

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 28, 2017

SESSION OF 2017

201ST OF THE GENERAL ASSEMBLY

No. 40

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

The SPEAKER. We are so honored that the prayer today will be offered by Rev. Lorina Marshall-Blake of the Vine Memorial Baptist Church in Philadelphia. She is the guest of our good friend and colleague, Representative Joanna McClinton.

Reverend.

REV. DR. LORINA MARSHALL-BLAKE, Guest Chaplain of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Will you join with me in prayer.

In Psalm 118 it says, "This is the day the Lord hath made; let us rejoice and be glad in it." And the psalmist goes further to say in Psalm 139, "We are marvelously and wonderfully made," and then in Psalm 133:1, it says, "O how sweet it is when brethren come together in unity."

Almighty and Everlasting Father, You prayed that we all might be one, not the same but one – not one party, not one race, not one singular interest. Rather, let us be of one heart, one mind, and one desire, Lord, to serve You and to place nothing above or before You.

And, Lord, it is our desire to serve You, to enable us to see You in the faces of those we are called to serve. Lord, help us to realize that in service to our people, we are serving You. Help us to see You in every age and every stage of life among those created in Your image and likeness. And, Lord, let us see You in the disabled and those who are most vulnerable and in need of our protection and concern. Lord, help us to see You in the young searching for security and among our elderly, who are searching for care and comfort. Lord, help us to see You among the homeless, who are longing for shelter, and among the confused, who are looking and longing for clarity. Help us to see You among those who have been marginalized or addicted and are incarcerated, who depend upon us for health and safety.

And, Lord, never let the opinions of others or the social trends of the day allow us to abandon Your law for our will. Help us to accomplish our goals with dignity in displaying Your character.

And then, Heavenly Father, You have allowed us and our people have chosen us to work for You and to guard, guide, and protect them. Therefore, give us the courage of our conviction,

let our belief in You guide our decisions, and never let political expediency replace our moral compass.

Lord, help us to be steadfast, unmovable, always abounding in the work of the Lord. In doing this, we may be able to make our State a place where our law is upheld and Your people are given the dignity of being Your children.

So, Lord, in closing, please enable us to leave this place, to carry forth this prayer into the coming week, turning over to You toward character and heal toward Thy people, and, Lord, that we would go for justice and our hands toward peace, and it is in Your name that we pray.

With thanksgiving, let us all say hallelujah and amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, June 27, 2017, will be postponed until printed.

Members, I ask you to please take your seats.

STATEMENT BY MS. McCLINTON

The SPEAKER. Representative Joanna McClinton is recognized on unanimous consent, at the front right rostrum.

Ms. McCLINTON. Thank you, Mr. Speaker.

Thank you, colleagues, for honoring the presence of Rev. Dr. Lorina Marshall-Blake. She is the vice president of community affairs for Independence Blue Cross and the president of the Independence Blue Cross Foundation. She is an expert in corporate management, public relations, and communications. In 2007 she received an honorary doctorate of humanities from Albright College right here in Reading, Pennsylvania.

In addition to her corporate responsibility, as we just witnessed with her powerful prayer, she is an associate minister at the Vine Memorial Baptist Church. She also exhibits a strong commitment to the community. She is affiliated with over 30 professional and civic organizations, including but not limited to the United Negro College Fund, the Greater Philadelphia Chamber of Commerce, the Blue Cross Blue Shield Association Federal Affairs Committee, the Urban Affairs Coalition, the Governor's Patient Safety Authority, the 2000 African American Women, the Community College of Philadelphia, the National Coalition of 100 Black Women, and

she is a member of the Alpha Kappa Alpha Sorority, Inc., where she has served as the president for the last few years of the Omega Omega Chapter. She is currently studying at Palmer Theological Seminary to obtain her master in divinity degree, and we are thrilled to have her.

Colleagues, will you welcome Rev. Dr. Lorina Marshall-Blake.

The SPEAKER. Lorina, I remember first having dinner with you, oh, it probably goes back a decade, and you have been a great friend to so many members of both chambers and in various administrations. My best to everybody at Independence Blue Cross plus all your family and those at your church.

Thank you so much for being with us today, dear.

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

HB 555, PN 578 By Rep. TAYLOR

An Act designating a portion of State Route 562 in Berks County as the General Carl A. Spaatz Memorial Highway.

TRANSPORTATION.

HB 1019, PN 2164 (Amended) By Rep. HARPER

An Act amending Titles 9 (Burial Grounds) and 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in general provisions relating to burial grounds, further providing for definitions; and providing for transfer of ownership of cemeteries and for reasonable access to burial grounds; prescribing a penalty; and, in seller disclosures, further providing for disclosure form.

LOCAL GOVERNMENT.

HB 1152, PN 2165 (Amended) By Rep. MARSICO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for rescue from motor vehicle.

JUDICIARY.

HB 1216, PN 2166 (Amended) By Rep. MARSICO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for rescue from motor vehicle.

JUDICIARY.

HB 1346, PN 2167 (Amended) By Rep. MARSICO

An Act amending Titles 18 (Crimes and Offenses) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, defining the offense of unlawful use of unmanned aircraft; and, in preemptions, prohibiting local regulation of unmanned aircraft.

JUDICIARY.

HB 1450, PN 1850 By Rep. HARPER

An Act amending the act of April 23, 2002 (P.L.298, No.39), known as the Main Street Act, further providing for the duration of grants.

LOCAL GOVERNMENT.

HB 1510, PN 1935 By Rep. TAYLOR

An Act designating a bridge on that portion of Avenue A over the Allegheny River, Coudersport Borough, Potter County, as the Commander Philip F. "Jet" Palmatier, Jr., Memorial Bridge.

TRANSPORTATION.

HB 1515, PN 2183 (Amended) By Rep. HARPER

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in auditors and accountants, further providing for auditor's compensation.

LOCAL GOVERNMENT.

HB 1516, PN 1941 By Rep. TAYLOR

An Act designating a bridge to be constructed on that portion of State Route 119 over the Pine Run Creek, Rayne Township, Indiana County, as the PFC Frank Enzer Weiss United States Marine Corps Bridge.

TRANSPORTATION.

HB 1573, PN 2051 By Rep. HARPER

An Act amending Titles 8 (Boroughs and Incorporated Towns) and 11 (Cities) of the Pennsylvania Consolidated Statutes, in powers and duties of elected officials, further providing for completion, filing and publication of auditor's report and financial statement; and, in accounts and finances, further providing for annual reports, publication, filing report with Department of Community and Economic Development and penalty.

