeland
Emrick	Lawrence	Quinn, M.	White
Evankovich	Lewis	Rader	Zimmerman
Everett	Longietti	Rapp	
Farry	Mackenzie	Readshaw	Turzai,
Fee	Mako	Reed	Speaker

## NOT VOTING—0

## EXCUSED—17

Brown, V.	Harris, A.	Milne	Rothman
Cox	Kaufer	Pashinski	Santora
Fabrizio	Marsico	Quigley	Schemel
Gabler	McGinnis	Reese	Thomas
Harper			

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

On the question recurring,

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

Mr. **D. MILLER** offered the following amendment No. **A01733**:

Amend Bill, page 14, lines 16 through 19, by striking out all of lines 16 through 18 and "(4)" in line 19 and inserting

(3)

On the question,

Will the House agree to the amendment?

The **SPEAKER** pro tempore. On that question, the gentleman, Representative Miller, is recognized.

Mr. **D. MILLER**. Thank you, Mr. Speaker.

Mr. Speaker, one of the best things of the Right-to-Know request, of the Right-to-Know Law, is how accessible it is and how much the burden is not on the individual to expect to get information from their government. That is a sacred thing that was crafted very smartly by a bipartisan coalition not that long ago.

What I find to be extremely problematic in this existing bill is that it mandates that an individual, in order to request a record from their government, has to provide an explanation for it or, at the very least, depending on your interpretation of the words, a description for why they have some interest in it.

In my opinion, any form, any requested record that is in the possession of any one of our governments should not require an individual to explain themselves in getting it, should not require them to say, "Here's why I want it." In my opinion, it should be in the individual's favor that no matter the record – and it may get later exempted; we have exemptions for it – but no matter the request, you do not have to tell this government why you have the audacity, it would seem, to request a form; why that you would have the audacity to ask, "I would like to see something." That, to me, is what is embodied in this bill. That, to me, is what 1733 is meant to correct. Let us keep it at the very least consistent. Let us not tell our citizens that in order to get access to anything that the government does, that you have to explain yourselves to get it.

Thank you, Mr. Speaker.

The **SPEAKER** pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lancaster County, the majority whip, Representative Cutler.

Mr. **CUTLER**. Thank you, Mr. Speaker.

Mr. Speaker, I disagree with the gentleman's interpretation of the bill. It is not that the relationship to the incident or involvement is required for approval. It is simply asking if you were involved in the incident in any way, and a denial or approval will not be based on that. It will allow the PSP to collect the information based on who was requesting this video footage and will enable them to better serve the public. Therefore, I believe the information has value and we should vote "no" on the amendment.

The **SPEAKER** pro tempore. The Chair recognizes the gentleman, Mr. Miller, for the second time.

Mr. **D. MILLER**. Thank you, Mr. Speaker.

You know, I appreciate my good friend. My guess is, too, that I know he is jumping in on this discussion. So I appreciate everything very much that he is doing.

You know, I would note that it actually— An amendment here would have made sense, at least to some regard, if they had clarified that this requirement that is in the bill would not be grounds for a refusal to comply. Unfortunately, it does not say

that. It just merely says you have to explain yourself, you have to provide some information regarding your request, and I guess the inference is, maybe it will be used for denial, maybe it will not. My opinion is, it probably would not in most reasonable circumstances, but it does not say it. So let us keep it like the existing law and not provide and not mandate explanations on our citizens to get information.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—67

Boyle	DeLissio	Harris, J.	Rabb
Bradford	DeLuca	Kavulich	Ravenstahl
Briggs	Dermody	Kim	Rozzi
Bullock	Diamond	Kinsey	Saccone
Burns	Dush	Kirkland	Sainato
Caltagirone	English	Kortz	Samuelson
Carroll	Evans	Krueger	Schlossberg
Cephas	Fitzgerald	Longiotti	Schweyer
Conklin	Flynn	Madden	Sims
Costa, P.	Frankel	Matzie	Solomon
Daley	Freeman	McCarter	Sturla
Davidson	Gainey	McClinton	Vazquez
Davis	Galloway	McNeill	Vitali
Dawkins	Gillen	Miller, D.	Warren
Day	Haggerty	Mullery	Wheatley
Dean	Hanna	Murt	Youngblood
Deasy	Harkins	Petrarca	

