

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 21, 2017

SESSION OF 2017

201ST OF THE GENERAL ASSEMBLY

No. 36

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

PRAYER

The SPEAKER pro tempore. The prayer will be offered by Henry Johnson, Harrisburg Brethren in Christ Church, Harrisburg, as a guest of Representative Kim.

REV. HENRY JOHNSON, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

O God, Father of mercies and God of all comfort; Lord, our savior and our light; Spirit, our intercessor and hearer of all our prayers, we welcome You in this place. We honor Your presence among us. We invite You now into our hearts and into our minds.

Though the heavens declare Your glory, You promise to dwell within us; though Your greatness is beyond all our understanding, You have promised to dwell among us when we come together. Father, make Your presence felt among us; Lord, make Your presence felt among us; Spirit, make Your presence felt among us so that we will find You, so that we will praise You, so that we will honor You, so that we will lift You up.

Help us as we serve our people. Make us a blessing for all others. Teach us how to love You and how to love one another. We pray all this in the name of our God and Father, by his grace and mercy, compassion and love, and through the power of the spirit. Amen and amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Tuesday, June 20, 2017, will be postponed until printed.

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

HB 1001, PN 2093 (Amended) By Rep. MUSTIO

An Act regulating home inspectors; establishing the Home Inspection Licensing Board; providing for licensure and practice, for disciplinary action, for remedies and for penalties; making an appropriation; and repealing provisions relating to home inspections.

PROFESSIONAL LICENSURE.

HB 1094, PN 1356 By Rep. ELLIS

An Act amending the act of November 29, 2006 (P.L.1463, No.163), known as the Credit Reporting Agency Act, further providing for definitions and for security freeze; and providing for protected persons security freeze.

COMMERCE.

HB 1519, PN 2092 (Amended) By Rep. 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 for diversity status and making an inconsistent repeal.

COMMERCE.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 354, PN 992 (Amended) By Rep. MUSTIO

An Act amending the act of July 2, 1993 (P.L.345, No.48), entitled "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities; providing for hearing examiners in the Bureau of Professional and Occupational Affairs; providing additional powers to the Commissioner of Professional and Occupational Affairs; and further providing for civil penalties and license suspension," further providing for definitions; providing for reporting of sanctions and criminal proceedings and for temporary and automatic suspension; and further providing for civil penalties.

PROFESSIONAL LICENSURE.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 416 By Representatives TOBASH, A. HARRIS and WHEELAND

A Resolution directing the Pennsylvania Malt and Brewed Beverages Industry Promotion Board to use allocated grant funding to conduct a study assessing the effects of Acts 39 and 166 of 2016 on malt and brewed beverage sales in Pennsylvania.

Referred to Committee on LIQUOR CONTROL, June 21, 2017.

No. 419 By Representatives THOMAS, BULLOCK, TURZAI, DERMODY, YOUNGBLOOD, J. HARRIS, WHITE, KINSEY, CEPHAS, DAWKINS, W. KELLER, LEWIS, FITZGERALD, SOLOMON, McCLINTON and KIRKLAND

A Resolution memorializing the Congress of the United States to direct Amtrak to comply with H.R. 4838 and immediately rename the 30th Street Station as the "William H. Gray III 30th Street Station."

Referred to Committee on TRANSPORTATION, June 21, 2017.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1590 By Representatives BULLOCK, McCLINTON, THOMAS, FREEMAN, HILL-EVANS, VAZQUEZ, CALTAGIRONE, DeLUCA, WARREN, DONATUCCI and MADDEN

An Act prohibiting certain covenants not to compete; conferring powers and duties on the Department of Labor and Industry; and imposing penalties.

Referred to Committee on LABOR AND INDUSTRY, June 21, 2017.

No. 1591 By Representatives DALEY, SCHLOSSBERG, DAVIS, KINSEY, VAZQUEZ, MILLARD, D. COSTA, DAVIDSON, THOMAS and KORTZ

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, in commercial protection, providing for franchises.

Referred to Committee on COMMERCE, June 21, 2017.

No. 1592 By Representatives MARSICO, IRVIN, PICKETT, CORBIN, CUTLER, MILLARD, BLOOM, M. K. KELLER, DUNBAR, RYAN, HICKERNELL, CAUSER, WARD, KAUFFMAN, ZIMMERMAN, MENTZER, GROVE, LAWRENCE, SAYLOR, COX and DUSH

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, further providing for definitions and for specifications; and providing for protection of workmen.

Referred to Committee on LABOR AND INDUSTRY, June 21, 2017.

No. 1593 By Representatives HANNA, CALTAGIRONE, THOMAS, SCHWEYER, HILL-EVANS, PASHINSKI, O'BRIEN and MADDEN

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, in preliminary provisions, further providing for definitions.

Referred to Committee on URBAN AFFAIRS, June 21, 2017.

No. 1594 By Representatives HARPER, DALEY, KAMPF, JAMES and FREEMAN

An Act amending the act of April 16, 1992 (P.L.155, No.28), known as the Assessors Certification Act, further providing for definitions and for duties of board; repealing provisions relating to qualifications; further providing for certification; providing for employees of political subdivisions; and further providing for disciplinary and correction measures and for unlawful practice.

Referred to Committee on LOCAL GOVERNMENT, June 21, 2017.

No. 1595 By Representatives EVERETT, GROVE, IRVIN, O'NEILL, RADER, GODSHALL, M. K. KELLER, BAKER, KAUFFMAN, LONGIETTI, SAYLOR, DAVIS, BARRAR, CHARLTON, B. MILLER, JOZWIAK, TOEPEL, WARD, HENNESSEY, FARRY, PICKETT, CORBIN, KORTZ, WHEELAND, DeLUCA, PHILLIPS-HILL, NELSON, STAATS, KLUNK, MATZIE, McGINNIS, SANTORA, MASSER, FEE, HICKERNELL and REESE

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 medical assistance reimbursement for pharmacies.

Referred to Committee on HEALTH, June 21, 2017.

No. 1596 By Representatives DELOZIER, D. COSTA, LAWRENCE, MILLARD, READSHAW, JAMES, RYAN, ROTHMAN, WHEELAND, MILNE and GILLEN

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in Pennsylvania Uniform Transfers to Minors Act, further providing for other transfer by fiduciary.

Referred to Committee on JUDICIARY, June 21, 2017.

No. 1597 By Representatives JAMES, V. BROWN, DRISCOLL, ENGLISH, GILLEN, HELM, MENTZER, MILLARD, NEILSON, PASHINSKI, PICKETT, RAPP, ROEBUCK, RYAN, SCHWEYER and WARD

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

Referred to Committee on LABOR AND INDUSTRY, June 21, 2017.

No. 1600 By Representatives JOZWIAK, KNOWLES, HEFFLEY, CAUSER, SCHLOSSBERG, MURT, QUIGLEY, BIZZARRO, ZIMMERMAN, READSHAW, RYAN, A. HARRIS, BOBACK, WARD, PICKETT, SIMMONS, GOODMAN, KAUFFMAN, DEASY, SAINATO, MARSICO, WATSON, GILLEN, PEIFER, GABLER, FREEMAN, PHILLIPS-HILL, FARRY and GODSHALL

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in volunteer firefighters, further providing for employment sanctions; and providing for a volunteer emergency responders employer tax credit.

Referred to Committee on FINANCE, June 21, 2017.

SENATE BILLS FOR CONCURRENCE

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

SB 144, PN 96

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 21, 2017.

SB 553, PN 960

Referred to Committee on TRANSPORTATION, June 21, 2017.

SB 592, PN 670

Referred to Committee on EDUCATION, June 21, 2017.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 168, PN 132; HB 217, PN 1502; and HB 1238, PN 1565**, with information that the Senate has passed the same without amendment.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority whip for leaves of absence for the gentelady, Kathy WATSON, from Bucks County for the day; Representative QUIGLEY from Montgomery County for the day; Representative METCALFE from Butler County for the day; and Representative SIMMONS from Lehigh County for the day. Without objection, the leaves of absence will be so granted.

The Chair recognizes the minority whip, who requests a leave of absence for the gentleman, Representative FABRIZIO, from Erie County for the day. Without objection, the leave of absence will be so granted.

GUESTS INTRODUCED

The SPEAKER pro tempore. Located in the rear of the House and in the gallery, the Chair welcomes the Most Worshipful Prince Hall Grand Lodge Masons of Philadelphia. The Honorable Malcolm Harris is their Most Worshipful Grand Master. They are the guests of Representative Jordan Harris and the Pennsylvania Legislative Black Caucus. Welcome.

THE SPEAKER (MIKE TURZAI) PRESIDING

The SPEAKER. Thank you, Chairman Baker.

GUESTS INTRODUCED

The SPEAKER. Representative Chris Quinn has some guests with him today: Alison Hagler and Linda Filippone of his Harrisburg staff and Melissa Farinha from the district office staff. Please, they are in the back, I know, today. Please stand. Great to see you. Thank you very much.

RADNOR HIGH SCHOOL GIRLS LACROSSE TEAM PRESENTED

The SPEAKER. Representative Charlton, if you will please come to the rostrum. I know we have a citation to a championship team.

Mr. CHARLTON. Thank you, Mr. Speaker.

Mr. Speaker, I have the great honor today to welcome and congratulate the Radnor High School Girls Lacrosse Team on winning the 2017 PIAA State Class AA Lacrosse Championship. The Radnor High School Girls Lacrosse Team finished off a tremendous season with a 20-to-8 victory over Kennard-Dale High School.

And with us today to celebrate their victory are team captain Cate Cox, Nicole Massimino, Hope Smith, Alexa Solomon, Phoebe Proctor, Missy Massimino, and their head coach, Brooke Fritz.

I hope you will all join me in giving them a very hearty congratulations. Thank you, Mr. Speaker.

The SPEAKER. Thank you.

MASTER ROLL CALL

The SPEAKER. Members, we are about to take the master roll. I would ask everybody to please record their vote.

The following roll call was recorded:

PRESENT—195

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—8

Fabrizio	Metcalfe	Quigley	Simmons
Gabler	Milne	Schemel	Watson

LEAVES ADDED—6

Costa, P.	Dunbar	Gergely	O'Neill
Dowling	Galloway		

The SPEAKER. One hundred and ninety-five members have voted on the master roll. We do have a quorum.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 168, PN 132

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in proprietary and official rights, further providing for wearing of uniforms and insignia.

HB 217, PN 1502

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in offenses against the family, further providing for the offense of endangering welfare of children.

HB 1238, PN 1565

An Act amending Titles 3 (Agriculture), 18 (Crimes and Offenses), 22 (Detectives and Private Police), 34 (Game) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in race horse industry reform, further providing for licenses for horse race meetings and for occupational licenses for individuals; in riot, disorderly conduct and related offenses, repealing provisions relating to offense of cruelty to animals, live animals as prizes prohibited, police animals and assault with a biological agent on animal, fowl or honey bees and providing for offenses relating to cruelty to animals; in humane society police officers, further providing for definitions, for appointment by nonprofit corporations, for qualifications for appointment, for suspension, revocation, limitation and restriction of appointment and restoration of appointment, for powers and authority and jurisdiction, for search warrants and for costs; in hunting and furtaking, further providing for destruction of dogs declared public nuisances; in budget and finance, further providing for municipal corporation portion of fines, etc; and making editorial changes.