LOCAL GOVERNMENT.

HB 1574, PN 2052 By Rep. HARPER

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, in auditors, further providing for surcharges, auditors' report and publication of financial statements.

LOCAL GOVERNMENT.

HB 1575, PN 2053 By Rep. HARPER

An Act amending the act of April 18, 1929 (P.L.612, No.253), entitled "An act for the election of the mayor, members of town council, and auditors, in incorporated towns of the Commonwealth; regulating the manner of voting for such officers, and repealing inconsistent general, local and special laws," further providing for publication of audit report.

LOCAL GOVERNMENT.

HB 1594, PN 2103 By Rep. HARPER

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.

LOCAL GOVERNMENT.

HB 1602, PN 2120

By Rep. TAYLOR

An Act designating a bridge on that portion of State Route 1008 over the Codorus Creek, in East Manchester Township and Hellam Township, York County, as the SPC Martin Wilson Kondor Memorial Bridge.

TRANSPORTATION.

HB 1608, PN 2126

By Rep. TAYLOR

An Act designating the bridge carrying U.S. Route 22 over the Juniata River, Norfolk Southern Corporation rail tracks and State Route 1010 (Penn Street) in Smithfield and Henderson Townships, Huntingdon County, as the Trooper Landon E. Weaver Memorial Bridge.

TRANSPORTATION.

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

SB 399, PN 399

By Rep. HARPER

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

LOCAL GOVERNMENT.

SB 553, PN 1037 (Amended)

By Rep. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for surrender of license, for period of disqualification, revocation or suspension of operating privilege, for driving while operating privilege is suspended or revoked, for chemical testing to determine amount of alcohol or controlled substance, for probationary license and for ignition interlock limited license; and, in driving after imbibing alcohol or utilizing drugs, further providing for penalties, for ignition interlock and for illegally operating a motor vehicle not equipped with ignition interlock.

TRANSPORTATION.

SB 589, PN 887

By Rep. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for the definition of "stinger-steered automobile" or "boat transporter"; and, in size, weight and load, further providing for fire apparatus, for length of vehicles and for maximum gross weight of vehicles.

TRANSPORTATION.

SB 656, PN 978

By Rep. HARPER

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for definitions and for purposes and powers.

LOCAL GOVERNMENT.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 419, PN 2098

By Rep. TAYLOR

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."

TRANSPORTATION.

**BILLS REPORTED AND REREFERRED TO
COMMITTEE ON FINANCE**

HB 403, PN 415

By Rep. HARPER

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in other subjects of taxation, repealing provisions regarding local option cigarette tax in school districts of the first class.

Reported from Committee on LOCAL GOVERNMENT with request that it be rereferred to Committee on FINANCE.

HB 1098, PN 1292

By Rep. HARPER

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, in local taxes, further providing for delegation of taxing powers and restrictions thereon; and, in consolidated collection of local income taxes, further providing for declaration and payment of income taxes.

Reported from Committee on LOCAL GOVERNMENT with request that it be rereferred to Committee on FINANCE.

The SPEAKER. All those in agreement with the requests for rereferral will say "aye." Any opposed? The "ayes" have it. Both bills will be rereferred.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1023 By Representatives ROEBUCK, HILL-EVANS, MURT, LONGIETTI, SCHLOSSBERG, FREEMAN, READSHAW, BULLOCK, KINSEY, O'BRIEN, V. BROWN and DONATUCCI

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in certification of teachers, further providing for continuing professional development and for continuing professional education for school or system leaders and providing for the Teacher Mentor Program.

Referred to Committee on EDUCATION, June 28, 2017.

No. 1589 By Representatives McGINNIS, DeLUCA, DIAMOND, GROVE, A. HARRIS, IRVIN, KNOWLES, ORTITAY, WARNER, WHEELAND, F. KELLER and EVERETT

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preparation for and conduct of primaries and elections, further providing for regulations in force at polling places.

Referred to Committee on STATE GOVERNMENT, June 28, 2017.

No. 1619 By Representatives MICCARELLI, SCHLOSSBERG, SANTORA, ROZZI, CHARLTON, DERMODY, READSHAW, DeLUCA, O'NEILL, D. COSTA, WHEELAND and ROEBUCK

An Act imposing a fee on municipalities for services provided by the Pennsylvania State Police; and providing for allocation of funds and for penalties.

Referred to Committee on TRANSPORTATION, June 28, 2017.

No. 1625 By Representatives SANTORA, BARRAR, MICCARELLI, CHARLTON, C. QUINN, ROEBUCK and O'BRIEN

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in unconventional gas well fee, repealing expiration; and providing for imposition of tax, for impact fee credits, for registration, for meters, for assessments, for time for assessment, for extension of assessment period, for reassessments, for interest, for penalties, for administration of tax, for criminal acts, for abatement of additions or penalties, for bulk and auction sales, for collection upon failure to request reassessment, review or appeal, for tax liens, for tax suit reciprocity, for service, for refunds, for refund petition, for rules and regulations, for recordkeeping, for examinations, for unauthorized disclosure, for cooperation with other governments, for bonds, for prohibition, for future agreements, for stripper wells and for deposit of proceeds.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 28, 2017.

No. 1626 By Representatives MICCARELLI, BARRAR, SANTORA, CHARLTON, C. QUINN, ROEBUCK and O'BRIEN

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in unconventional gas well fee, further providing for definitions and repealing expiration; and providing for imposition of tax, for impact fee credits, for registration, for meters, for assessments, for time for assessment, for extension of assessment period, for reassessments, for interest, for penalties, for administration of tax, for criminal acts, for abatement of additions or penalties, for bulk and auction sales, for collection upon failure to request reassessment, review or appeal, for tax liens, for tax suit reciprocity, for service, for refunds, for refund petition, for rules and regulations, for recordkeeping, for examinations, for unauthorized disclosure, for cooperation with other governments, for bonds, for prohibition, for future agreements and for deposit of proceeds.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 28, 2017.

No. 1627 By Representatives FREEMAN, MATZIE, SCHLOSSBERG, CARROLL, McNEILL, THOMAS, SOLOMON and ROZZI

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in primary and election expenses, further providing for reporting by candidate and political committees and other persons.