#### NAYS—119

Baker	Fee	Mako	Readshaw
Barbin	Fritz	Maloney	Reed
Barrar	Gergely	Markosek	Roae
Benninghoff	Gillespie	Marshall	Roe
Bernstine	Godshall	Masser	Roebuck
Bizzarro	Goodman	Mehaffie	Ryan
Bloom	Greiner	Mentzer	Sankey
Boback	Grove	Metcalfe	Saylor
Brown, R.	Hahn	Metzgar	Simmons
Causar	Heffley	Miccarelli	Snyder
Charlton	Helm	Millard	Sonney
Christiana	Hennessey	Miller, B.	Staats
Comitta	Hickernell	Moul	Stephens
Cook	Hill	Mustio	Tallman
Corbin	Irvin	Neilson	Taylor
Corr	James	Nelson	Tobash
Costa, D.	Jozwiak	Nesbit	Toepel
Cruz	Kampf	Neuman	Toohil
Culver	Kauffman	O'Brien	Topper
Cutler	Keefer	O'Neill	Walsh
Delozier	Keller, F.	Oberlander	Ward
DiGirolo	Keller, M.K.	Ortitay	Warner
Donatucci	Keller, W.	Peifer	Watson
Dowling	Klunk	Petri	Wentling
Driscoll	Knowles	Pickett	Wheeland
Dunbar	Kulik	Pyle	White
Ellis	Lawrence	Quinn, C.	Zimmerman
Emrick	Lewis	Quinn, M.	
Evankovich	Mackenzie	Rader	Turzai,
Everett	Maher	Rapp	Speaker
Farry			

NOT VOTING—0

#### EXCUSED—17

Brown, V.	Harris, A.	Milne	Rothman
Cox	Kaufner	Pashinski	Santora
Fabrizio	Marsico	Quigley	Schemel
Gabler	McGinnis	Reese	Thomas
Harper			

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

On the question recurring,

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

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Dan Miller, from Mount Lebanon, who offers amendment 01735, which the clerk shall read.

Excuse me. You are withdrawing that amendment? Are you proceeding with 01736?

On the question recurring,

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

Mr. **D. MILLER** offered the following amendment No. **A01736**:

Amend Bill, page 16, line 14, by striking out the period after "(a)" and inserting  
, thereby entitling the requester to file a petition for judicial review within 30 days, with the burden on the government to prove to the court why the audio recording or video recording should not be released.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the gentleman from Mount Lebanon is recognized.

Mr. **D. MILLER**. Mr. Speaker, the bill as written creates what they call an operation of law section. The operation of law section says that if the agency does not respond to the request within 30 days, that request would be de facto denied. It offers no further information besides that, but it says you will be de facto denied. Now, again, keep in mind, of course, under existing law you get a 5-day period under the Right-to-Know where you get a request and then up to a 30-day extension for a production or a denial of that record.

What concerns me about this text and why I think it should be amended is I think that it encourages, unintentionally, people to not respond to their citizens. It does not require a response from their citizens. It actually says that you have the right not to respond. Again, I find that to be inherently inconsistent with every aspect of transparency that we otherwise do.

So my amendment says that if you want that operation of law denial, it will obviously still grant a right to go to court, which you have to pay for, but what it will do is it would shift the burden at that court proceeding for the government to say why the public should not have access to that record. Keep in mind it would not do away with any exceptions that otherwise could be

applicable, but if you blow off responding to your citizens, then you should have, in my opinion, any form of government, a response that has to be made. That is why I wrote the amendment, and I would ask for your support.

The SPEAKER pro tempore. The Chair thanks the gentleman and, on the question, recognizes the gentleman from Lancaster County, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, because the burden is already on the agency to show that there was an exception to the requirement to produce the requested recording and the fact that after the period of 30 days you are entitled to the appeal, I would urge a "no" vote on the gentleman's amendment. Thank you.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the minority whip, who asks that the gentleman, Representative Paul COSTA, be placed on leave for the balance of the day. Without objection, the leave is granted.

CONSIDERATION OF SB 560 CONTINUED

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

The following roll call was recorded:

YEAS—58

Table with 4 columns of names: Boyle, Bradford, Briggs, Bullock, Caltagirone, Carroll, Cephas, Comitita, Conklin, Daley, Davidon, Davis, Dawkins, Day, Dean, Deasy, DeLissio, Dermody, Evans, Fitzgerald, Flynn, Frankel, Freeman, Gainey, Galloway, Haggerty, Hanna, Harkins, Harris, J., James, Kavulich, Kim, Kinsey, Kirkland, Madden, Matzie, McCarter, McClinton, McNeill, Miller, D., Mullery, Murt, Nesbit, Rabb, Ravenstahl, Roebuck, Rozzi, Samuelson, Schlossberg, Schweyer, Sims, Solomon, Sturla, Vazquez, Vitali, Warren, Wheatley, Youngblood