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

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mrs. HILL called up **HR 384, PN 1951**, entitled:

A Resolution recognizing the Pennsylvania American Legion Auxiliary Keystone Girls State program being held during the week of June 18, 2017.

* * *

Ms. V. BROWN called up **HR 406, PN 2028**, entitled:

A Resolution designating the months of June, July and August 2017 as "Summer Reading Games Months 2017" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—195

Baker	Ellis	Knowles	Rader
Barbin	Emrick	Kortz	Rapp
Barrar	English	Krueger	Ravenstahl
Benninghoff	Evankovich	Kulik	Readshaw
Bernstine	Evans	Lawrence	Reed
Bizzarro	Everett	Lewis	Reese
Bloom	Farry	Longietti	Roae
Boback	Fee	Mackenzie	Roe
Boyle	Fitzgerald	Madden	Roebuck
Bradford	Flynn	Maher	Rothman
Briggs	Frankel	Mako	Rozzi
Brown, R.	Freeman	Maloney	Ryan
Brown, V.	Fritz	Markosek	Saccone
Bullock	Gainey	Marshall	Sainato
Burns	Galloway	Marsico	Samuelson
Caltagirone	Gergely	Masser	Sankey

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Fabrizio	Metcalf	Quigley	Simmons
Gabler	Milne	Schemel	Watson

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

Mrs. WATSON called up **HR 417, PN 2088**, entitled:

A Resolution designating the month of June 2017 as "Alzheimer's and Brain Awareness Month" in Pennsylvania.

* * *

Ms. OBERLANDER called up **HR 418, PN 2089**, entitled:

A Resolution designating June 22, 2017, as "Lineworker Appreciation Day" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Fabrizio	Metcalf	Quigley	Simmons
Gabler	Milne	Schemel	Watson

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. QUIGLEY called up **HR 409, PN 2061**, entitled:

A Resolution commemorating the 75th anniversary of the Battle of Midway.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Fabrizio	Metcalfe	Quigley	Simmons
Gabler	Milne	Schemel	Watson

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

SUPPLEMENTAL CALENDAR B

RESOLUTION PURSUANT TO RULE 35

Mr. FRANKEL called up **HR 414, PN 2090**, entitled:

A Resolution recognizing the month of June 2017 as "LGBT Pride Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—182

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

Dermody	Keller, F.	Peifer	Youngblood
DiGirolamo	Keller, M.K.	Petrarca	
Donatucci	Keller, W.	Petri	Turzai,
Dowling	Kim	Pickett	Speaker

NAYS—11

Diamond	McGinnis	Roe	Topper
Dush	Miller, B.	Ryan	Zimmerman
Gillen	Roae	Tallman	

NOT VOTING—2

Kauffman	Rapp
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EXCUSED—8

Fabrizio	Metcalf	Quigley	Simmons
Gabler	Milne	Schemel	Watson

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

STATEMENT BY MS. OBERLANDER

The SPEAKER. Representative Donna Oberlander is recognized to speak on HR 418.

Ms. OBERLANDER. Thank you, Mr. Speaker, and thank you, members, for your affirmative vote on HR 418.

It is easy to take for granted that when you turn the switch, when you flip the switch, that the lights come on, but lineworker personnel work through hazardous weather and all other risks to restore power and keep the electricity flowing to our homes and businesses. This is dangerous work, and unfortunately, that means that there have been times where everyone has not come home. One of those times was June 22, 2013. On that day Parker-based Central Electric Cooperative journeyman lineman Michael Over died in an electrical contact accident while restoring power to cooperative members. Mike was doing what thousands of lineworkers do across Pennsylvania every day. He was putting his life on the line to restore the basic necessities for cooperative members.

Today we pause to remember Mike and pay tribute to all of those who put their life on the line for our benefit. This resolution honors the thousands of skilled lineworkers who, despite hazardous weather and other dangers, maintain and operate the electric grid 24 hours a day, 7 days a week, 365 days a year.

I hope that you will join me in recognizing these skilled linemen. Thank you, Mr. Speaker.

STATEMENT BY MRS. HILL

The SPEAKER. Representative Kristin Phillips-Hill, please.

Mrs. HILL. Thank you, Mr. Speaker.

Mr. Speaker, I would like to thank the members for their support of HR 384, recognizing the week of June 18 in honor of Pennsylvania American Legion Auxiliary Girls State program, and I would like to also thank them for graciously welcoming the Girls State participants here to the Capitol today, and I would like to submit my remarks for the record.

The SPEAKER. Thank you, Representative Phillips-Hill.

REMARKS SUBMITTED FOR THE RECORD

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

I would like to thank the members for their support of HR 384, which will recognize the week of June 18, 2017, in honor of the Pennsylvania American Legion Auxiliary Keystone Girls State Program.

The young ladies who participate in this program join a distinguished group of alumni that includes Ann Richards, Brig. Gen. Michelle Johnson, and Janet Napolitano.

Keystone Girls State was established in 1937 as a nationwide educational workshop for high school student leaders. Its goal is to teach constructive attitudes toward the American form of government. Participants are high school juniors who display leadership qualities and high moral character while maintaining high scholastic standing. They witness democracy in action on a personal basis and learn that each person has a role to play within our system of government.

It was former United Nations Secretary-General of the United Nations Kofi Annan who called education "...a human right with immense power to transform. On its foundation rest the cornerstones of freedom, democracy and sustainable human development."

These young ladies are becoming building blocks for a better future for us all, and we applaud the Pennsylvania American Legion Auxiliary for sponsoring this program in the Commonwealth.

Thank you, Mr. Speaker.

STATEMENT BY MR. HENNESSEY

The SPEAKER. Representative Tim Hennessey is recognized to speak on HR 417.

Mr. HENNESSEY. Thank you, Mr. Speaker.

As chairman of the House Aging and Older Adult Services Committee, I stand here instead of Representative Kathy Watson, who could not be here today, and I want to thank you all for your support of HR 417.

Here in Pennsylvania we are committed to helping caregivers and their loved ones. I was honored to serve on the Alzheimer's Disease State Planning Committee, and although we accomplished a great deal over the last number of years, the plan showed that we still have a long way to go to assist our caregivers and our residents in Pennsylvania suffering from Alzheimer's disease and related disorders. Serving on that committee was an eye-opening experience, and I think we developed and presented a plan with distinct goals and directions on where we should go as a Commonwealth from here. We need the State plan to be put into action, and I am happy to be part of that ongoing process.

The Alzheimer's Association across the country recognizes June 21, the summer solstice and the longest day of the year, to recognize and bring awareness across the world to the plight of those who are suffering from Alzheimer's disease and those who provide their care. "The Longest Day" is a reference to the millions of caregivers who manage full-time jobs but also manage to care for a loved one suffering from Alzheimer's disease. Across the nation they provide billions of dollars in uncompensated care.

So we want to take a moment to thank all those family caregivers. Many of them work full-time jobs. Some have to miss work to care for a family member or neighbor. It is stressful, exhausting work, but they do it out of the goodness of their heart. So we thank all of those caregivers for their

dedication, their devotion, and for all the sacrifices they make on a daily basis.

The Alzheimer's Association has two wonderful chapters that cover the Commonwealth of Pennsylvania. They continue to be wonderful resources for those living with ADRD (Alzheimer's disease and related disorders) and their caregivers and families. The Alzheimer's Association's 24/7 helpline number is 1-800-272-3900, or online you can get more information about the Longest Day at www.alz.org/pa. Again, the helpline number 24/7 is 1-800-272-3900.

And once again, thanks to the caregivers who provide care to our victims of ADRD every day in Pennsylvania and across our nation. Thank you.

STATEMENT BY MR. FRANKEL

The SPEAKER. Representative Dan Frankel is recognized to speak on HR 414.

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise to thank my colleagues for their support of HR 414, designating June as "LGBT Pride Month" in Pennsylvania.

I think it is a valuable exercise for us to stop and reflect upon the struggles and, equally important, the contributions of our LGBT (lesbian, gay, bisexual, and transgender) friends and fellow Pennsylvanians.

I am honored to cochair the LGBT Equality Caucus, a bipartisan group of legislators who share a desire to enhance the lives, health, and opportunities for the LGBT community through advocacy and legislation.

Today's vote provides that community with a sign of support from this House that I hope we can build on together as we move through this legislative session.

Mr. Speaker, thank you for scheduling this resolution for a vote.

Thank you, colleagues, for your support of this House resolution.

STATEMENT BY MR. SIMS

The SPEAKER. Representative Sims.

Mr. SIMS. Thank you, Mr. Speaker.

I also would like to thank the chamber for their overwhelming support of a resolution, HR 414, recognizing lesbian, gay, bisexual, transgender, and queer pride month.

Last week, Mr. Speaker, this chamber recognized the Pulse shooting in Orlando as well as the fact that LGBTQ youth are among the highest at risk for youth suicide, and I think that resolutions like this one here today go a long way in helping to let the hundreds of thousands of LGBTQ Pennsylvanians know that this body is here to support them.

Thank you, Mr. Speaker.

The SPEAKER. We are going to turn for committee announcements and caucus announcements.

REPUBLICAN CAUCUS

The SPEAKER. Representative Toepel, the majority caucus chair, for a caucus announcement, please.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus immediately. We would have a second caucus at 12:15, and we would be prepared to return to the floor at 12:45.

The SPEAKER. The majority Appropriations chair, for a committee announcement.

Mr. SAYLOR. Mr. Speaker, the Appropriations Committee will meet at 2 o'clock in the majority caucus room. At 2 o'clock the Appropriations Committee will meet.

The SPEAKER. Representative Frankel, for a caucus announcement, sir.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus immediately. Democrats will caucus immediately.

RULES AND APPROPRIATIONS COMMITTEE MEETINGS

The SPEAKER. The majority leader, for a Rules Committee announcement and I believe a correction maybe on the Appropriations Committee.

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

There will be an 11:45 meeting of the House Rules Committee in the Appropriations conference room, and the Appropriations Committee will actually meet at noon in the majority caucus room. The Appropriations Committee will be meeting at noon in the majority caucus room; the Rules Committee, at 11:45 in the Appropriations conference room. Thank you.

The SPEAKER. Thank you.

There will be an 11:45 meeting of the Rules Committee in the Appropriations conference room, and the Appropriations Committee will meet at noon in the majority caucus room.

DEMOCRATIC CAUCUS

The SPEAKER. Representative Frankel, for the caucus announcement, sir.

Mr. FRANKEL. To my fellow Democratic colleagues, we are going to caucus at 12:15; 12:15, Democratic caucus. Thank you.

HUMAN SERVICES COMMITTEE MEETING

The SPEAKER. Representative DiGirolamo, for a committee announcement.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

There will be a Human Services hearing tomorrow, Thursday, at 9 o'clock. It will not be a voting meeting. It was a hearing that was scheduled last week that was canceled; 9 o'clock in room 60, East Wing, a hearing for the Human Services Committee members; 9 o'clock, 60 East Wing, tomorrow morning. Thank you.