Referred to Committee on STATE GOVERNMENT, June 28, 2017.

No. 1628 By Representatives FREEMAN, SCHLOSSBERG, MURT, STURLA, BOBACK, YOUNGBLOOD, DRISCOLL, CALTAGIRONE, FLYNN, D. COSTA, V. BROWN, ROEBUCK, DONATUCCI, READSHAW, McNEILL, SOLOMON, ROZZI and CONKLIN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, further providing for school access to emergency epinephrine.

Referred to Committee on EDUCATION, June 28, 2017.

No. 1629 By Representatives FREEMAN, SCHLOSSBERG, SCHWEYER, MURT, SIMMONS and NEILSON

An Act amending the act of May 28, 1937 (P.L.955, No.265), referred to as the Housing Authorities Law, further providing for powers of authority.

Referred to Committee on URBAN AFFAIRS, June 28, 2017.

No. 1630 By Representatives FREEMAN, CALTAGIRONE, MULLERY, V. BROWN, SOLOMON and ROZZI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in general provisions relating to civil actions and proceedings, further providing for comparative negligence.

Referred to Committee on JUDICIARY, June 28, 2017.

No. 1631 By Representatives FREEMAN, NEILSON, JAMES, MURT, D. COSTA, SAMUELSON, DONATUCCI, B. MILLER, KINSEY, READSHAW, THOMAS, RADER, SOLOMON, ROZZI and GILLEN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for issuance of registration card.

Referred to Committee on TRANSPORTATION, June 28, 2017.

No. 1632 By Representatives HILL-EVANS, SAMUELSON, FREEMAN, SCHWEYER, SCHLOSSBERG, J. HARRIS, McNEILL, CALTAGIRONE, DEAN, FRANKEL, SOLOMON, KINSEY, MILLARD, BULLOCK, YOUNGBLOOD, BARRAR, V. BROWN, NEILSON, D. COSTA, DeLUCA, ROZZI, DALEY, DAVIS, BOYLE, O'BRIEN, BRIGGS, RABB, McCARTER, WHEATLEY, ROEBUCK, FITZGERALD, COMMITTA, DONATUCCI and MADDEN

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

Referred to Committee on JUDICIARY, June 28, 2017.

No. 1633 By Representatives HILL-EVANS, FRANKEL, DEAN, O'NEILL, D. COSTA, KINSEY, READSHAW, FREEMAN, V. BROWN, WARREN, MILLARD, DAVIS, CALTAGIRONE, THOMAS, DONATUCCI, ROTHMAN, DALEY, BOYLE, O'BRIEN, BRIGGS, YOUNGBLOOD, KORTZ, McCARTER, SCHWEYER, WHEATLEY, ROEBUCK, FITZGERALD, COMITTA and MADDEN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in sexual violence education at institutions of higher education, establishing the Task Force on Campus Intimate Partner Violence and Sexual Assault.

Referred to Committee on EDUCATION, June 28, 2017.

No. 1634 By Representatives BRIGGS, DEAN, O'BRIEN, RABB, THOMAS, DRISCOLL, SCHLOSSBERG, YOUNGBLOOD, FRANKEL, KINSEY, SOLOMON, V. BROWN, DONATUCCI, MADDEN, DALEY, DAVIS, BOYLE, McCARTER and WHEATLEY

An Act providing for paid family and medical leave for eligible employees under certain circumstances and for regulations by the Department of Labor and Industry.

Referred to Committee on LABOR AND INDUSTRY, June 28, 2017.

No. 1635 By Representatives BRIGGS, SCHLOSSBERG, KINSEY, D. COSTA, FRANKEL and ROEBUCK

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, providing for the offense of access to firearms by minors; and imposing penalties.

Referred to Committee on JUDICIARY, June 28, 2017.

No. 1637 By Representative MARSHALL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in operation of vehicles, providing for autonomous vehicles; and establishing the Fully Autonomous Vehicle Advisory Committee.

Referred to Committee on TRANSPORTATION, June 28, 2017.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 154, PN 1019

Referred to Committee on STATE GOVERNMENT, June 28, 2017.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 560, PN 936**.

SENATE MESSAGE

HOUSE BILLS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1219, PN 1447**, and **HB 1269, PN 1536**, with information that the Senate has passed the same without amendment.

RECONSIDERATION MOTION FILED

The SPEAKER. Members, I am in receipt of a motion to reconsider, signed by Representatives Donna Bullock and Eddie Day Pashinski. Both members have signed this motion to reconsider: Mr. Speaker, pursuant to rule 26, we the undersigned move that the vote by which the House defeated amendment 1409 to HB 1213 on June 27 be reconsidered.

Now, we are not taking that up for a vote immediately, but a motion to reconsider has been filed.

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 1219, PN 1447

An Act designating a bridge on that portion of State Route 1012, known as the Diamondville Bridge, Cherryhill Township, Indiana County, as the Sgt. Robert Eugene Goodlin Memorial Bridge.

HB 1269, PN 1536

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for purposes and powers.

SB 288, PN 274

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for duty of driver in emergency response areas.

SB 560, PN 936

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

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

LEAVES OF ABSENCE

The SPEAKER. Members, the majority whip requests leaves of absence for the following members: Representative Martin CAUSER of McKean County for the day, Representative Michael CORR of Montgomery County for the day, and Representative Jim MARSHALL of Beaver County for the day. Without objection, those will be granted.

I see no request for leave on the Democratic side.

MASTER ROLL CALL

The SPEAKER. Members, please proceed to vote on the master roll.

The following roll call was recorded:

PRESENT—199

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

Dunbar	Kirkland	Quinn, M.	Zimmerman
Dush	Klunk	Rabb	
Ellis	Knowles	Rader	Turzai,
Emrick	Kortz	Rapp	Speaker
English			

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Causer	Corr	Marshall	Quigley
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LEAVES ADDED—1

Stephens

LEAVES CANCELED—2

Corr	Stephens
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The SPEAKER. We have 199 members on the House floor today. There is a quorum.

Members, please take your seats. We are going to be doing some visitor recognitions. Members, please take your seats.

Members, we do have three resolutions, and members wish to speak on those. We have asked the members for the resolutions in the morning, prior to caucus, if the remarks could be limited from 3 to 5 minutes. If any member needs to speak longer than that timeframe, we will be doing those resolutions in the afternoon.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. JAMES called up **HR 150, PN 943**, entitled:

A Resolution designating the week of September 10 through 16, 2017, as "Arts in Education Week" in Pennsylvania.