NAYS—127

Table with 4 columns of names: Baker, Barbin, Barrar, Benninghoff, Bernstine, Bizzarro, Bloom, Boback, Brown, R., Burns, Causer, Charlton, Christiana, Cook, Corbin, Corr, Costa, D., Cruz, Culver, Cutler, Delozier, Everett, Farry, Fee, Fritz, Gergely, Gillen, Gillespie, Godshall, Goodman, Greiner, Grove, Hahn, Heffley, Helm, Hennessey, Hickernell, Hill, Irvin, Jozwiak, Kampf, Kauffman, Longiotti, Mackenzie, Maher, Mako, Maloney, Markosek, Marshall, Masser, Mehaffie, Mentzer, Metcalfe, Metzgar, Miccarelli, Millard, Miller, B., Moul, Mustio, Neilson, Nelson, Neuman, O'Brien, Rapp, Readshaw, Reed, Roae, Roe, Ryan, Saccone, Sainato, Sankey, Saylor, Simmons, Snyder, Sonney, Staats, Stephens, Tallman, Taylor, Tobash, Toepel, Toohil, Topper

Table with 4 columns of names: DeLuca, Diamond, DiGirolamo, Donatucci, Dowling, Driscoll, Dunbar, Dush, Ellis, Emrick, English, Evankovich, Keefer, Keller, F., Keller, M.K., Keller, W., Klunk, Knowles, Kortz, Krueger, Kulik, Lawrence, Lewis, Milne, O'Neill, Oberlander, Ortitay, Peifer, Petrarca, Petri, Pickett, Pyle, Quinn, C., Quinn, M., Rader, Walsh, Ward, Warner, Watson, Wentling, Wheeland, White, Zimmerman, Turzai, Speaker

NOT VOTING—0

EXCUSED—18

Table with 4 columns of names: Brown, V., Costa, P., Cox, Fabrizio, Gabler, Harper, Harris, A., Kaufe, Marsico, McGinnis, Milne, Pashinski, Quigley, Reese, Rothman, Santora, Schemel, Thomas

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

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mount Lebanon, who has advised the Chair that he is withdrawing amendment A01737. Is that correct?

Okay. Well, the gentleman is advising the Chair he is withdrawing 1739, and you are proceeding with A01737? Okay.

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

Mr. D. MILLER offered the following amendment No. A01737:

Amend Bill, page 16, lines 15 through 22, by striking out all of said lines and inserting

(c) Electronic record retention.—A law enforcement agency shall develop a retention policy to include audio recordings and video recordings, with procedures to ensure the preservation of unaltered recordings that have been requested, denied and subject to judicial review. Unless an audio recording or video recording contains potential evidence in a criminal matter, contains information pertaining to an investigation or to a matter in which a criminal charge has been filed or contains information that has been subpoenaed, a recording made inside an occupied residence shall be destroyed, erased or otherwise no longer maintained by the law enforcement agency after one year.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Representative Miller.

Mr. D. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment actually seeks to address an issue that was brought up earlier tonight, and what it says is this: If you have a video of someone's house, if you have a

recording of someone's interior property and in 1 year you have not moved that to a criminal investigation, if in 1 year it has not become part of a legal matter subject to a subpoena or anything else, that the government should eliminate the recordings of people's homes. So it gives 1 year, absent a criminal prosecution of some type, for the government to say that is enough time for us to have footage of the inside of your house.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

**LEAVE OF ABSENCE**

The SPEAKER pro tempore. The Chair recognizes the minority whip, who asks that the gentleman, Representative Mark KELLER, be placed on leave for the balance of the day. Without objection, that leave is granted.

**CONSIDERATION OF SB 560 CONTINUED**

The SPEAKER pro tempore. On the question of the amendment, the Chair recognizes the majority whip, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I believe in the world of records retention, it is better to have one standard so that all records can be held for the same period of time. I understand the gentleman's concerns but would still urge a "no" vote on the underlying amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

**YEAS—70**

Boyle	Dermody	Kim	Quinn, C.
Bradford	Diamond	Kinsey	Rabb
Briggs	English	Kirkland	Ravenstahl
Bullock	Evans	Longietti	Roebuck
Burns	Fitzgerald	Madden	Rozzi
Caltagirone	Flynn	Maher	Ryan
Carroll	Frankel	Mako	Sainato
Cephas	Freeman	Matzie	Samuelson
Comitta	Gainey	McCarter	Schlossberg
Conklin	Galloway	McClinton	Schweyer
Daley	Gillen	McNeill	Sims
Davidson	Godshall	Metzgar	Sturla
Davis	Haggerty	Miller, D.	Vazquez
Dawkins	Hanna	Mullery	Vitali
Day	Harkins	Nelson	Warren
Dean	Harris, J.	Nesbit	Wheatley
Deasy	Hennessey	Petrarca	Youngblood
DeLissio	James		