The SPEAKER. Representative Gene DiGirolamo is recognized for a committee meeting, I believe, a voting meeting. Sir, the floor is yours.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

There will be today at 12:30, room 60, East Wing, a voting meeting of the House Human Services Committee; 60 East Wing, at 12:30, the Human Services Committee members. I would ask them all to be there for a voting meeting.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

There will be a voting meeting of the Human Services Committee today at 12:30 in room 60, East Wing.

Does anybody else have any committee announcements?

ANNOUNCEMENT BY MR. EVERETT

The SPEAKER. Representative Everett.

Mr. EVERETT. For the members of the Susquehanna Caucus, just a reminder there is an informational meeting and lunch in Irvis Office Building 302; Irvis 302 at noon. Thank you.

The SPEAKER. Thank you, sir.

RECESS

The SPEAKER. Members, we will be in recess until 12:45 p.m.; 12:45 p.m.

RECESS EXTENDED

The time of recess was extended until 1 p.m.; further extended until 1:30 p.m.; further extended until 1:45 p.m.

AFTER RECESS

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

LEAVES OF ABSENCE

The SPEAKER. Representatives O'NEILL and DUNBAR from the majority caucus have requested to be placed on leave. Without objection, that will be granted.

Representative GALLOWAY, the minority whip has indicated he would like to be placed on leave. Without objection, that will be granted.

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

HB 1554, PN 2034

By Rep. SAYLOR

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure; and making an appropriation from a restricted account within the Agricultural College Land Scrip Fund.

APPROPRIATIONS.

HB 1555, PN 2035

By Rep. SAYLOR

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh—Commonwealth Act, making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

APPROPRIATIONS.

HB 1556, PN 2036

By Rep. SAYLOR

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University—Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of such appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

APPROPRIATIONS.

HB 1557, PN 2037

By Rep. SAYLOR

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University—Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

APPROPRIATIONS.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND Tabled

SB 181, PN 999 (Amended)

By Rep. SAYLOR

An Act providing for performance-based budgeting; establishing the Performance-Based Budget Board and providing for its powers and duties; conferring powers and imposing duties on the Independent Fiscal Office and providing for performance hearings and performance reviews.

APPROPRIATIONS.

SB 651, PN 864

By Rep. SAYLOR

An Act providing for the capital budget for fiscal year 2017-2018; itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, State forestry bridge projects, park and forest management projects, State ATV/Snowmobile Fund projects, Pennsylvania Fish and Boat Commission projects, Oil and Gas Lease Fund projects and Motor License Fund projects to be constructed, acquired or assisted by the Department of General Services, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Transportation or the Pennsylvania Fish and Boat Commission, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services, the Department of Environmental Protection, the Department of Transportation or the Pennsylvania Fish and Boat Commission; authorizing the use of current revenue for the purpose of financing the projects to be constructed, acquired or assisted by the Department of Conservation and Natural Resources or the Department of Transportation stating the estimated useful life of the projects; making a related repeal; and making appropriations.

APPROPRIATIONS.

BILLS REREPORTED FROM COMMITTEES**HB 121, PN 2058** By Rep. REED

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 alcohol, chemical and tobacco abuse program.

RULES.

HB 359, PN 377 By Rep. SAYLOR

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for killing game or wildlife by mistake; and, in hunting and furtaking licenses, further providing for period of revocation.

APPROPRIATIONS.

HB 1153, PN 2085 By Rep. SAYLOR

An Act amending Titles 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, in fishing licenses, providing for active duty military fishing reciprocity and for disabled veteran annual fishing license reciprocity; and, in hunting and furtaking licenses, providing for active duty military hunting reciprocity and for disabled veteran annual hunting license reciprocity.

APPROPRIATIONS.

HB 1233, PN 2083 By Rep. SAYLOR

An Act amending the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, in general provisions, further providing for scope of act, providing for definitions and further providing for individualized treatment plan; in involuntary examination and treatment, further providing for persons subject, for persons for whom application may be made, and for additional periods of court-ordered involuntary treatment; and adding provisions relating to assisted outpatient treatment.

APPROPRIATIONS.

HB 1333, PN 1652 By Rep. REED

An Act amending the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act, further providing for mining permit, reclamation plan and bond.

RULES.

HB 1341, PN 2065 By Rep. REED

An Act amending the act of July 7, 2008 (P.L.654, No.55), known as the Bituminous Coal Mine Safety Act, in emergency medical personnel, further providing for definitions, for emergency medical personnel, for regulations, for continuing training, for certification and for liability.

RULES.

HB 1361, PN 1690 By Rep. SAYLOR

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as the Real Estate Appraisers Certification Act, further providing for definitions and for State Board of Certified Real Estate Appraisers.

APPROPRIATIONS.

HB 1363, PN 1692 By Rep. SAYLOR

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in general provisions, providing for residency during military service.

APPROPRIATIONS.

HB 1448, PN 2060 By Rep. REED

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for higher education accountability and transparency.

RULES.

HB 1469, PN 2016 By Rep. REED

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in adoption and enforcement by municipalities, further providing for administration and enforcement.

RULES.

HB 1523, PN 2084 By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 1576, PN 2064 By Rep. REED

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, providing for limited lines travel insurance.

RULES.

SB 365, PN 357 By Rep. SAYLOR

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

APPROPRIATIONS.

**BILL REPORTED AND REREFERRED TO
COMMITTEE ON RULES****HB 18, PN 2014** By Rep. DiGIROLAMO

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in liability and compensation, further providing for prescription drugs and the treatment of work-related injuries; and, in procedure, further providing for peer review.

Reported from Committee on HUMAN SERVICES with request that it be rereferred to Committee on RULES.

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

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:

SB 8, PN 719

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.

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

GUESTS INTRODUCED

The SPEAKER. Members, we have an important guest here today. I would like your undivided attention for this guest.

Representative Tom Sankey is here with his wife, Ashley, and their baby son, Tuck. Could you give them a big round of applause. Congratulations, Mom and Dad, and welcome to the House floor, Tuck.

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

SUPPLEMENTAL CALENDAR C

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 359, PN 377**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for killing game or wildlife by mistake; and, in hunting and furtaking licenses, further providing for period of revocation.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

Baker	Ellis	Kortz	Rapp
Barbin	Emrick	Krueger	Ravenstahl
Barrar	English	Kulik	Readshaw
Benninghoff	Evankovich	Lawrence	Reed
Bernstine	Evans	Lewis	Reese
Bizzarro	Everett	Longietti	Roae
Bloom	Farry	Mackenzie	Roe
Boback	Fee	Madden	Roebuck
Boyle	Fitzgerald	Maher	Rothman
Bradford	Flynn	Mako	Rozzi
Briggs	Frankel	Maloney	Ryan
Brown, R.	Freeman	Markosek	Saccone
Brown, V.	Fritz	Marshall	Sainato
Bullock	Gainey	Marsico	Samuelson
Burns	Gergely	Masser	Sankey
Caltagirone	Gillen	Matzie	Santora
Carroll	Gillespie	McCarter	Saylor
Causar	Godshall	McClinton	Schlossberg
Cephas	Goodman	McGinnis	Schweyer
Charlton	Greiner	McNeill	Sims
Christiana	Grove	Mehaffie	Snyder
Comitta	Haggerty	Mentzer	Solomon
Conklin	Hahn	Metzgar	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
Cox	Heffley	Mullery	Thomas
Cruz	Helm	Murt	Tobash
Culver	Hennessey	Mustio	Toepel
Cutler	Hickernell	Neilson	Toohil
Daley	Hill	Nelson	Topper
Davidson	Irvin	Nesbit	Vazquez
Davis	James	Neuman	Vitali
Dawkins	Jozwiak	O'Brien	Walsh

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

NAYS-0

NOT VOTING-0

EXCUSED-11

Dunbar	Galloway	O'Neill	Simmons
Fabrizio	Metcalfe	Quigley	Watson
Gabler	Milne	Schemel	

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 1361, PN 1690**, entitled:

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as the Real Estate Appraisers Certification Act, further providing for definitions and for State Board of Certified Real Estate Appraisers.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-192

Baker	Ellis	Kortz	Rapp
Barbin	Emrick	Krueger	Ravenstahl
Barrar	English	Kulik	Readshaw
Benninghoff	Evankovich	Lawrence	Reed
Bernstine	Evans	Lewis	Reese
Bizzarro	Everett	Longietti	Roae
Bloom	Farry	Mackenzie	Roe
Boback	Fee	Madden	Roebuck
Boyle	Fitzgerald	Maher	Rothman
Bradford	Flynn	Mako	Rozzi
Briggs	Frankel	Maloney	Ryan

Brown, R.	Freeman	Markosek	Saccone
Brown, V.	Fritz	Marshall	Sainato
Bullock	Gainey	Marsico	Samuelson
Burns	Gergely	Masser	Sankey
Caltagirone	Gillen	Matzie	Santora
Carroll	Gillespie	McCarter	Saylor
Causer	Godshall	McClinton	Schlossberg
Cephas	Goodman	McGinnis	Schweyer
Charlton	Greiner	McNeill	Sims
Christiana	Grove	Mehaffie	Snyder
Comitta	Haggerty	Mentzer	Solomon
Conklin	Hahn	Metzgar	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
Cox	Heffley	Mullery	Thomas
Cruz	Helm	Murt	Tobash
Culver	Hennessey	Mustio	Toepel
Cutler	Hickernell	Neilson	Toohil
Daley	Hill	Nelson	Topper
Davidson	Irvin	Nesbit	Vazquez
Davis	James	Neuman	Vitali
Dawkins	Jozwiak	O'Brien	Walsh
Day	Kampf	Oberlander	Ward
Dean	Kaufer	Ortitay	Warner
Deasy	Kauffman	Pashinski	Warren
DeLissio	Kavulich	Peifer	Wentling
Delozier	Keefer	Petrarca	Wheatley
DeLuca	Keller, F.	Petri	Wheeland
Dermody	Keller, M.K.	Pickett	White
Diamond	Keller, W.	Pyle	Youngblood
DiGirolamo	Kim	Quinn, C.	Zimmerman
Donatucci	Kinsey	Quinn, M.	
Dowling	Kirkland	Rabb	Turzai,
Driscoll	Klunk	Rader	Speaker
Dush	Knowles		

NAYS-0

NOT VOTING-0

EXCUSED-11

Dunbar	Galloway	O'Neill	Simmons
Fabrizio	Metcalfe	Quigley	Watson
Gabler	Milne	Schemel	

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 1363, PN 1692**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in general provisions, providing for residency during military service.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the gentleman, the maker of the bill, Mr. James, is recognized.

Mr. JAMES. Thank you, Mr. Speaker.

I just wanted to remind everybody that occasionally if you are a member of the military service, you serve at the pleasure of your branch. Occasionally a soldier will be asked to deploy, sometimes in the State, sometimes internationally, and when he comes back, he continues to feel a need for public service and would like to run for an elected position or accept an appointed position. This bill removes any question of a breach of the 1-year residency requirement.