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Ms. DONATUCCI called up **HR 380, PN 1932**, entitled:

A Resolution designating the month of September 2017 as "Polycystic Ovarian Syndrome Awareness Month" in Pennsylvania.

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Mrs. HILL called up **HR 412, PN 2094**, entitled:

A Resolution designating the week of August 7 through 11, 2017, as "YMCA Advocacy Week" in Pennsylvania.

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Mr. MURT called up **HR 422, PN 2128**, entitled:

A Resolution designating the month of August 2017 as "Spinal Muscular Atrophy Awareness Month" in Pennsylvania.

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Mr. MEHAFFIE called up **HR 424, PN 2130**, entitled:

A Resolution designating June 28, 2017, as "Amusement Park Day" in Pennsylvania to honor amusement parks and family theme parks in this Commonwealth.

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Mr. WENTLING called up **HR 427, PN 2145**, entitled:

A Resolution recognizing the month of July 2017 as "Lake Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Causer Corr Marshall Quigley

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

The SPEAKER. Turn to supplemental A uncontested House calendar, members, please.

We are going to go through all the resolution votes. We will be doing all the resolution votes, and then I will be taking each of the speakers who can speak in 3 to 5 minutes with respect to the resolutions. But we are going to do the votes first, and then after the votes, I will be calling the members up who wish to speak.

UNCONTESTED SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. FABRIZIO called up **HR 428, PN 2162**, entitled:

A Resolution recognizing the month of July 2017 as "National Sarcoma Awareness Month" in Pennsylvania and urging the residents of this Commonwealth to support the efforts, programs, services and organizations that work to enhance research and awareness of sarcoma.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Causer	Corr	Marshall	Quigley
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. J. HARRIS called up HR 423, PN 2129, entitled:

A Resolution honoring the life, service, accomplishments and public dedication of Ahmeenah Young and expressing condolences to her family, friends and colleagues.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Baker	Evankovich	Krueger	Ravenstahl
Barbin	Evans	Kulik	Readshaw
Barrar	Everett	Lawrence	Reed
Benninghoff	Fabrizio	Lewis	Reese
Bernstine	Farry	Longietti	Roe
Bizzarro	Fee	Mackenzie	Roe
Bloom	Fitzgerald	Madden	Roebuck
Boback	Flynn	Maher	Rothman
Boyle	Frankel	Mako	Rozzi
Bradford	Freeman	Maloney	Ryan
Briggs	Fritz	Markosek	Saccone
Brown, R.	Gabler	Marsico	Sainato
Brown, V.	Gainey	Masser	Samuelson
Bullock	Galloway	Matzie	Sankey
Burns	Gergely	McCarter	Santora
Caltagirone	Gillen	McClinton	Saylor

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Causer	Corr	Marshall	Quigley
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

The SPEAKER. Representative Lee James is recognized to begin.

But before we start, I would ask all the members to please take their seats. Members, if you can please take your seats.

Some members have guests with them as well. We will begin with Representative Lee James, and then, members, this is the order that we will follow in: Representative Mehaffie, Representative Masser, and Representative Ward will speak jointly on HR 424; then Representative Phillips-Hill and Representative Margo Davidson will be recognized to speak on HR 412. Representative Rabb is going to be recognized to speak on HR 423, then Representative Murt is recognized to speak on HR 422, and Representative Wentling will be recognized to speak on HR 427.

We will begin with Representative James.

I would ask all members to please take their seats. Members and staff, if you need to have conversations, I would very much ask you to please step off the House floor into the anterooms. Please, members, take your seats. Members, if you can, please take your seats.

STATEMENT BY MR. JAMES

The SPEAKER. Representative James, the floor is yours, sir.
Mr. JAMES. Thank you, Mr. Speaker.

I rise to thank my colleagues for their unanimous support for my HR 150. It is Arts in Education Week.

Arts education is a core academic component and an essential element of a complete and well-rounded education for all students. It contributes to personal growth outside the classroom, including an increase in the student's likelihood to participate in civic life, volunteerism, altruism, and community engagement, which is really part of the soul of everyone in this building.

Thank you again, Mr. Speaker.

The SPEAKER. Thank you, Representative James.

STATEMENT BY MR. MEHAFFIE

The SPEAKER. Representative Mehaffie, Representative Masser, Representative Ward are recognized to speak on HR 424.

Representative, you may proceed.

Mr. MEHAFFIE. Thank you, Mr. Speaker.

Representative Frank Farry and I rise today to thank our colleagues for their support of HR 424, which officially designates June 28 as "Amusement Park Day" in Pennsylvania. Pennsylvania-based family theme parks and water parks entertain more than 12 million visitors annually and support more than 16,000 jobs. While we often recognize the impact tourism as a whole has on Pennsylvania's economy, we thought it was important to celebrate our amusement and water parks specifically for the important role they play in bringing local families and travelers to the Keystone State. The industry is a huge revenue generator and job creator, and it draws visitors to PA local businesses like restaurants and hotels.

Mr. Speaker, I would like to give a special shout-out to my own Pennsylvania park, Hersheypark, which has been a valuable part of my district for more than 100 years, now welcoming over more than 3 million visitors annually.

I would also like to recognize Sesame Place, which is located in Representative Frank Farry's district.

In closing, I would like to encourage all Pennsylvania families to consider visiting one of our esteemed parks this summer.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Mehaffie.

STATEMENT BY MRS. WARD

The SPEAKER. Representative Ward.

Mrs. WARD. Thank you, Mr. Speaker.

Today I have Amy Mearkle here representing DelGrosso's Park. DelGrosso's Park is a family-owned amusement park and water park just north of Altoona, in Tipton. This year they celebrate 70 years.

DelGrosso's Park has over 30 rides and attractions in addition to a water park that features a lazy river and wave pool. There are also 17 picnic pavilions for larger groups.

If you want to enjoy some of America's best amusement park food, this is the place to visit. Much of the food is homemade and uses DelGrosso's pasta sauces. If it is Wednesday in the summer, it is "spaghetti Wednesday" at DelGrosso's Park with an Italian feature and spaghetti for lunch and dinner. My personal favorite is the potato salad, Murf's potato salad. You cannot beat it.

I am incredibly proud to have DelGrosso's Park and the DelGrosso family in my legislative district. They make us proud every day.