**NAYS—114**

Baker	Evankovich	Lewis	Reed
Barbin	Everett	Mackenzie	Roae
Barrar	Farry	Maloney	Roe
Benninghoff	Fee	Markosek	Saccone
Bernstine	Fritz	Marshall	Sankey
Bizzarro	Gergely	Masser	Saylor
Bloom	Gillespie	Mehaffie	Simmons
Boback	Goodman	Mentzer	Snyder

Brown, R.	Greiner	Metcalfe	Solomon
Causer	Grove	Miccarelli	Sonney
Charlton	Hahn	Millard	Staats
Christiana	Heffley	Miller, B.	Stephens
Cook	Helm	Moul	Tallman
Corbin	Hickernell	Murt	Taylor
Corr	Hill	Mustio	Tobash
Costa, D.	Irvin	Neilson	Toepel
Cruz	Jozwiak	Neuman	Toohil
Culver	Kampf	O'Brien	Topper
Cutler	Kauffman	O'Neill	Walsh
Delozier	Kavulich	Oberlander	Ward
DeLuca	Keefer	Ortitay	Warner
DiGirolamo	Keller, F.	Peifer	Watson
Donatucci	Keller, W.	Petri	Wentling
Dowling	Klunk	Pickett	Wheeland
Driscoll	Knowles	Pyle	White
Dunbar	Kortz	Quinn, M.	Zimmerman
Dush	Krueger	Rader	
Ellis	Kulik	Rapp	Turzai,
Emrick	Lawrence	Readshaw	Speaker

**NOT VOTING—0**

**EXCUSED—19**

Brown, V.	Harper	McGinnis	Rothman
Costa, P.	Harris, A.	Milne	Santora
Cox	Kaufner	Pashinski	Schemel
Fabrizio	Keller, M.K.	Quigley	Thomas
Gabler	Marsico	Reese	

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

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

Mr. D. MILLER offered the following amendment No. A01740:

Amend Bill, page 16, lines 25 through 27, by striking out "shall be paid by the requesting" in line 25 and all of lines 26 and 27 and inserting

- (1) shall not be greater than actual costs;
- (2) shall be publicly displayed;
- (3) may be required to be paid in full or in part before disclosure of the audio recording or video recording; and
- (4) shall be paid by the requester before transfer.

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

The SPEAKER pro tempore. Before recognizing the gentleman, Representative Miller, to speak on this amendment, just a bit of housekeeping.

It is the Chair's understanding that you are withdrawing amendments A01743, A01750, and proceeding with A01740, which is before us; A01747; and A01749, and all the others will be withdrawn other than those three.

The Chair thanks the gentleman.

You are in order to proceed on A01740.

Mr. D. MILLER. Mr. Speaker, one of the things that local government talks about often or, in some ways, State

government is talking about is how fees for these, in essence, Right-to-Know requests or similar requests are being paid for and funded by. What this amendment here does is it recognizes that audio and video recordings are likely to incur, perhaps, a more timely but, perhaps, a more costly fee or time to produce rather than making a couple photocopies of the minutes of last month's meeting.

So what my intention here to do is, I want to give our local agencies, in particular, the right to bill before production. So instead of somebody finding out that the request that they made for this record would cost \$122 and then not paying the bill after it is produced, I want to be able to allow local governments to say, you know, "Here's the estimate of the cost, here is the size of what we are talking about and the time that is related to it, and we're going to have to bill you ahead of time because we are not going to spend all the time to produce it and have you deny it."

The average cost for Right-to-Know requests is literally, in my town, under 10 bucks. There is a lot, a big difference between making a copy of seven pages versus creating what could be a blurred-out video that has to be assessed for criminal investigation purposes and then assigning a fee and expect to be paid for it.

So to me, this is a commonsense thing that gives more tools to our local governments.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I would offer that the bill already states that the fees must, quote, "relate to the costs incurred," end quote, and paid at the time of disclosure. I think that that is the better method as we go forward in order to, one, ensure that you have the records, and two, that the records have been already collected prior to billing any constituents who might be asking for them.