So the bill passed unanimously last year, has no adverse fiscal impact. I would ask for an affirmative vote from the body. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

Baker	Ellis	Kortz	Rapp
Barbin	Emrick	Krueger	Ravenstahl
Barrar	English	Kulik	Readshaw
Benninghoff	Evankovich	Lawrence	Reed
Bernstine	Evans	Lewis	Reese
Bizzarro	Everett	Longietti	Roae
Bloom	Farry	Mackenzie	Roe
Boback	Fee	Madden	Roebuck
Boyle	Fitzgerald	Maher	Rothman
Bradford	Flynn	Mako	Rozzi
Briggs	Frankel	Maloney	Ryan
Brown, R.	Freeman	Markosek	Saccone
Brown, V.	Fritz	Marshall	Sainato
Bullock	Gainey	Marsico	Samuelson
Burns	Gergely	Masser	Sankey
Caltagirone	Gillen	Matzie	Santora
Carroll	Gillespie	McCarter	Saylor
Causser	Godshall	McClinton	Schlossberg
Cephas	Goodman	McGinnis	Schweyer
Charlton	Greiner	McNeill	Sims
Christiana	Grove	Mehaffie	Snyder
Comitta	Haggerty	Mentzer	Solomon
Conklin	Hahn	Metzgar	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
Cox	Heffley	Mullery	Thomas
Cruz	Helm	Murt	Tobash
Culver	Hennessey	Mustio	Toepel
Cutler	Hickernell	Neilson	Toohil
Daley	Hill	Nelson	Topper
Davidson	Irvin	Nesbit	Vazquez
Davis	James	Neuman	Vitali
Dawkins	Jozwiak	O'Brien	Walsh
Day	Kampf	Oberlander	Ward
Dean	Kaufer	Ortitay	Warner
Deasy	Kauffman	Pashinski	Warren

DeLissio	Kavulich	Peifer	Wentling
DeLozier	Keefe	Petrarca	Wheatley
DeLuca	Keller, F.	Petri	Wheeland
Dermody	Keller, M.K.	Pickett	White
Diamond	Keller, W.	Pyle	Youngblood
DiGirolamo	Kim	Quinn, C.	Zimmerman
Donatucci	Kinsey	Quinn, M.	
Dowling	Kirkland	Rabb	Turzai,
Driscoll	Klunk	Rader	Speaker
Dush	Knowles		

NAYS—0

NOT VOTING—0

EXCUSED—11

Dunbar	Galloway	O'Neill	Simmons
Fabrizio	Metcalfe	Quigley	Watson
Gabler	Milne	Schemel	

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

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

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 624**, **PN 697**, entitled:

An Act amending the act of April 27, 1966 (1st Sp.Sess., P.L.31, No.1), known as The Bituminous Mine Subsidence and Land Conservation Act, providing for planned subsidence and for retroactivity.

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

Mr. **CARROLL** offered the following amendment
No. **A02182**:

Amend Bill, page 2, line 8, by striking out "Planned" and inserting

In a permit application to conduct bituminous coal mining operations subject to this act, planned

Amend Bill, page 2, line 10, by inserting after "of" where it occurs the first time

premining

Amend Bill, page 2, line 10, by striking out "water" and inserting surface waters

Amend Bill, page 2, line 11, by striking out "a" and inserting the proposed

Amend Bill, page 2, line 12, by striking out "mine subject to this act has" and inserting

mining operations have

Amend Bill, page 2, line 16, by striking out "bituminous coal mine subject to this act" and inserting

person

Amend Bill, page 2, line 17, by striking out "a plan" and inserting

an application to conduct bituminous mining operations subject to this act

Amend Bill, page 2, line 18, by striking out "mitigation of

predicted subsidence-induced impacts" and inserting restoration of the premining range of flows and restoration of premining biological communities in any waters of this Commonwealth predicted to be adversely affected by subsidence. The restoration shall be consistent with the premining existing and designated uses of the waters of this Commonwealth

Amend Bill, page 2, line 19, by striking out "plan" and inserting application

Amend Bill, page 3, line 6, by striking out "retroactively"

Amend Bill, page 3, lines 7 and 8, by striking out "that were the subject of an appeal heard by the Environmental Hearing Board"

Amend Bill, page 3, lines 8 and 9, by striking out "June 30, 2016" and inserting

October 8, 2005

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the gentleman, Mr. Carroll, is recognized.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is an effort to try and strike a middle ground that recognizes the needs of the Department of Environmental Protection and the regulated industry and the environment with the expectation that this language in the amendment aligns the current regulatory oversight of these sorts of mining extractions with the current department regulations.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Chairman Maher on the amendment.

Mr. MAHER. Thank you, Mr. Speaker.

I encourage all members to support this language, which will advance to statute the standards that have been applied under Pennsylvania law since the Rendell administration in 2005.

It is an agreed-to amendment, as is often said. And I want to express appreciation to the Department of Environmental Protection; to my cohort, Chairman Carroll; and to others in the administration who worked to craft this important legislation to ensure that our laws are crystal clear.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Representative Vitali, on the amendment.

Mr. VITALI. Thank you, Mr. Speaker.

Mr. Speaker, I want to initially address the retroactivity portions of the Carroll amendment. Mr. Speaker, that is relevant because even by the maker of the bill's own admission, this bill is about one case. It is about CONSOL Energy and longwall mining under Ryerson Station State Park in Greene County. Mr. Speaker, that is why the Carroll amendment that deals with retroactivity is relevant here.

Mr. Speaker, there has been an appeal of that mining activity by the Center for Coalfield Justice and the Sierra Club. That case was heard before the Environmental Hearing Board in August of 2016, and we are currently waiting for a decision. Yes, it has been 10 months, but we are told we are waiting for a decision. This bill, if it passes, will set the terrible precedent of taking an active case which citizens of Pennsylvania in good faith have litigated before the Environmental Hearing Board, would take it away from their jurisdiction and make it moot. Public statements by both Senator Scarnati and Drew Crompton have freely admitted that this case is meant to address that situation.

Mr. Speaker, the Carroll amendment as a whole makes a bad bill simply more clear in its language but does not change the problems with a very bad bill. The bill would weaken the Clean Streams Law as it applies to longwall mining. The bill would take away—

The SPEAKER pro tempore. Will the gentleman kindly suspend.

POINT OF ORDER

The SPEAKER pro tempore. A point of order has been raised. Representative Neuman is recognized.

Mr. NEUMAN. Thank you, Mr. Speaker.

It is my understanding that this bill was still on second consideration. We are going to explain the Carroll amendment. The gentleman from Delaware County continues to go into the underlying bill and not focus on the amendment, so I would ask that he stays focused on the amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman, Mr. Vitali, is encouraged to confine his remarks to the question before us and that is passage of the amendment, and the amendment in chief is the Carroll amendment.

Mr. VITALI. That is correct. I fully understand that.

The Carroll amendment changes the retroactivity date from June 30 of this past year back to 2005, and that does not address the prime problem of this bill, which is it is a case meant to affect a CONSOL Energy case before the Environmental Hearing Board right now. So the Carroll amendment does not address that even though it changes the retroactivity portions.

The second thing this amendment fails to do, it fails to address weakening the Clean Streams Law, which basically would require a company like CONSOL to have a plan to mitigate damage to a stream while mining was going on. Mr. Speaker, I am going to stop there.

And I wanted to talk about the retroactivity, because I have an amendment next which does eliminate the retroactivity provisions. So should that get in, I believe that the problems with the Carroll amendment will be addressed, and I would encourage the members to pay attention to the amendment I will be offering following this. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Representative Maher, are you seeking second recognition? Waives off.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—168

Baker	English	Knowles	Rapp
Barbin	Evankovich	Kortz	Readshaw
Barrar	Evans	Kulik	Reed
Benninghoff	Everett	Lawrence	Reese
Bernstine	Farry	Lewis	Roae
Bizzarro	Fee	Longietti	Roe
Bloom	Fitzgerald	Mackenzie	Rothman
Boback	Flynn	Madden	Rozzi
Boyle	Frankel	Maher	Ryan

Brown, R.	Fritz	Mako	Saccone
Brown, V.	Gergely	Maloney	Sainato
Burns	Gillen	Markosek	Sankey
Caltagirone	Gillespie	Marshall	Santora
Carroll	Godshall	Marsico	Saylor
Causser	Goodman	Masser	Schlossberg
Charlton	Greiner	Matzie	Schweyer
Christiana	Grove	McGinnis	Snyder
Conklin	Haggerty	McNeill	Solomon
Cook	Hahn	Mehaffie	Sonney
Corbin	Hanna	Mentzer	Staats
Corr	Harkins	Metzgar	Stephens
Costa, D.	Harper	Miccarelli	Sturla
Costa, P.	Harris, A.	Millard	Tallman
Cox	Harris, J.	Miller, B.	Taylor
Cruz	Heffley	Moul	Thomas
Culver	Helm	Murt	Tobash
Cutler	Hennessey	Mustio	Toepel
Davis	Hickernell	Neilson	Toohil
Dawkins	Hill	Nelson	Topper
Day	Irvin	Nesbit	Vazquez
Deasy	James	Neuman	Walsh
DeLissio	Jozwiak	Oberlander	Ward
Delozier	Kampf	Ortitay	Warner
DeLuca	Kaufner	Pashinski	Wentling
Dermody	Kauffman	Peifer	Wheatley
Diamond	Kavulich	Petrarca	Wheeland
DiGirolamo	Keefer	Petri	White
Donatucci	Keller, F.	Pickett	Youngblood
Dowling	Keller, M.K.	Pyle	Zimmerman
Driscoll	Keller, W.	Quinn, C.	
Dush	Kim	Quinn, M.	Turzai,
Ellis	Kinsey	Rader	Speaker
Emrick	Klunk		

NAYS—24

Bradford	Davidson	McCarter	Ravenstahl
Briggs	Dean	McClinton	Roebuck
Bullock	Freeman	Miller, D.	Samuelson
Cephas	Gainey	Mullery	Sims
Comitta	Kirkland	O'Brien	Vitali
Daley	Krueger	Rabb	Warren

NOT VOTING—0

EXCUSED—11

Dunbar	Galloway	O'Neill	Simmons
Fabrizio	Metcalfe	Quigley	Watson
Gabler	Milne	Schemel	

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

On the question,

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

Mr. **VITALI** offered the following amendment No. **A01311**:

Amend Bill, page 3, lines 5 through 9, by striking out all of said lines

Amend Bill, page 3, line 10, by striking out "4" and inserting 3

On the question,

Will the House agree to the amendment?

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

Mr. VITALI. Thank you, Mr. Speaker.

What this simply does is remove the retroactivity provisions of this bill. So if you support this change in the Mine Subsidence Act, that would apply to cases moving forward, and it eliminates the problem of going back to deal with the one case, the CONSOL Energy case. I believe if this amendment is not supported, this bill—

The SPEAKER pro tempore. Will the gentleman kindly suspend.

POINT OF ORDER

The SPEAKER pro tempore. Chairman Maher, do you have a point of order?

Mr. MAHER. I do have a number of points of order.

The gentleman has served in this chamber long enough to understand that we do not attribute motives to other members, we do not put names onto the record of people that are not present in this chamber. We sat through quite a bit of this just a couple minutes ago, but I really think that we have hit the breaking point, Mr. Speaker, and ask that you admonish the gentleman to obey the rules here, please.