Thank you, Amy, for being here with us today.

STATEMENT BY MR. MASSER

The SPEAKER. Representative Masser and then Representative Farry.

Representative Masser.

Mr. MASSER. Thank you, Mr. Speaker.

Fun, food, and fantasy at Knoebels Amusement Resort. I am so happy to welcome Rick and Brian Knoebel today to the House of Representatives and happy to have the Knoebel family and the park in my district.

It is America's largest free admission amusement park. You heard that right – free admission, free parking, some of the best roller coasters in the country.

The SPEAKER. Members, please take your seats.

These guests have traveled a significant distance to be with us. Many of us would like to actually go to these locations shortly.

Representative Masser, please, you may continue, sir.

Mr. MASSER. Let us get this budget done and I will take you all to Knoebels.

Again, it is free admission, free parking. It is a wonderful family park with some of the best roller coasters in the country.

Also, tonight is spaghetti night at Knoebels Grove. They are national winners of the best food, park food, in the country many, many years. They also win best dark amusement ride for their haunted house, and I could go on and on for the awards the Knoebel family has won. If you have never been to Knoebels, you need to come to Knoebels and check out what I think is the best park in the country.

And I am so happy to have Rick and Brian here today to honor the Knoebels family and what the amusement parks across our State do for our economy.

Thank you again, Mr. Speaker.

The SPEAKER. Thank you, Representatives. Thank you.

STATEMENT BY MRS. HILL

The SPEAKER. Representative Phillips-Hill and Representative Davidson, on HR 412.

Representative Phillips-Hill, please.

Mrs. HILL. Thank you, Mr. Speaker.

Thank you, members, for your unanimous support of HR 412, which designates August 7 through 11, 2017, as "YMCA Advocacy Week" in Pennsylvania. The Young Men's Christian Association has come a long way since its inception in London, England, in 1844 by 22-year-old George Williams, who saw the need for a refuge for young men who had come to the city looking for work.

The first YMCA in the United States opened in 1851. Today Pennsylvania is home to 174 YMCA chapters, the most of any State in our nation. While much has changed in 173 years, the goal of helping people and communities to learn, grow, and thrive remains the same.

Please join us in welcoming to the hall of the House one of those leaders charged with carrying out the YMCA's mission. I ask you to join me and Representative Davidson in a round of applause for Mr. Richard Curl, president of the Harrisburg YMCA.

Thank you, President Curl, and thank you, Mr. Speaker.

STATEMENT BY MRS. DAVIDSON

The SPEAKER. Representative Davidson.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

For over a century the YMCA has provided important services throughout the Commonwealth of Pennsylvania, including child care, swimming instruction, tutoring, mentoring, coaching, and so much more. These important programs help to provide for residents regardless of income.

You may not know this, but the YMCA is the largest child-care service provider in the Commonwealth, providing reduced and low-cost child care for one in five children here in Pennsylvania. With 65 associations and 109 branch locations throughout the Commonwealth, the Y provides a myriad of family-building services that include child care, summer camps to all its members. There are more than 900,000 members statewide and over 180,000 program participants.

Again, I would like to thank my cochair, Representative Hill, and my colleagues for their support of this HR 412, and please remember to share this message back in your districts that supporting the YMCAs supports families in Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

STATEMENT BY MR. RABB

The SPEAKER. Members, Representative Rabb is recognized to speak on HR 423.

I am going to ask everybody to please take their seats. He is going to be speaking on an esteemed deceased individual, Ahmeenah Young. So I am going to ask everybody to please take their seats. If the conversations could occur off the House floor, we would appreciate it. Thank you so much.

Representative Rabb, you may proceed, sir.

Mr. RABB. Thank you, Mr. Speaker.

And I thank you, my colleague, Representative Harris, for sponsoring HR 423, which honors the life and legacy of Ahmeenah Young.

I am joined by a number of my colleagues here to pay a brief tribute—

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

Mr. RABB. I am joined by a number of my colleagues here to pay a brief tribute to Ms. Young, who was the first African-American and the first woman to become president and CEO (chief executive officer) of the Pennsylvania Convention Center.

Sadly, Ms. Young died on June 2 after battling cancer. During her life she conquered countless challenges and paved the way for many young women, young African-American women in particular, to have the opportunity to take on leading roles in the hospitality and business sectors. She continuously fought to expand the rights of those who needed them the most. This is exemplified in her work with the American Friends Service Committee, where she fought to end discrimination, violence, and mass incarceration. She also fought for equal rights during her 20-year tenure with the Pennsylvania Convention Center, where she at one point served as the director of affirmative action. This work continued once she became president and CEO in 2008. As president and CEO, Ms. Young ensured that the convention center's \$787 million expansion in 2011 brought into the fold historically and systematically underrepresented certified vendors.

As a trailblazer and as one of my constituents, it is my great privilege to honor the late Ahmeenah Young. May she be remembered for her kindness and love of service to Philadelphia and our Commonwealth.

And with us today are her son, Pakeso Young, and his wife, Judith, and their son, Ayinde; her daughter, Asiya Young, and her son, Kumasi.

The SPEAKER. Would you stand, please. Thank you so much for being with us today.

Representative Rabb, thank you.

Members, typically, we do a standing moment of silence for a fallen military person or law enforcement or a former member, but I would ask everybody, if you could, at your seats to just take a moment of silence for Ms. Young.

(Whereupon, a moment of silence was observed.)

The SPEAKER. Thank you very much.

Thank you, members.

STATEMENT BY MR. MURT

The SPEAKER. Representative Tom Murt is recognized on HR 422.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, I want to thank my colleagues for their support in drawing attention to this important issue. Spinal muscular atrophy is a rare genetically inherited disease affecting the area of the nervous system that controls voluntary muscle movement. Mr. Speaker, it is the leading cause of death for infants and toddlers.

Among autosomal recessive disorders, spinal muscular atrophy is second in birth prevalence only to cystic fibrosis. This rare disorder can interfere with basic life functions, and there is no known cure for this disease.

Mr. Speaker, it is my hope that by passing this resolution we will raise awareness about the consequences of this devastating illness. Mr. Speaker, we must help families understand that 1 in every 50 Americans is a genetic carrier of the disease and it will impact as many as 1 in 10,000 people. Symptoms in the mildest cases include muscle weakness, muscle twitching, and lack of muscle tone. In the most severe cases, this rare disorder

interferes with one's ability to sit unsupported and causes breathing and swallowing difficulties. Early detection is the key to managing symptoms and preventing the illness from progressing and interfering with one's basic life functions.