I would urge a "no" vote on the amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-62

Boback	DeLuca	Jozwiak	Ravenstahl
Boyle	Dermody	Kim	Readshaw
Bradford	Diamond	Kinsey	Rozzi
Briggs	Evans	Kirkland	Saccone
Bullock	Fitzgerald	Kortz	Samuelson
Caltagirone	Flynn	Madden	Schlossberg
Carroll	Frankel	Maher	Schweyer
Cephas	Freeman	Matzie	Sims
Conklin	Gainey	McCarter	Solomon
Daley	Galloway	McClinton	Sturla
Davidson	Gergely	McNeill	Vazquez
Davis	Gillen	Miller, D.	Vitali
Dawkins	Haggerty	Mullery	Warren
Dean	Hanna	Murt	Wheatley
Deasy	Harkins	Rabb	Youngblood
DeLissio	Harris, J.		

NAYS-122

Baker	Evankovich	Mackenzie	Rapp
Barbin	Everett	Mako	Reed
Barrar	Farry	Maloney	Roae
Benninghoff	Fee	Markosek	Roe
Bernstine	Fritz	Marshall	Roebuck
Bizzarro	Gillespie	Masser	Ryan
Bloom	Godshall	Mehaffie	Sainato
Brown, R.	Goodman	Mentzer	Sankey
Burns	Greiner	Metcalfe	Saylor
Causar	Grove	Metzgar	Simmons
Charlton	Hahn	Miccarelli	Snyder
Christiana	Heffley	Millard	Sonney
Comitta	Helm	Miller, B.	Staats
Cook	Hennessey	Moul	Stephens
Corbin	Hickernell	Mustio	Tallman
Corr	Hill	Neilson	Taylor
Costa, D.	Irvin	Nelson	Tobash
Cruz	James	Nesbit	Toepel
Culver	Kampf	Neuman	Toohil
Cutler	Kauffman	O'Brien	Topper
Day	Kavulich	O'Neill	Walsh
Delozier	Keefer	Oberlander	Ward
DiGirolamo	Keller, F.	Ortitay	Warner
Donatucci	Keller, W.	Peifer	Watson
Dowling	Klunk	Petrarca	Wentling
Driscoll	Knowles	Petri	Wheeland
Dunbar	Krueger	Pickett	White
Dush	Kulik	Pyle	Zimmerman
Ellis	Lawrence	Quinn, C.	
Emrick	Lewis	Quinn, M.	Turzai,
English	Longiatti	Rader	Speaker

NOT VOTING-0

EXCUSED-19

Brown, V.	Harper	McGinnis	Rothman
Costa, P.	Harris, A.	Milne	Santora
Cox	Kaufner	Pashinski	Schemel
Fabrizio	Keller, M.K.	Quigley	Thomas
Gabler	Marsico	Reese	

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

**THE SPEAKER (MIKE TURZAI)  
PRESIDING**

On the question recurring,

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

Mr. **D. MILLER** offered the following amendment No. **A01747**:

Amend Bill, page 13, line 19, by striking out "(A) EXEMPTION.-"

Amend Bill, page 13, lines 23 through 28, by striking out all of said lines

On the question,

Will the House agree to the amendment?

The SPEAKER. Representative Miller, on that amendment, 1747, sir.

Mr. D. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, this is my attempt to address the element that I had brought up in the omnibus bill. It does not shift out of the right— I am sorry. It does not shift the question to the Right-to-Know Law. It instead says, at the very least, that we are not going to exempt all video and audio footage from anything, from anything in relation to public access. So the key thing about this is this: Right now you are entitled through Right-to-Know to make that request for footage inside a jail cell, footage inside a hallway, footage inside a waiting room or a parking garage that otherwise is owned and operated by the police. You get that now. This bill as written says you no longer get that. You no longer get it.

So without getting into the whole omnibus switch to Right-to-Know, at the very least my amendment here says is, we are not going to exempt an entire category of records that otherwise we currently have access to.

Thank you, Mr. Speaker.

The SPEAKER. Representative Cutler, on the amendment.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, simply as a technical matter, I personally do not believe that it makes any sense to strike the exception but leave in all of the other substantive and procedural requirements that the bill has already established for accessing law enforcement recordings, and therefore, I would urge a "no" vote on the gentleman's amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—51

Boyle	DeLissio	Harris, J.	Mullery
Bradford	DeLuca	Kavulich	Rabb
Briggs	Dermoddy	Kim	Ravenstahl
Bullock	Evans	Kinsey	Rozzi
Caltagirone	Fitzgerald	Kirkland	Samuelson
Carroll	Flynn	Kortz	Schlossberg
Cephas	Frankel	Kulik	Schweyer
Conklin	Freeman	Madden	Sims
Daley	Gainey	Matzje	Sturla
Davidson	Galloway	McCarter	Vitali
Dawkins	Haggerty	McClinton	Wheatley
Dean	Hanna	McNeill	Youngblood
Deasy	Harkins	Miller, D.	