Mr. VITALI. Point of clarification, Mr. Speaker.

The SPEAKER pro tempore. Will the gentleman kindly suspend momentarily.

The gentleman may continue with remarks with respect to his amendment.

PARLIAMENTARY INQUIRY

Mr. VITALI. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. VITALI. I mean, I certainly want to move forward in compliance with the House rules, but the previous speaker just indicated in my remarks right now I questioned motive. I would like a clarification for what the previous speaker is referring to so I do not make that mistake again.

The SPEAKER pro tempore. Will the gentleman please suspend.

Please continue with your remarks concerning your amendment before the House.

Mr. VITALI. Thank you, Mr. Speaker.

If this amendment does not get in, I believe it will be violative of Article III, section 32, of the Pennsylvania Constitution with regard to special bills. Our Pennsylvania Constitution is very clear that we as a body cannot direct legislation to deal with one particular fact scenario or one particular plaintiff.

I believe that the maker of the bill by his admissions publicly has indicated that is the case here. One reason for supporting this bill would be to buttress its constitutionality so it would not be considered a special bill. The other piece here is we would be avoiding something that, in my view, would be abhorrent, which would be taking a case out of the hands of a judicial body which is still considering a case. So my amendment, in my view, solves those two problems, and I would ask for a "yes" vote.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Chairman Maher, on the amendment.

Mr. MAHER. Thank you, Mr. Speaker.

The maker of the amendment keeps saying that this is about – he has a concern about retroactivity. There is nothing retroactive in this legislation. What this legislation simply does is to elevate into statute what has been the law of this land since 2005. It is important that the statute be anchored in that date because the language that is associated with that date to provide the continuity from October of 2005 through today. This is not a fresh sheet of paper. We are not creating a new law. We are codifying that which has been the law of our State for a very long time.

This is a very ordinary occurrence. I am surprised the gentleman finds it so surprising because this happens very frequently each legislative session, that when we adopt changes to one law or if we act to codify a law, we make it clear what the starting point is, and that is all this is. I would ask that the gentleman's amendment be rejected.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Representative Vitali, for the second time.

Mr. VITALI. I just want to make it clear how wrong the previous speaker is, and I would just direct your attention to page 3, line 6, where it says "shall apply retroactively." That language is being struck out by my amendment. My amendment eliminates the retroactivity portions of the bill.

Now, the gentleman can get up there and say this is not retroactive, and I do not know what to say other than just read my amendment. Read the entire page 3, lines 5, 6, 7, 8, and 9, particularly line 6 where it says "shall apply retroactively." That is what we are eliminating. This bill, despite what the previous speaker has said or will say, that is what this amendment does, it eliminates the retroactivity provisions of the bill. I do not know what else to say beyond that.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Maher, for the second time.

Mr. MAHER. Thanks.

For the information of the members, although I think most of you got this, the amendment that was just adopted struck out "retroactively." The word that the gentleman seeks to remove with his amendment has already been removed. But it is quite a good fight. I ask you to oppose this 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-44

Boyle	Daley	Harris, J.	Pashinski
Bradford	Davidson	Kim	Rabb
Briggs	Davis	Kinsey	Ravenstahl
Brown, V.	Dawkins	Kirkland	Roebuck
Bullock	Dean	Krueger	Samuelson
Caltagirone	DeLissio	Markosek	Sims
Cephas	Driscoll	McCarter	Sturla
Comitta	Fitzgerald	McClinton	Thomas

Conklin	Freeman	Mullery	Vitali
Costa, P.	Haggerty	Neilson	Warren
Cruz	Harkins	O'Brien	Wheatley

NAYS-148

Baker	Fee	Longietti	Reed
Barbin	Flynn	Mackenzie	Reese
Barrar	Frankel	Madden	Roae
Benninghoff	Fritz	Maher	Roe
Bernstine	Gainey	Mako	Rothman
Bizzarro	Gergely	Maloney	Rozzi
Bloom	Gillen	Marshall	Ryan
Boback	Gillespie	Marsico	Saccone
Brown, R.	Godshall	Masser	Sainato
Burns	Goodman	Matzie	Sankey
Carroll	Greiner	McGinnis	Santora
Causar	Grove	McNeill	Saylor
Charlton	Hahn	Mehaffie	Schlossberg
Christiana	Hanna	Mentzer	Schweyer
Cook	Harper	Metzgar	Snyder
Corbin	Harris, A.	Miccarelli	Solomon
Corr	Heffley	Millard	Sonney
Costa, D.	Helm	Miller, B.	Staats
Cox	Hennessey	Miller, D.	Stephens
Culver	Hickernell	Moul	Tallman
Cutler	Hill	Murt	Taylor
Day	Irvin	Mustio	Tobash
Deasy	James	Nelson	Toepel
DeLozier	Jozwiak	Nesbit	Toohil
DeLuca	Kampf	Neuman	Topper
Dermody	Kaufner	Oberlander	Vazquez
Diamond	Kauffman	Ortitya	Walsh
DiGirolamo	Kavulich	Peifer	Ward
Donatucci	Keefer	Petrarca	Warner
Dowling	Keller, F.	Petri	Wentling
Dush	Keller, M.K.	Pickett	Whealand
Ellis	Keller, W.	Pyle	White
Emrick	Klunk	Quinn, C.	Youngblood
English	Knowles	Quinn, M.	Zimmerman
Evankovich	Kortz	Rader	
Evans	Kulik	Rapp	Turzai,
Everett	Lawrence	Readshaw	Speaker
Farry	Lewis		

NOT VOTING-0

EXCUSED-11

Dunbar	Galloway	O'Neill	Simmons
Fabrizio	Metcalfe	Quigley	Watson
Gabler	Milne	Schemel	

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 pro tempore. The bill as amended will be reprinted.

SUPPLEMENTAL CALENDAR D

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 121, PN 2058**, entitled:

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 alcohol, chemical and tobacco abuse program.

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 1448, PN 2060**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for higher education accountability and transparency.

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

Mr. **SIMS** offered the following amendment No. **A02157**:

Amend Bill, page 5, by inserting between lines 27 and 28
(x) Status as a nonprofit institution or for-profit institution.

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

The **SPEAKER** pro tempore. On that question the gentleman, Mr. Sims, is recognized.

Mr. **SIMS**. Thank you, Mr. Speaker.

This is an agreed-upon amendment. I would ask for the members' affirmative vote.

The **SPEAKER** pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Cutler, on the amendment.

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

Mr. Speaker, this is an agreed-to amendment. The gentleman is proposing that in the event that the Federal College Scorecard would change, that we would make the same components that are reported on the State version be consistent with what was historically put on the Federal one, and I appreciate him catching this so that we could make it consistent.

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—192

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Dunbar	Galloway	O'Neill	Simmons
Fabrizio	Metcalfe	Quigley	Watson
Gabler	Milne	Schemel	

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

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

The SPEAKER pro tempore. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 1333, PN 1652**, entitled:

An Act amending the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act, further providing for mining permit, reclamation plan and bond.

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 1341, PN 2065**, entitled:

An Act amending the act of July 7, 2008 (P.L.654, No.55), known as the Bituminous Coal Mine Safety Act, in emergency medical personnel, further providing for definitions, for emergency medical personnel, for regulations, for continuing training, for certification and for liability.

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 1469, PN 2016**, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in adoption and enforcement by municipalities, further providing for administration and enforcement.

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

Mr. **EVANKOVICH** offered the following amendment
No. **A01999**:

Amend Bill, page 1, lines 10 through 14, by striking out all of said lines and inserting

Section 1. Section 501(b)(1), (2) and (3) of the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, are amended and the section is amended by adding subsections to read:

Section 501. Administration and enforcement.

* * *

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

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

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

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

* * *

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

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

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

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

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

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

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

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

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

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

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

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

(7) The municipality or its contracted third-party agency,

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

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

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

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

Amend Bill, page 1, line 15, by striking out "(b.1)" and inserting (b.2)

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

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

Mr. HEFFLEY. Thank you, Mr. Speaker.

This is an agreed-to amendment, and I would ask my colleagues for an affirmative vote.

This legislation will address some of the abuses that we are seeing right now due to the provisions in the law that provide for monopoly for third-party officials, and I would definitely ask my colleagues for an affirmative vote on this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentlelady, Ms. Harper, is recognized on the amendment.

Ms. HARPER. Thank you, Mr. Speaker.

I rise to commend the maker of the bill on what I think is a solution to the problem he is having back home, but also to request that no amendments to the bill be voted in the affirmative.

The bill itself proposes to address a problem where builders and other applicants are having trouble with building inspectors, and it proposes to say that a township or borough or third-class city must tell the applicant that they have the right to complain to the governing body if they are unhappy with the inspector. The amendment by contrast puts the right to select your own inspector in the hands of the building or construction company.

All of the relevant local government agencies are against this bill; that is to say, all the associations are against this bill as amended. They like the bill without any amendments. But the amendment itself puts the fox in charge of the henhouse. The amendment allows a builder to select his own inspector.

The purpose of building codes is to protect the health, safety, and welfare of the people who will occupy the building. We decided as a General Assembly that this was so important that we wanted to have a statewide building code, and we require inspectors, whether they are hired by the local government or whether their agency is selected by the local government as a

contractor, to be certified to inspect those buildings to make sure that our intentions as a legislature to have a statewide building code that takes care of the public health, safety, and welfare of our 13 million Pennsylvanians, that they are inspected correctly and adequately. This amendment proposes to let the regulated community pick its own inspectors.

By contrast, when I was taking the bar exam, I sure would have liked to pick which bar exam I took so I could be a lawyer. But we do not allow that. I sure would have liked to pick some— I sure would have liked to pick some bar exam that I thought was easier on me than the one I actually had to take to become a lawyer. But I did not get that choice because we did not put the fox in charge of the henhouse.

Now, the ultimate aim of the statewide building code is to take care of the people who will use the building; the people who will use the building – your constituents, my constituents, people who will buy the new home, people who will use the addition for their business, people who will send their children to the schools that are being built today and for which the public health and safety could not be more important.

We know how important building codes are. We have had a recent tragedy of a high-rise in London that proves that they are a matter of life and death. Our local governments can be trusted to make sure that the statewide building code that we voted for is enforced and effectively cared for in each municipal government. Allowing the regulated community, that is to say, allowing the fox to guard the henhouse, is just not a good idea, because a building inspector whose livelihood depends on getting more building inspections will inevitably be incentivized to go easy, to take it easy, so that they get rehired by the same builder on the next project or in the next township.

I understand that there are some building inspectors who are a problem. I think the bill in chief unamended takes care of that by notifying the applicants that they have the right to complain about the building inspector. I do not think we have to throw out the public health and safety considerations in the statewide building code by allowing builders and contractors to choose their own inspectors. That is a bridge too far. And I would ask for a "no" vote on both of the amendments.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the chairman, Representative Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the Evankovich amendment, A01999, for many of the same reasons pointed out by the good member from Montgomery County who just spoke.