Mr. Speaker, this is why it is so important that we declare August 2017 as "Spinal Muscular Atrophy Awareness Month" in the Commonwealth of Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Murt.

STATEMENT BY MR. WENTLING

The SPEAKER. Representative Wentling, please.

Mr. WENTLING. Thank you, Mr. Speaker.

Thank you for declaring July 2017 as "Lake Awareness Month" in Pennsylvania. With a State that is home to more than 1500 lakes, ponds, and reservoirs, these bodies of water provide sources of recreation, scenic beauty, and habitat for wildlife. Lakes are a valuable economic resource for the Commonwealth's businesses, tourism, and municipal governments. Lakes also provide flood control, irrigation for farms, and supply homes with drinking water.

REMARKS SUBMITTED FOR THE RECORD

Mr. WENTLING. I would like to submit for the record a list containing a sample of lakes chosen by each cosponsor of this resolution. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Wentling.

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

Pennsylvania lakes:

Harveys (Boback)
 Shenango (Longietti)
 Nockamixon (Kinsey)
 Ontelaunee (Caltagirone)
 Cowanesque (Baker)
 Conneaut Lake (Readshaw)
 Allegheny Reservoir (Causer)
 Silver (Murt)
 Edinboro (Bizzarro)
 Canoe Creek (Ward)
 Briar Creek (Millard)
 Wallenpaupack (Peifer)
 Kyle (Dush)
 Erie (Harkins and Sonney)
 Minsi (Freeman)
 Pymatuning (Wentling)

GUESTS INTRODUCED

The SPEAKER. Members, some guests.

To the left of the rostrum, Adia Berkel and Raven Dorsey are working with Representative Rabb. Please stand. It is great to have you here today. Thank you so much for being with us.

These guests did get a little interesting seats. They are guests from my district, three different high schools: Gabby Hart – Gabby, please stand – she is at North Catholic; Drew Lund is at

Pine-Richland; and Pavle Djokic is North Allegheny. Thanks so much for being with us today, everybody.

Representative White has with her one of her winners of the "There Ought To Be a Law" contest, Nilo Morocho. Nilo, where are you? Please stand. Great to have you. Make sure you come up here a little bit later, Nilo. Thank you.

Representative Grove has these guests. They are in the rear of the House, if they will stand when I call their names: Tristan Irvine, a senior at Millersville, and Megan Young, a senior at Lancaster Bible College. Great to have you both here today. Thank you.

In the rear of the House, Representative McCarter has with him Sam Wollman – Sam, please stand – Katherine Bell, and Samira Allen. They are going to be interning with Representative McCarter for the summer. Thanks so much for being with us.

Representative Mike Carroll has brought with him Liam Bradigan and Bridgeen Joyce. If they will please stand. Great to have you. They are going to be interning with him this summer.

And I know that these guests were earlier introduced, but I think we acknowledged all the guests with respect to our outstanding amusement parks in our Commonwealth. I understand that we have folks from Hersheypark, Knoebels, Dorney, and DelGrosso. So it is just great having all of you here. Thank you so much, the group in the back. Thank you so much for being with us.

We are going to break for committee meetings right now.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Stan Saylor, our Appropriations chair, for a committee announcement, sir. Thank you.

Mr. SAYLOR. Thank you, Mr. Speaker.

The Appropriations Committee will meet immediately in the majority caucus room. Again, it will meet immediately in the majority caucus room, Mr. Speaker. Thank you.

The SPEAKER. The Appropriations Committee will meet immediately in the majority caucus room.

Representative Reed. Sorry about that. The Rules Committee met, and all those bills are completed.

REPUBLICAN CAUCUS

The SPEAKER. Representative Toepel, our majority caucus chair, for an announcement, please.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus at 12. We would be prepared to return to the floor at 1 o'clock.

DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 12 noon. Democrats will caucus at 12 noon.

The SPEAKER. Thank you.

HEALTH COMMITTEE MEETING

The SPEAKER. Members, Representative Matt Baker, for a committee announcement, sir.

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

There will be an immediate meeting of the Health Committee for a quick one-vote bill that we will be considering in room G-50 in the Irvis Office Building. Thank you, Mr. Speaker.

The SPEAKER. Thank you.

There will be an immediate meeting of the Health Committee for a quick one-vote bill in room G-50 in the Irvis Office Building.

RECESS

The SPEAKER. Members, we will be returning to the floor promptly at 1 p.m. We will be returning to the floor promptly at 1 p.m.

RECESS EXTENDED

The time of recess was extended until 1:15 p.m.

AFTER RECESS

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

LEAVE OF ABSENCE

The SPEAKER. Representative Todd STEPHENS requests to be placed on leave. Without objection, that will be granted.

BILLS REREPORTED FROM COMMITTEE

HB 229, PN 196 By Rep. SAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in fees, providing for recreational trailers and for special procedures for trailer registration; and, in size, weight and load, further providing for registered gross weight.

APPROPRIATIONS.

HB 927, PN 1080 By Rep. SAYLOR

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, in recycling and waste reduction, further providing for municipal implementation of recycling programs.

APPROPRIATIONS.

HB 1034, PN 2157 By Rep. SAYLOR

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for money of authority.

APPROPRIATIONS.

HB 1215, PN 2012

By Rep. SAYLOR

An Act designating the bridge on State Route 125 before Ridge Road in Pitman, Schuylkill County, as the Abner Yoder Memorial Bridge.

APPROPRIATIONS.

HB 1231, PN 2158

By Rep. SAYLOR

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in Department of Military and Veterans Affairs, providing for veterans registry.

APPROPRIATIONS.

SB 354, PN 992

By Rep. SAYLOR

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.

APPROPRIATIONS.

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

HB 1595, PN 2104

By Rep. BAKER

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.

HEALTH.

SUPPLEMENTAL CALENDAR B**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 927, PN 1080**, entitled:

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, in recycling and waste reduction, further providing for municipal implementation of recycling programs.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Vitali wishes to be recognized?

Yes, sir, you may proceed.

Mr. VITALI. Thank you, Mr. Speaker.

First of all, I want to congratulate the maker of the bill, the gentleman from Monroe County, who really is being a true advocate for his district, trying to make sure that money is being spent wisely and not unnecessarily, and he was nice enough to sit down with me and explain his intent here.