#### NAYS—133

Baker	Evankovich	Mako	Roae
Barbin	Everett	Maloney	Roe
Barrar	Farry	Markosek	Roebuck
Benninghoff	Fee	Marshall	Ryan
Bernstine	Fritz	Masser	Saccone
Bizzarro	Gergely	Mehaffie	Sainato
Bloom	Gillen	Mentzer	Sankey
Boback	Gillespie	Metcalfe	Saylor
Brown, R.	Godshall	Metzgar	Simmons
Burns	Goodman	Miccarelli	Snyder
Causar	Greiner	Millard	Solomon
Charlton	Grove	Miller, B.	Sonney
Christiana	Hahn	Moul	Staats
Comitta	Heffley	Murt	Stephens
Cook	Helm	Mustio	Tallman
Corbin	Hennessey	Neilson	Taylor
Corr	Hickernell	Nelson	Tobash
Costa, D.	Hill	Nesbit	Toepel
Cruz	Irvin	Neuman	Toohil

Culver	James	O'Brien	Topper
Cutler	Jozwiak	O'Neill	Vazquez
Davis	Kampf	Oberlander	Walsh
Day	Kauffman	Ortitay	Ward
Delozier	Keefer	Peifer	Warner
Diamond	Keller, F.	Petrarca	Warren
DiGirolamo	Keller, W.	Petri	Watson
Donatucci	Klunk	Pickett	Wentling
Dowling	Knowles	Pyle	Wheeland
Driscoll	Krueger	Quinn, C.	White
Dunbar	Lawrence	Quinn, M.	Zimmerman
Dush	Lewis	Rader	
Ellis	Longietti	Rapp	Turzai,
Emrick	Mackenzie	Readshaw	Speaker
English	Maher	Reed	

NOT VOTING—0

EXCUSED—19

Brown, V.	Harper	McGinnis	Rothman
Costa, P.	Harris, A.	Milne	Santora
Cox	Kaufner	Pashinski	Schemel
Fabrizio	Keller, M.K.	Quigley	Thomas
Gabler	Marsico	Reese	

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

On the question recurring,

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

Mr. D. MILLER offered the following amendment  
No. **A01749**:

Amend Bill, page 13, line 19, by striking out "THE" and inserting

Except as provided in subsection (c), the

Amend Bill, page 13, line 23, by striking out "NOTHING" and inserting

Except as provided in subsection (c), nothing

Amend Bill, page 13, by inserting between lines 28 and 29

(c) Disclosure.—

(1) Audio recordings and video recordings that involve police shootings or the use of deadly force shall be subject to the Right-to-Know Law.

(2) Property owners and tenants where the audio recordings and video recordings were made, as well as other individuals who appear or are heard on the recordings, may make requests through the Right-to-Know Law.

On the question,

Will the House agree to the amendment?

The SPEAKER. Representative Miller, on that amendment, please.

Mr. D. MILLER. Mr. Speaker, thank you very much for calling up this amendment. I also want to thank my colleagues for what I know has been a lengthy legislative debate. I appreciate both those who voted "no" but also, in particular, those who voted "yes" for me on so many occasions.

This one here is sort of my last-ditch effort. It is, obviously, my final one.

And what I wanted to try and urge and why I think it is different than the omnibus bill – it obviously is not a rewrite of

the bill; it obviously does not detail every aspect of this – but I want to again ask you to consider why body cameras have become such an important and asked-about tool in our country. There is no doubt, I appreciate it, that many in law enforcement can find evidentiary aspects and evidentiary benefits that can be helpful with body cameras. That is a plus. But I have never had someone call my office up and say, "Can we please have body cameras so I can be sure that the government has a recording of my house indefinitely?" Instead what they call about is they recognize what data is telling us is the way to keep our police safe and a way to keep our citizens safer, both of them safer, is to use body cameras, that it is a great tool in deescalating situations, explaining them, and protecting all participants. However, we also know, in the rarest of circumstances, that it also provides insights into police shootings, into incidents where deadly force is used.

So again, without rewriting the bill, what I ask you to do is this: take out the sections to which the public is most concerned with, take out the sections to which they have a heightened interest and I would say a heightened right to be able to view information, send it to the Right-to-Know Law so that they have a better chance of finding out what has happened in some of the most egregious and some of the most tensile and some of the most impactful or personal cases.