First, there is a need of a point of clarification. Too often on this floor we throw around the notion that this is an agreed-to amendment. Well, to the best of my knowledge, the only parties that have agreed to the amendment are the prime sponsor of the bill and the prime sponsor of the amendment. This is not in any way, shape, or form an agreed-to amendment on the part of the members of the Democratic Caucus and I would dare to say many members of the Republican Caucus as well. So as a point of understanding, we should not be bandying around the notion that this is agreed to in any stretch of the imagination.

But first and foremost, I want to speak against this amendment because this truly is bad public policy that is contained in this amendment. As the good lady from Montgomery County pointed out, we depend upon unbiased inspections, either by the municipal government or by the third parties who are hired to do those inspections, to ensure that the Uniform Construction Code is carried out properly for the

health and safety of the citizens of those municipalities who depend upon a fair and unbiased inspection process. If under this amendment we allow the builder to choose whom they want for the third party, we set a horrible standard in terms of inspection and unbiased inspection at that. This truly is setting up a case where the fox will be watching the henhouse. It will lead to the possibility of conflicts of interest, of potential sweetheart deals as that contractor will continue to use that third party which seems to be maybe a little more understanding, a little more lenient in terms of the standards of the Uniform Construction Code that they may or may not want to have applied. That is wrong. That is simply wrong public policy.

The responsibility to ensure that the Uniform Construction Code is being carried out lies with the municipalities. They are the ones that are there to safeguard the health and well-being of their citizens. That can only be done if those inspections are done either by the municipality through their own agencies or through the third-party agencies whom they trust and respect to carry out that charge. We do not want to give that responsibility to the builder in order to stack the deck against good inspection and a good carrying out of the UCC code.

I urge a "no" vote. This is a critical vote, one that our citizens are depending upon us to make properly in order to ensure that those inspections are carried out properly and the primary concern that is done by those inspections is to protect health and safety in our communities. Do not roll the dice; do not gamble on giving that responsibility to the builder to pick who inspects them. We would never have asked anyone in school to be able to pick the person who is going to grade their test. That is absurd. This is the same standard that this amendment is offering.

Vote "no" on the Evankovich amendment. Let us protect the health and safety of our citizens by allowing municipalities to retain that obligation and responsibility on enforcing the UCC. I urge a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Heffley, for the second time.

Mr. HEFFLEY. Thank you, Mr. Speaker.

My understanding of "agreed to" has always been agreed to between the prime sponsor and the maker of the amendment.

What I would say is what we are asking for is just a breakup of the monopoly. Out of all the municipalities that contract or opt in, 90 percent of the municipalities opt in to contract with somebody to provide UCC third-party inspections. Ten percent of the municipalities right now opt out, in which L&I then controls the process and they can pick from any State-licensed UCC official.

So when somebody says that we are going to lessen the standards, these folks are licensed by the State, these are State licensed and State standards, not local municipalities. So if a third party— If somebody has a UCC license, why cannot they then inspect projects? They are licensed by the State no more than your automobile is. How would it be if when you got your automobile inspected, the township chose the garage that you had to have it inspected by? We all know that there are some shops out there that do a good job and we all know there are some garages that may overcharge you or tell you that you need repairs that maybe you do not need to make a profit. That is why we have the choice to select any State-licensed automobile inspection station.

What this bill will do is it will not change anything for the municipalities that opt for just – that opt to have one third-party official. They can still opt in to have that one official. What this bill does is for the builders and the homeowners, it gives them the option to pick a State-licensed official to opt in to inspect to code.

And the reason that this legislation was put forth is because there have been abuses as reported across the Commonwealth by these monopolies. There were hearings held last session in the Labor and Industry Committee where we had people testify from across the State that were on the verge of bankruptcy or in bankruptcy because they fought and appealed a third-party UCC official who was also the zoning official, who was also the sewage enforcement official, and when you fight them and appeal them on one issue, they will then hold up your permits.

I have heard from contractors who were ready to pour concrete, had everything set, the inspector said he would be there to inspect the job; he never showed up. They had to eat the cost of a mixer truck on-site and a crew on-site to pour concrete and he never came back for 2 weeks, and the builder and the homeowner had to pay for that and they have no recourse. The only recourse they have is to go before the appeals board or to hire an attorney and go to Commonwealth Court. These are State standards, and the people should have the choice to select somebody that they can work with. There have been several cases of what is perceived to be retribution by third-party officials from people that appeal them. What this will do is it will provide the people that are doing these projects the option to make sure their projects are done properly and safely and in a timely manner and an affordable manner.

Also, in the testimony before the Labor and Industry Committee last session, it was reported that some of these very same third-party officials that contract with one municipality also operate in the 10 percent of municipalities that opt out, that they can operate in, and they testified that they do no less of the State inspection or anything else. The standards are no lower in the 10 percent of the municipalities that opt out than they are in the 90 percent of the municipalities that opt in.

This is fair for the townships and municipalities in that they will be able to collect a fee for the paperwork, and it is fair for the residents of our communities that this legislation is put in place to help out.

Thank you, Mr. Speaker, and I ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Representative Santora, on the amendment. Waives off.

The Chair thanks the gentleman and recognizes the gentleman, Representative Moul, on the amendment.

Mr. MOUL. Thank you, Mr. Speaker.

I do not know how many members in this House actually were builders, but that is how I made my living for 25 years-plus before I came here, and I can tell you I had been on the receiving end of a building inspector that I was required to hire. Sometimes it worked out, and quite often it did not work out.

However, I will share a few things with you. One of our previous speakers said that this is the person that the township hired. Well, if the inspector is the person that the township hired, then this amendment does not have anything to do with that because that person is the employee of that township or of that borough. This bill does not address that. This is where they hire an outside third-party inspector.

What I am saying is and what this amendment is saying is that you would have the right to hire another, a different outside inspector. And given the fact that all these inspectors are certified by this Commonwealth and they are all living to the same level, they are all inspecting to the same level and they are all putting their names on their inspections, their reputation is at risk if they do something shady. I cannot see why anybody would want a local government to tell you whom you must hire as an outside third-party inspector. It makes no sense to me if they are all qualified the same why we must go with the one a board of supervisors said we had to hire.

I do not like being told whom I have to hire to do a job. As a contractor, that is my business, and if I do not want to hire somebody to do something because he might not have the time, he might not be timely to get it done, I should not have to hire him. They can hold up jobs where you have hundreds of thousands – and this would be over my head – but sometimes millions of dollars sitting on a project and waiting. Well, while that project is sitting waiting to be inspected, that interest clock keeps ticking away. Jobs get lost. People go elsewhere to build if they cannot get timely inspections. Or let us just say suppose that inspector has a bone to pick with you and that has happened and it does happen. They hold all the cards. You have no say. You should have the right to hire any qualified, reputable State-certified inspector that you want.

After all, when it is mandatory that the kids get their physicals to play sports, the school does not say there is the doctor that he must see. You get to choose your own doctor to get that physical. The State says you have to get your car inspected and does not tell you what mechanic must inspect your car. You get to pick your own legislator. Do we not? If you are going to court, the government does not tell you what lawyer you must hire.

And every new home comes with an implied 1-year warranty no matter who inspected it. And not that it means anything, but as a builder for the past 25 years and all this is just – when I first started building, most of this did not even exist, but yet, at least in my world, I have not seen a house or a building fall down on its own in the past 25 years. Why are we going down the road of you must hire this person to inspect this building for you if you are a qualified contractor registered with the State?

I support this amendment. Thank you, Mr. Speaker.

THE SPEAKER (MIKE TURZAI) PRESIDING

The SPEAKER. Representative Freeman, for the second time.

Mr. FREEMAN. Thank you, Mr. Speaker.

With all due respect to my friend, the previous speaker, the responsibility for making sure that the UCC is carried out through a good inspection process resides with the municipality, whether they are using their own in-house inspectors or whether they are choosing the third party who will do those inspections. That is where that responsibility should continue to lie, with the municipality to ensure that it is being done on behalf of the citizens who reside in that municipality.

We are talking about making sure that proper health and safety standards, that the high standards of the UCC are adhered to. If we allow the builder to choose whom they will pick to inspect their work, we are setting the stage for potential

conflicts of interest, for potential sweetheart deals, and as the good lady from Montgomery pointed out, for having the fox watch the henhouse.

Let us protect the inspection process here in Pennsylvania. Let us protect its integrity. Vote "no" on the Evankovich amendment. Thank you.

The SPEAKER. Representative Kate Harper, for the second time, please.

Ms. HARPER. Thank you, Mr. Speaker.

I want to thank my colleagues for the robust debate on this amendment, which I still oppose, but I do think that we have had a good explanation of the issues.

So I rise for one reason only, and that is to point out the vast difference between picking someone to inspect your car and picking someone to inspect a house, a school, or an office building that someone you love will one day inhabit. The reason the statewide building code exists is it is about the public – the public health, safety, and welfare. If you pick a bad inspector on your car, the person most likely hurt by that decision is you and you will not use them again another time. If you pick a bad inspector on your building, the person most likely hurt by that is someone you sell the building to. You might not even know them when you build the building. It is a school, it is a house; it is a building where you are going to work. Lives could be at stake if your inspector does not do a good job in making sure you live up to the statewide building code that this General Assembly approved in an effort to ensure the public's health, safety, and welfare no matter where you are in the Commonwealth of Pennsylvania. So there is a big difference between you picking the place to get your car inspected and your local government picking the person who will be inspecting the building.

It is really an issue of public health, safety, and welfare, and your local government is charged with that responsibility and can be trusted to carry it out. And if they carry it out badly, the underlying bill gives you the right as a builder or a contractor to complain about the inspector without retaliation. I think that is important and I understand the prime sponsor's motivation and appreciate that. I just think it should leave this chamber unamended. Thank you.

The SPEAKER. Thank you.

Representative Evankovich. Oh, I apologize. He holds off now.

Representative Santora, Representative Knowles, Representative Evankovich.

Mr. SANTORA. I will keep this short, Mr. Speaker.

Mr. Speaker, the reason we have car inspection is for the public safety. The reason we have inspection of buildings and houses and everything else is for the public safety. These inspectors are all certified by the State. It does not matter if you go to one mechanic or another, they are certified by the State. If we have the opportunity to go to another building inspector, they are going to be certified by the State to uphold the same standards as a poor inspector.

My colleague said it best when she was arguing that these inspectors, if you get a bad inspector, what happens? Well, there are many bad inspectors out there each and every day that are costing us tons of dollars and properties that are vacant and people that cannot build because they are not cooperating with the residents of their municipalities for one reason or another. They need to have options by an inspector that is certified by

the State to do that same job and is willing, ready, and able to do that job.

Thank you, Mr. Speaker.

The SPEAKER. Representative Jerry Knowles.

Mr. KNOWLES. Thank you, Mr. Speaker.

Mr. Speaker, with all due respect to the gentlelady from Montgomery County, I strongly disagree with her that there is a difference. There is absolutely no difference. You have a motor vehicle that you take to a State inspection station; you get to pick where you want to take your car. Doctors are licensed. You get to choose where you want to go to the doctor. Engineers are licensed. You get to choose whom you want to use as an engineer. Real estate agents are licensed. You get to pick whom you want to choose as your real estate agent. And the list goes on and on and on.