I just have some concerns and questions about the bill. I think there should be a change in the current laws relating to leaf recycling. I have some concerns that the bill in its current form needs a little tweaking. I will mention at the outset that the Department of Environmental Protection is on the record as opposing this bill and they opposed its predecessor last term. Now, the reasons they stated were that it would exempt too many municipalities from the recycling requirements. I am not sure if their data is updated, because I know that the gentleman, in an effort to make this a better bill, has changed it from last term.

As I tried to work through the language, I think it could probably be phrased better. There is a little bit of ambiguity in there. I really do think that this bill, if it is worked better, could really give a practical solution to some municipalities where leaf recycling really maybe is not practical, but I just have some concerns about the bill. We have reached out to various recycling organizations, but I think it just came on this voting schedule a little too fast to deal with. But I just kind of wanted to lay out my concerns, which I think is a good solid concept. I just do not think it is as good as it quite could be right now. I will leave it at that.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Vitali. Representative Rader? Waives off.

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—141

Baker	Fee	Longiotti	Reed
Barbin	Flynn	Mackenzie	Reese
Barrar	Fritz	Maher	Roae
Benninghoff	Gabler	Mako	Roe
Bernstine	Galloway	Maloney	Rothman
Bizzarro	Gillen	Marsico	Ryan
Bloom	Gillespie	Masser	Saccone
Boback	Godshall	McGinnis	Sainato
Brown, R.	Greiner	Mehaffie	Sankey
Burns	Grove	Mentzer	Santora
Caltagirone	Hahn	Metcalfe	Saylor
Charlton	Harkins	Metzgar	Schemel
Christiana	Harper	Miccarelli	Simmons
Conklin	Harris, A.	Millard	Snyder
Cook	Heffley	Miller, B.	Sonney
Corbin	Helm	Milne	Staats
Costa, P.	Hennessey	Moul	Tallman
Cox	Hickernell	Murt	Taylor
Culver	Hill	Mustio	Thomas
Cutler	Irvin	Neilson	Tobash
Day	James	Nelson	Toepel
Delozier	Jozwiak	Nesbit	Toohil
DeLuca	Kampf	Neuman	Topper
Diamond	Kaufer	O'Neill	Walsh
DiGirolamo	Kauffman	Oberlander	Ward
Dowling	Kavulich	Ortitay	Warner

Driscoll	Keefe	Peifer	Warren
Dunbar	Keller, F.	Petrarca	Watson
Dush	Keller, M.K.	Petri	Wentling
Ellis	Kim	Pickett	Wheeland
Emrick	Klunk	Pyle	White
English	Knowles	Quinn, C.	Zimmerman
Evankovich	Kortz	Quinn, M.	
Everett	Kulik	Rader	Turzai, Speaker
Fabrizio	Lawrence	Rapp	
Farry	Lewis	Readshaw	

NAYS—57

Boyle	Deasy	Keller, W.	Rabb
Bradford	DeLissio	Kinsey	Ravenstahl
Briggs	Dermody	Kirkland	Roebuck
Brown, V.	Donatucci	Krueger	Rozzi
Bullock	Evans	Madden	Samuelson
Carroll	Fitzgerald	Markosek	Schlossberg
Cephas	Frankel	Matzie	Schweyer
Comitta	Freeman	McCarter	Sims
Costa, D.	Gainey	McClinton	Solomon
Cruz	Gergely	McNeill	Sturla
Daley	Goodman	Miller, D.	Vazquez
Davidson	Haggerty	Mullery	Vitali
Davis	Hanna	O'Brien	Wheatley
Dawkins	Harris, J.	Pashinski	Youngblood
Dean			

NOT VOTING—0

EXCUSED—5

Causer	Marshall	Quigley	Stephens
Corr			

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 **SB 354, PN 992**, entitled:

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.

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—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Causar	Marshall	Quigley	Stephens
Corr			

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 return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **HB 229, PN 196**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in fees, providing for recreational trailers and for special procedures for trailer registration; and, in size, weight and load, further providing for registered gross weight.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—191

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

Driscoll	Kim	Pyle	
Dunbar	Kinsey	Quinn, C.	Turzai,
Dush	Kirkland	Quinn, M.	Speaker
Ellis			

NAYS-7

Gabler	Metzgar	Roae	Warner
Metcalfe	Rapp	Sankey	

NOT VOTING-0

EXCUSED-5

Causer	Marshall	Quigley	Stephens
Corr			

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 1215, PN 2012**, entitled:

An Act designating the bridge on State Route 125 before Ridge Road in Pitman, Schuylkill County, as the Abner Yoder Memorial Bridge.

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-198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Causer	Marshall	Quigley	Stephens
Corr			

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

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

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. Representative Solomon has HB 1231. That cannot be passed until 2:10 p.m., and Representative Mako has HB 1034. That cannot be passed until 2:01 p.m.

Representative Benninghoff is going to move that we proceed on these two bills. So we are going to call on Representative Kerry Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I would ask that we have a motion to proceed on HB 1034 and HB 1231.

The SPEAKER. Thank you, sir.

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

The SPEAKER. Representatives Dermody or Hanna, on the motion to proceed?

Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.
 We encourage a "yes" vote on the motion to proceed.
 The SPEAKER. Thank you, sir.

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

The following roll call was recorded:

YEAS—179

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

NAYS—18

Davidson	McCarter	Mullery	Ravenstahl
Freeman	Metzgar	Neuman	Samuelson
Gillen	Miller, B.	Petrarca	Snyder
Krueger	Miller, D.	Rabb	Tallman
Matzie	Milne		

NOT VOTING—1

Hennessey

EXCUSED—5

Causar	Marshall	Quigley	Stephens
Corr			

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1231, PN 2158**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in Department of Military and Veterans Affairs, providing for veterans registry.

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—198

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

Diamond	Keefer	Peifer	Wentling
DiGirolamo	Keller, F.	Petrarca	Wheatley
Donatucci	Keller, M.K.	Petri	Wheeland
Dowling	Keller, W.	Pickett	White
Driscoll	Kim	Pyle	Youngblood
Dunbar	Kinsey	Quinn, C.	Zimmerman
Dush	Kirkland	Quinn, M.	
Ellis	Klunk	Rabb	Turzai,
Emrick	Knowles	Rader	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Causer	Marshall	Quigley	Stephens
Corr			

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 1034, PN 2157**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for money of authority.