So with that again, Mr. Speaker, I would thank this august body for the time, and I would ask for an affirmative vote on my final amendment.

The SPEAKER. Representative Cutler, sir.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to thank the gentleman for his passion in protecting civil liberties. However, on this amendment, I would bring up the two reasons as to why to vote "no."

Mr. Speaker, first, I do not believe it makes sense to have two different sets of rules applicable to requests for the production of the recordings depending on the subject matter or who is making the request.

Secondarily, I think it is important to also note that under existing Right-to-Know laws and the idea of an ongoing investigation, if there were such a tragic event as this so as to occur, while the investigation is going on it would not be accessible under either proposal, and that is very important.

And thirdly, I also think it is important to note that in the event that charges were filed and that were going to be used as evidence, they would hold it back until that point in time when it is being used. However, if charges were not filed, then it would potentially be accessible by the public once a final determination has been made.

And finally, when it comes to access of the records of both not just criminal activity, for example, if the question is whether or not the shooting was a homicide, but also noncriminal activity, activity where the individual may be found to not have committed a criminal act but could still have some civil liability, it would still be accessible under different standards under the existing law, and I do not believe, as I opened with, that we should have two standards based on the underlying nature of the recording. And for that reason I would urge a "no" vote but thank the gentleman for his very respectful debate on the underlying topic.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—57

Boyle	Dermody	Kavulich	Ravenstahl
Bradford	English	Kim	Rozzi
Briggs	Evans	Kinsey	Saccone
Bullock	Fitzgerald	Kirkland	Samuelson
Caltagirone	Flynn	Krueger	Schlossberg
Carroll	Frankel	Madden	Schweyer
Cephas	Freeman	Matzie	Sims
Conklin	Gainey	McCarter	Solomon
Daley	Galloway	McClinton	Sturla
Davidson	Haggerty	McNeill	Vazquez
Davis	Hanna	Miller, D.	Vitali
Dawkins	Harkins	Mullery	Warren
Dean	Harris, J.	Nesbit	Wheatley
Deasy	James	Rabb	Youngblood
DeLissio			

#### NAYS—127

Baker	Evankovich	Mackenzie	Rapp
Barbin	Everett	Maher	Readshaw
Barrar	Farry	Mako	Reed
Benninghoff	Fee	Maloney	Roae
Bernstine	Fritz	Markosek	Roe
Bizzarro	Gergely	Marshall	Roebuck
Bloom	Gillen	Masser	Ryan
Boback	Gillespie	Mehaffie	Sainato
Brown, R.	Godshall	Mentzer	Sankey
Burns	Goodman	Metcalfe	Saylor
Causar	Greiner	Metzgar	Simmons
Charlton	Grove	Miccarelli	Snyder
Christiana	Hahn	Millard	Sonney
Comitta	Heffley	Miller, B.	Staats
Cook	Helm	Moul	Stephens
Corbin	Hennessey	Murt	Tallman
Corr	Hickernell	Mustio	Taylor
Costa, D.	Hill	Neilson	Tobash
Cruz	Irvin	Nelson	Toepel
Culver	Jozwiak	Neuman	Toohil
Cutler	Kampf	O'Brien	Topper
Day	Kauffman	O'Neill	Walsh
Delozier	Keefer	Oberlander	Ward
DeLuca	Keller, F.	Ortity	Warner
Diamond	Keller, W.	Peifer	Watson
DiGirolamo	Klunk	Petrarca	Wentling
Donatucci	Knowles	Petri	Wheeland
Dowling	Kortz	Pickett	White
Driscoll	Kulik	Pyle	Zimmerman
Dunbar	Lawrence	Quinn, C.	
Dush	Lewis	Quinn, M.	Turzai,
Ellis	Longiotti	Rader	Speaker
Emrick			

#### NOT VOTING—0

#### EXCUSED—19

Brown, V.	Harper	McGinnis	Rothman
Costa, P.	Harris, A.	Milne	Santora
Cox	Kaufner	Pashinski	Schemel
Fabrizio	Keller, M.K.	Quigley	Thomas
Gabler	Marsico	Reese	

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

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

#### **ANNOUNCEMENT BY MR. WARNER**

The SPEAKER. Representative Ryan Warner is recognized.

Mr. WARNER. Thank you, Mr. Speaker.

I just want to make a brief Sportsmen's Caucus announcement. We will hold our annual event tomorrow at Sawyer's from 5 to 8 o'clock; that is tomorrow at Sawyer's from 5 to 8 o'clock. If you have not paid your membership dues, you can pay there.