This is absolutely insane, Mr. Speaker. I believe that you as an individual should have a choice. You should have a choice to pick a licensed code enforcement inspector. He is licensed by the State. You should have that same choice as you do in all of the other inspectors that I mentioned.

So, Mr. Speaker, I would ask for a "yes" vote on the amendment.

The SPEAKER. Representative Eli Evankovich, on the amendment.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the debate today. One thing that is missing from this discussion is, what types of assumptions, what types of presumptions are we making? That builders are buying off building inspectors? That building inspectors are being bought off by builders? Mr. Speaker, if we are going to make that argument, what makes us think that the current monopoly that a building inspector has with a municipality is not already one of these bad actors?

Does it not first make sense as an American to offer people the choice for whom they are paying to conduct services for themselves? And, Mr. Speaker, we act like if we somehow give people the choice and the freedom of picking someone who inspects the building that they would live in, that we are somehow breaking the mold of something that is not happening today already.

But here is a reality. Ten percent of all municipalities in this Commonwealth, 10 percent currently allow their residents to choose a licensed building code inspector. Imagine that, right? Somehow it is working in 10 percent of this State. And all that this amendment would do is it would allow local governments to allow their residents to choose prior to the permit application being completed, not shopping around for an inspector, but it will allow their residents to choose, it would allow our small business owners to choose who is inspecting their building for a 10-percent fee.

Mr. Speaker, I just want to point out a few other very small things. Number one, the Senate Labor and Industry Committee just reported this bill out in a bipartisan fashion, an amendment that would do something very similar to what is before us today in A01999. Mr. Speaker, it is time for us to start to address these problems in Pennsylvania that make us less competitive. It is not just about someone being able to choose who inspects their house. It is them being able to choose who not to inspect their house. It is them being able to choose to say I tried that building inspector one time, and you know what, that building inspector let my permit, or I am sorry, let my project sit on their desk and

did not move on it. Well, why not be able to use another licensed building inspector; someone who is licensed by the State, who, by the way, is civilly liable for making mistakes, who carries insurance just in case they make a mistake or are negligent.

This amendment does nothing more than allow the residents of Pennsylvania to not be held captive by a monopoly that is set forth currently by local government, and I ask for an affirmative vote. Thank you.

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

The following roll call was recorded:

YEAS—94

Baker	Everett	Mackenzie	Rozzi
Barbin	Fee	Mako	Ryan
Barrar	Fritz	Maloney	Saccone
Benninghoff	Gillen	Marsico	Sankey
Bernstine	Gillespie	Masser	Santora
Bloom	Goodman	McGinnis	Saylor
Boback	Greiner	Mentzer	Sonney
Brown, R.	Grove	Metzgar	Staats
Causar	Hahn	Millard	Tallman
Charlton	Harris, A.	Moul	Taylor
Christiana	Heffley	Mustio	Tobash
Cook	Helm	Nelson	Toepel
Corbin	Hickernell	Nesbit	Toohil
Cox	Hill	Oberlander	Topper
Culver	James	Ortitay	Walsh
Cutler	Jozwiak	Petrarca	Ward
Day	Kampf	Pickett	Warner
Diamond	Kaufer	Pyle	Wentling
Dowling	Keefer	Quinn, C.	Wheeland
Dush	Keller, F.	Rapp	White
Ellis	Keller, M.K.	Reed	Zimmerman
Emrick	Klunk	Reese	
English	Knowles	Roae	Turzai,
Evankovich	Lawrence	Rothman	Speaker

NAYS—98

Bizzarro	Dermody	Kirkland	Peifer
Boyle	DiGirolamo	Kortz	Petri
Bradford	Donatucci	Krueger	Quinn, M.
Briggs	Driscoll	Kulik	Rabb
Brown, V.	Evans	Lewis	Rader
Bullock	Farry	Longietti	Ravenstahl
Burns	Fitzgerald	Madden	Readshaw
Caltagirone	Flynn	Maher	Roe
Carroll	Frankel	Markosek	Roebuck
Cephas	Freeman	Marshall	Sainato
Comitta	Gainey	Matzie	Samuelson
Conklin	Gergely	McCarter	Schlossberg
Corr	Godshall	McClinton	Schweyer
Costa, D.	Haggerty	McNeill	Sims
Costa, P.	Hanna	Mehaffie	Snyder
Cruz	Harkins	Miccarelli	Solomon
Daley	Harper	Miller, B.	Stephens
Davidson	Harris, J.	Miller, D.	Sturla
Davis	Hennessey	Mullery	Thomas
Dawkins	Irvin	Murt	Vazquez
Dean	Kauffman	Neilson	Vitali
Deasy	Kavulich	Neuman	Warren
DeLissio	Keller, W.	O'Brien	Wheatley
Delozier	Kim	Pashinski	Youngblood
DeLuca	Kinsey		

NOT VOTING—0

EXCUSED—11

Dunbar	Galloway	O'Neill	Simmons
Fabrizio	Metcalfe	Quigley	Watson
Gabler	Milne	Schemel	

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

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

Mr. **HEFFLEY** offered the following amendment
No. **A01998**:

Amend Bill, page 1, lines 10 through 12, by striking out all of said lines and inserting

Section 1. Section 501(b)(1) and (2) of the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, are amended and the section is amended by adding subsections to read:

Amend Bill, page 1, by inserting between lines 14 and 15

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

(1) By the designation of an employee to serve as the municipal code official to act on behalf of the municipality for administration and enforcement of this act. A municipality may enter into agreements with third-party agencies to perform plan review and inspection services for categories which the municipal code official does not have the resources or certification to perform.

(2) By the retention of [one or more construction code officials or] two or more third-party agencies to act on behalf of the municipality for administration and enforcement of this act[.] in accordance with a professional services contract. An owner or authorized agent shall select and utilize one of the third-party agencies for the requirements of this act with respect to an individual project.

* * *

(b.1) Administration and enforcement by third-party agencies.—A municipality opting to administer and enforce this act by retaining two or more third-party agencies under subsection (b)(2) shall comply with all of the following requirements:

(1) The services of a third-party agency shall be furnished and performed under a written professional services contract with the municipality.

(2) In entering into a professional services contract under this subsection, the governing body of the municipality shall take into consideration all of the following:

(i) The proposed fee schedule.

(ii) The availability of services.

(iii) The input of affected public stakeholders

(3) Third-party agencies contracting with the municipality under this subsection shall not be affiliated and shall offer fee schedules that are independent and not mandated by the municipality.

(4) One of the third-party agencies contracting with a municipality under this subsection may be designated as the enforcement agent for the municipality for general code enforcement actions not associated with work already being completed in accordance with a building permit.

(5) A professional services contract between a municipality and a third-party agency for the exclusive administration and enforcement of this act in effect before the

effective date of this subsection shall remain in effect and the provisions of subsection (b)(2) shall take effect upon the expiration of the original terms of the professional services contract.

(6) A professional services contract entered into between a municipality and a third-party agency on or after the effective date of this subsection may not exceed three years.

(b.2) Waiver.—If a municipality opts to administer and enforce this act under subsection (b)(2), the municipality may apply to the department for a waiver from the requirement of retaining two or more third-party agencies under subsection (b)(2) if the municipality can demonstrate to the satisfaction of the department all of the following:

(1) The municipality has made a reasonable effort to solicit and retain two or more third-party agencies.

(2) The municipality was unsuccessful in obtaining sufficient qualified proposals by at least two third-party agencies.
Amend Bill, page 1, line 15, by striking out "(b.1)" and inserting (b.3)

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

The SPEAKER. On the amendment, Representative Heffley, please.

Mr. HEFFLEY. Thank you, Mr. Speaker.

Amendment A01998 adds language into this legislation to require that municipalities have at least two third-party agencies to enforce the UCC if they choose to enforce the code using such agencies. It is important to note that the language does not abrogate existing municipal exclusive enforcement contracts with third-party agencies. The requirement for two or more third-party agencies takes effect when the existing contract expires. It is also important to note that the language does not require competitive bidding to acquire a third-party agency's services and treats the contracting with such agencies to continue as is permitted currently.

On June 13 the Senate moved a similar piece of legislation out of the L&I Committee by a vote of 9 to 2 requiring three or more.

Over 90 percent of Pennsylvania's 2,562 municipalities have elected to administer and enforce the UCC code locally using their own employees, joint administration, or via certified third-party agencies, which are private code agencies that they have retained. It is estimated that about 60 percent of the opt-in municipalities have chosen to administer the UCC by contracting with a third-party agency, with the vast majority using only one third-party agency.

This language allows consumers the option to use an alternative third-party agency and will ensure some competitiveness amongst such private companies and give property owners choice. It is important to note that 10 percent of the municipalities in the State have opted not to enforce the UCC, and in those municipalities, L&I enforces those commercial parts of the code and the system is working fine.

It is also important to note that this legislation has no effect on municipalities that have their own code enforcement officers that are employed by the municipality, such as Philadelphia or Pittsburgh.

Mr. Speaker, I would ask for an affirmative vote on this amendment so we can break up these monopolies and give folks some choice.

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

Ms. HARPER. Thank you, Mr. Speaker.

This amendment actually suffers from the same problem the last amendment did; that is, by requiring the local government to choose two different inspectors and then allowing the builder, applicant, or contractor to pick which of the two they want to inspect the property, you are incentivizing an inspector to go easy so that that inspector will get your business in the next town or township over and in the future on projects. So this amendment actually has the same problem and lets the fox guard the henhouse and lets the builder choose which fox to have.

So it is a mistake. I think the underlying bill is fine the way it is and does not need this amendment, and I would ask for a "no" vote. And I would point out that all of our local government associations are opposed to this amendment as well.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bob Freeman, on the amendment, please.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this amendment as well, amendment A01998, the Heffley amendment. As the lady from Montgomery pointed out, this amendment suffers from many of the flaws of the previous amendment that we voted on.

It changes slightly in that the municipal government would be required to hire two or more third-party agencies to do the inspections. Keep in mind, when you are requiring your municipal governments to hire more than one, that is a cost to your taxpayers; that will not be a cheap thing for them to incur. So this is actually a mandate on municipalities to spend tax dollars to hire an additional third-party agency when in reality it is not needed.

The arguments that were used in favor of the Evankovich amendment before was that you choose who you need because they are all qualified, they are all certified. And we can debate about that. There is concern about that. But if that is the case, why are you then forcing the municipality to hire two or more third-party agencies to do it? The one they choose and hire is vetted by the municipality, they are the inspection agency they trust, and they will adhere to the proper standards of enforcing the UCC code.

The bill in chief, which we are not voting on today, provides a mechanism to resolve any dispute a builder would have with the inspections that were done. Let us keep that in place. That is an agreed-to – and we are using agreed-to from the sense of both the prime sponsor and the local government associations – an agreed-to way of dealing with the issue of disgruntled builders who think third parties are not enforcing the UCC the way they should.

But to embrace this amendment really creates the same sort of situation as the good lady from Montgomery pointed out where we are putting the builder in charge of who gets to be picked to do the third-party inspections. We are putting the fox in charge of guarding the henhouse once again. That leads down the road to conflicts of interest, to sweetheart deals, as one third party will be chosen over another time and time again conceivably because they are more lenient in their application of the UCC.

This is a bad public policy proposal. I would urge a "no" vote. Let us stay with the bill in chief as it is currently constituted. Let us not add this amendment, which really is not

in the best public interest. Let us allow our public officials at the local level to choose the third-party administrator they believe is best for those inspections to protect safety, health, and welfare. I urge a "no" vote.

LEAVES OF ABSENCE

The SPEAKER. Members, Representative DOWLING, Representative Paul COSTA, and Representative GERGELY have all requested to be placed on leave. Without objection, that will be granted.

CONSIDERATION OF HB 1469 CONTINUED

AMENDMENT PASSED OVER

The SPEAKER. Members, I am in receipt right now— Well, actually, we are going to go over the amendment at this time. We are going to go over the amendment.

RECONSIDERATION MOTION FILED

The SPEAKER. For the record, Representatives Evankovich and Santora have filed a motion to reconsider the bill and the amendment. They move that the vote by which amendment 1999 to HB 1469, PN 2016, was defeated today, on the 21st of June, that it be reconsidered. It takes two members to ask for that motion to reconsider.

BILL PASSED OVER

The SPEAKER. It is my understanding that we are going to go over the bill – we are not going to take up that vote right now; it has been filed – that we are going over the bill and any amendments at this time.

SUPPLEMENTAL CALENDAR C

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1153, PN 2085**, entitled:

An Act amending Titles 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, in fishing licenses, providing for active duty military fishing reciprocity and for disabled veteran annual fishing license reciprocity; and, in hunting and furtaking licenses, providing for active duty military hunting reciprocity and for disabled veteran annual hunting license reciprocity.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—189

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

NAYS—0

NOT VOTING—0

EXCUSED—14

Costa, P.	Gabler	Milne	Schemel
Dowling	Galloway	O'Neill	Simmons
Dunbar	Gergely	Quigley	Watson
Fabrizio	Metcalfe		

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.

GUESTS INTRODUCED

The SPEAKER. Members, I have some guests that are with us. They are guests of Representative Mike Tobash. Dr. Greg Koons is executive director of the Schuylkill County Intermediate Unit No. 29. Please stand, sir. And Dr. Ali Rhoades Hobbs. Dr. Hobbs, thanks so much for being here. She has done so much work on HB 202 and career and technical education with Representative Mike Tobash.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1233, PN 2083**, entitled:

An Act amending the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, in general provisions, further providing for scope of act, providing for definitions and further providing for individualized treatment plan; in involuntary examination and treatment, further providing for persons subject, for persons for whom application may be made, and for additional periods of court-ordered involuntary treatment; and adding provisions relating to assisted outpatient treatment.

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 Tom Murt is recognized on the bill.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, HB 1233 is a very important and long overdue step forward in helping Pennsylvanians with serious mental illness and their families who love them. The bill is carefully crafted to fit into the existing Mental Health Procedures Act and the Commonwealth's mental health system. It will help mental health professionals and families have a full continuum of treatment options and tools for people who are unable to voluntarily enter into treatment while safeguarding the rights of individuals.

While this is a Pennsylvania solution, if the bill is passed we will be joining 46 other States who have already adopted similar legislation to help persons with serious mental illness and their families who love them dearly. I respectfully urge my colleagues to support this legislation.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—189

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

NAYS—0

NOT VOTING—0

EXCUSED—14

Costa, P.	Gabler	Milne	Schemel
Dowling	Galloway	O'Neill	Simmons
Dunbar	Gergely	Quigley	Watson
Fabrizio	Metcalfe		

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 1523, PN 2084**, entitled:

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.

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?

The Chair recognizes Chairman Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, HB 1523 expands the scope of offenses for which DNA samples must be collected, DNA samples must be collected. Now, my issue with this particular piece of legislation is not necessarily the intent of the bill, but rather the logistics of the bill.

The Pennsylvania State Police have just recently told my staff that the December 1, 2019, effective date is not possible because the State Police will need to build a new facility for DNA testing that would take up to 3 to 4 years. To build a new facility, which would need to be budgeted in the capital budget, the cost would be in the \$20 million range. Our office estimates that the annual cost of operating the facility would be \$3 1/2 million, based on increased costs from additional staff, supplies, and operating costs.

So while I commend my good friend, the prime sponsor of the bill, on the intent of the bill, the logistics and the finances simply are not there to make this bill a reality. Therefore, Mr. Speaker, I would ask the members to please vote "no." Thank you.

The SPEAKER. Chairman Marsico, on the bill, please.

Mr. MARSICO. Thank you, Mr. Speaker.

In response to the chairman's correspondence or communication with the State Police, I have to tell you, Mr. Speaker, we have been working with the State Police for the last 2 years on this legislation, and they recommended 2019 to be the effective date. I have heard nothing else since then and have had no communication with them that there was any kind of 2020 or whatever date that was recommended to the chair of the Appropriations Committee.

So I ask for a positive vote. I can get into a lot of reasons why I think we all agree on the concept of this and that this really is something that is going to continue to fight crime in our State. I know there are at least four other States and this Commonwealth that have implemented this legislation, New York for one. In fact, Governor Cuomo was the champion a few years ago of this similar legislation.

So I ask for a positive vote. Thank you.

The SPEAKER. Representative Bryan Barbin, on the bill, please.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in support of this bill. We have been working on this bill or I was as a member of the Judiciary for the last couple of sessions. Whether the effective date of this bill should be changed for a later date is something that the Senate could take up. What is 100 percent important for the people of Pennsylvania is to be collecting these DNA samples so that we solve some of these sexual offenses that we cannot solve now because we do not have enough samples collected from various felonies like burglary, some drug crimes. Those are the things that when added to the DNA banks, the other States have solved cold cases. This is an important thing for the public safety, and if there are other issues, financial and other, they can be worked out in the Senate.

But I urge all members to support this legislation. We need to move forward with this.

The SPEAKER. Representative Brandon Neuman, on the bill, please.

Mr. NEUMAN. Thank you, Mr. Speaker.

I want to commend the prime sponsor of this bill. It has been a number, at least two sessions where we have taken up this type of policy and it has been changed dramatically from when it started for some compromises for some civil liberty issues that we had from the beginning. A lot of amendments, a lot of things have gone into this bill. It used to be a Senate bill. I am glad to see that the chairman brought it up as previously an amended version.

Where I do have a concern is the cost, and I do have, not that we should not move this policy forward, but I do have a concern that we are not funding our current labs at the way that they should be funded. We have a backlog of the testing of rape kits here in Pennsylvania. So I hope that as we move through this process we can identify the issues we have of the whole system of testing these rape kits, getting conclusive tests, making sure that we put these people behind bars and we get justice for these victims. We need to have this discussion about proper funding.

But right now this policy has been well vetted for two or three sessions, has been amended, and I believe that this is a good compromise to make sure that our system can work properly to put the people behind bars that belong behind bars. So I do commend the maker of this bill for bringing this policy forward and actually changing it significantly so that we can have a good bill that I think will change our judicial system. Thank you.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—157

Baker	Evankovich	Kulik	Ravenstahl
Barbin	Everett	Lawrence	Readshaw
Barrar	Farry	Lewis	Reed
Benninghoff	Fee	Longietti	Reese
Bernstine	Flynn	Mackenzie	Roae
Bizzarro	Frankel	Maher	Roe
Bloom	Freeman	Mako	Rothman

Boback	Fritz	Maloney	Rozzi
Boyle	Gillen	Marshall	Ryan
Bradford	Gillespie	Marsico	Saccone
Briggs	Godshall	Masser	Sainato
Brown, R.	Goodman	Matzie	Samuelson
Burns	Greiner	McCarter	Sankey
Caltagirone	Grove	McGinnis	Santora
Carroll	Haggerty	McNeill	Saylor
Causer	Hahn	Mehaffie	Schlossberg
Charlton	Hanna	Mentzer	Schweyer
Christiana	Harkins	Miccarelli	Snyder
Comitta	Harper	Millard	Sonney
Conklin	Harris, A.	Miller, B.	Staats
Cook	Heffley	Miller, D.	Stephens
Corbin	Helm	Moul	Sturla
Costa, D.	Hennessey	Mullery	Tallman
Cox	Hickernell	Murt	Taylor
Culver	Hill	Mustio	Tobash
Cutler	Irvin	Neilson	Toepel
Davis	James	Neubit	Toohil
Day	Jozwiak	Neuman	Topper
Dean	Kampf	Oberlander	Ward
Deasy	Kaufner	Ortitay	Warner
DeLissio	Kauffman	Pashinski	Warren
Delozier	Kavulich	Peifer	Wentling
DeLuca	Keefer	Petrarca	Wheatley
Dermody	Keller, F.	Petri	Wheeland
DiGirolamo	Keller, M.K.	Pickett	White
Driscoll	Kim	Pyle	Zimmerman
Dush	Klunk	Quinn, C.	
Ellis	Knowles	Quinn, M.	Turzai,
Emrick	Kortz	Rader	Speaker
English	Krueger	Rapp	

NAYS—32

Brown, V.	Diamond	Kirkland	Roebuck
Bullock	Donatucci	Madden	Sims
Cephas	Evans	Markosek	Solomon
Corr	Fitzgerald	McClinton	Thomas
Cruz	Gainey	Metzgar	Vazquez
Daley	Harris, J.	Nelson	Vitali
Davidson	Keller, W.	O'Brien	Walsh
Dawkins	Kinsey	Rabb	Youngblood

NOT VOTING—0

EXCUSED—14

Costa, P.	Gabler	Milne	Schemel
Dowling	Galloway	O'Neill	Simmons
Dunbar	Gergely	Quigley	Watson
Fabrizio	Metcalf		

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

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Members, tomorrow is a nonvoting session day. Tomorrow is a nonvoting session day.

BILLS RECOMMITTED

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

HB 121;
 HB 1333;
 HB 1341;
 HB 1448; and
 SB 624.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 122 be removed from the tabled calendar and placed on the active calendar.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 122 be removed from the active calendar and placed on the tabled calendar.

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

CALENDAR CONTINUED

RESOLUTION

Mr. REED called up **HR 17, PN 20**, entitled:

A Resolution requesting the Congress of the United States to urge the Food and Drug Administration to reverse its directive allowing OxyContin to be prescribed to children 11 to 16 years of age.

On the question,
 Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 17 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 17 be removed from the tabled calendar and placed on the active calendar.

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

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 274, PN 1497**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in protection from abuse, further providing for relief.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 274 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 274 be removed from the tabled calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **HB 332, PN 356**, entitled:

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

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 332 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 332 be removed from the tabled calendar and placed on the active calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Representative Dom Costa moves that the House be adjourned until Thursday, June 22, 2017, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

Tomorrow is nonvoting. Tomorrow is nonvoting.

We will be back in voting session on Monday, June 26, at 1 p.m. We will be back on Monday, June 26, at 1 p.m. I would pack up for the month. Now, we are going into the week before the budget, our June 30 deadline.

So again, we will be back on Monday, June 26, at 1 p.m. for voting session. Tomorrow is nonvoting. Thank you.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 3:19 p.m., e.d.t., the House adjourned.