Thank you, Mr. Speaker.

The SPEAKER. Okay. Thank you.

That was a Sportsmen's Caucus announcement, members.

#### **ANNOUNCEMENT BY MR. FREEMAN**

The SPEAKER. Representative Freeman is recognized for an announcement.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I just want to remind the Democratic members of the House Local Government Committee that we are meeting at the conclusion of session today in room 207, Irvis, for a brief meeting to review the legislation that is coming up in our committee meeting later this week. So room 207, Irvis, Democratic members of the Local Government Committee, at the conclusion of session today. Thank you.

The SPEAKER. Thank you, Representative Freeman.

#### **ANNOUNCEMENT BY MR. JOZWIAK**

The SPEAKER. Representative Jozwiak is recognized for an announcement.

Mr. JOZWIAK. Thank you.

The East Central Caucus dinner is still on tonight.

The SPEAKER. So the East Central Caucus has a meeting and those members should be getting together tonight despite the lateness of the hour.

#### **REMARKS SUBMITTED FOR THE RECORD**

The SPEAKER. Representative Neilson, for an announcement.

Mr. NEILSON. Thank you, Mr. Speaker.

Earlier today we honored some champions of St. Hubert's High School in Northeast Philadelphia for their championship. Representative Boyle, Jared Solomon, and myself would like to enter all their names and a couple additional comments for the record.

The SPEAKER. Yes, that would certainly be accepted, and please present those to the clerk.

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

Earlier today we honored some champions from St. Hubert High School in Northeast Philadelphia for winning the national championship at the UCA Nationals. Representative Boyle and I would like to be certain that not only we recognize some of the other accomplishments of the past season along with a complete list of champions for the record.

Please accept these written comments for the record on behalf of Representative Boyle, Representative Solomon, and myself.

While the PA House recognizes the championship teams throughout the Commonwealth along with the presentation, we would also like to bring notice to the other accomplishments of the championship St. Hubert Bambies Cheerleading Squad during the 2016-2017 season, including national champions at UCA Nationals, UCA regional winner Catholic League Champs, third out of 36 teams at the PIAA State competition in Hershey, grand champions at Upper Darby, first place at Catholic League.

The cheerleading squad had many participants, including Taylor Blazejewski, Julie Boyd, Isabella Carpino, Madeline Chatham, Kayla Cono, Sarah Falsone, Caitlyn Grailing, Sarah Harkins, Caitlyn Hofner, Haylie Klose, Ashley Larsen, Nicole Lemerise, Hailey Lemly, Bridget Leneghan, Ignybeth Lopez, Kaitlyn Milio, Taylor O'Connor, Ashley Parkinson, Gianna Roddy, Nicole Smith, Fallon Sullivan, Juliet Tomasco.

#### **CHILDREN AND YOUTH COMMITTEE MEETING**

The SPEAKER. Representative Kathy Watson, for an announcement, please.

Mrs. WATSON. Thank you, Mr. Speaker.

The House Children and Youth Committee is meeting tomorrow. There has been a room change. We will now be in B-31. The topic stays the same. It is a voting meeting on HB 1232; the prime sponsor, Representative Murt. So it is 10 tomorrow but in B-31 and still the same topic, HB 1232.

Thank you, Mr. Speaker.

The SPEAKER. Thank you very much, Chairman Watson.

So that is B-31 for the Children and Youth Committee tomorrow.

Is there anybody else that wishes to be recognized? Anybody else that wishes to be recognized?

#### **BILLS RECOMMENDED**

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

HB 302;  
HB 366;  
HB 367;  
HB 368;  
HB 369;  
HB 370;  
HB 371;  
HB 372;

HB 373;  
HB 374;  
HB 442;  
HB 864;  
HB 866;  
HB 1106;  
HB 1451;  
SB 8; and  
SB 560.

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

### **HOUSE BILL INTRODUCED AND REFERRED**

**No. 1547** By Representative J. HARRIS

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; in Pennsylvania Liquor Control Board, further providing for enforcement; in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for hearings upon refusal of licenses, renewals or transfers and appeals, providing for declaration of need and further providing for revocation and suspension of licenses and fines and for rights of municipalities preserved; in distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, further providing for appeals; and, in property illegally possessed or used and forfeitures and nuisances, providing for saturated nuisance market.

Referred to Committee on LIQUOR CONTROL, June 12, 2017.

### **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 Dan Moul moves to adjourn until Tuesday, June 13, 2017, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 7:22 p.m., e.d.t., the House adjourned.