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-198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Causer	Marshall	Quigley	Stephens
Corr			

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 **HB 1518, PN 2069**, entitled:

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

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 1550, PN 2070**, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for purchase of agricultural conservation easements.

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 1094, PN 1356**, entitled:

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.

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 1364, PN 2017**, entitled:

An Act amending the act of October 27, 1979 (P.L.241, No.78), entitled "An act authorizing political subdivisions, municipality authorities and transportation authorities to enter into contracts for the purchase of goods and the sale of real and personal property where no bids are received," further providing for title of the act; adding a short title; and providing for contracts for services.

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 1452, PN 2143**, entitled:

An Act amending the act of June 19, 1931 (P.L.589, No.202), referred to as the Barbers' License Law, further providing for definitions.

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

* * *

The House proceeded to second consideration of **SB 137, PN 91**, entitled:

An Act amending Titles 51 (Military Affairs) and 74 (Transportation) of the Pennsylvania Consolidated Statutes, in Department of Military Affairs, providing for Civil Air Patrol; and, in authority of Department of Transportation, further providing for authority of department.

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 544, PN 710**, entitled:

An Act amending the act of February 2, 1966 (1965 P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further providing for liability for landowners to recreational users; and providing for attorney fees and court costs.

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

The SPEAKER. Members, there are a wide variety of amendments on the bill.

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

Mr. **MAHER** offered the following amendment No. **A01763**:

- Amend Bill, page 2, line 24, by inserting a bracket before "and"
- Amend Bill, page 2, line 24, by inserting after "and"
]₂
- Amend Bill, page 2, line 25, by inserting a bracket before the period after "sites"
- Amend Bill, page 2, line 25, by inserting after "sites."
] and creation, mapping or maintenance of trails to which an owner has granted public access.

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

The SPEAKER. At this time the Chair recognizes—Representative Maher waives off.

Representative Moul, do you wish to speak on the amendment?

Mr. MOUL. Yes; Mr. Speaker, thank you. This is an agreed-to amendment. Thank you.

The SPEAKER. Thank you, sir.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Causer	Marshall	Quigley	Stephens
Corr			

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

On the question,

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

Ms. **HARPER** offered the following amendment No. **A01670**:

Amend Bill, page 1, lines 6 and 7, by striking out "; and providing for attorney fees and court costs"

Amend Bill, page 4, lines 15 through 19, by striking out all of said lines

Amend Bill, page 4, line 20, by striking out "3" and inserting
2

On the question,

Will the House agree to the amendment?

The **SPEAKER**. On the amendment, the Chair recognizes Representative Harper.

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

First, let me say I think this is an excellent bill. We need this bill, and there have been court decisions that have confused the public, the legal community, and the property owners about what is immune under the Recreational Use of Land and Water Act.

We have tried this before. Unfortunately, the bill always gets stopped because it includes one very unusual provision, which drastically changes 300 years of Pennsylvania law. My amendment would strip out the provision in the bill that says that if the landowner wins the lawsuit, he gets his attorney's fees back from the plaintiff.

Pennsylvania, like every other State in America, generally follows the American rule, which is that everybody bears their own attorney's fees. This particular bill has language in it that would change that. We change it on some very unusual situations. We did it, for example, in the Castle Doctrine bill. But in general – think car accidents, regular cases – in general, everybody pays their own attorney's fees. The reason for this is because doing otherwise would really place in jeopardy the rights of people who have been injured or hurt. Because the outcome of litigation is uncertain at best, it is unfair to penalize a party – and it is a penalty – simply for prosecuting a lawsuit that they thought was brought in good faith.

So my amendment strips that language out and I think makes this a better bill, and we need this bill. And I think with my language to strip out the attorney's fee provision, you have an excellent bill that we can pass without worrying that we are hurting people who in good faith are injured and believe that they have a right to bring a lawsuit.

Thank you, Mr. Speaker.

The **SPEAKER**. Representative Millard, on the amendment, sir.

Mr. **MILLARD**. Thank you, Mr. Speaker.

Mr. Speaker, I stand in opposition to the Harper amendment. I think that if an individual opens their land for recreational use, free of charge, and a frivolous lawsuit is imposed upon them, that they ought not to be liable for legal fees to defend against that suit, and if the suit is not found in their favor, that they are found wrong, they should be released from any financial obligation with regard to that suit.

So I ask for a "no" vote on the Harper amendment. Thank you.

The **SPEAKER**. Representative Longiotti.

Mr. **LONGIETTI**. Thank you, Mr. Speaker.

Mr. Speaker, while I certainly hold in great esteem my distinguished colleague from Adams County as well as the majority chair from Columbia County, I serve as the minority chair of the Tourism Committee.

I stand in support of the Harper amendment. This provision is not, is not about frivolous lawsuits. We already have statutes on the books that deal with frivolous lawsuits.

Now, what we have to understand is, under current law and under this bill and the circumstances defined by the bill, the only time a landowner is held responsible is for willful or

malicious conduct. In other words, essentially I intended to hurt somebody or I had such an utter disregard that it was like I intended to hurt someone. So a plaintiff could bring a case who was injured innocently. They could prove negligence on the part of the landowner. They could prove gross negligence, which is recklessness on the part of the landowner, but not prove willful or malicious conduct and lose the lawsuit. And so without the Harper amendment, that person, even though they were not at fault, even though the landowner was negligent, even though the landowner was grossly negligent, they would have to pay attorney's fees. I do not think that is where we want our law to be in this case.

Further, what this bill does not do, it creates an unequal playing field unless this amendment is adopted, because if the plaintiff does prevail without this amendment, if the plaintiff does prevail, they do not get attorney's fees from the landowner who may be very difficult in not wanting to a settle a claim.

And so I support the Harper amendment. It reflects the status of our laws, as the good lady indicated, for over 300 years and it reflects what we do in other injury cases. Whether those are automobile accident cases, medical malpractice cases, we do not assess attorney's fees on either party.

So I stand in strong support of the Harper amendment. It is not about frivolous lawsuits. It is about fairness.

BILL PASSED OVER TEMPORARILY

The SPEAKER. Members, at this time we are going to go over the bill temporarily. We are going to go over the bill temporarily.

Representative Evankovich, we are going to be calling up your amendment at this time.

* * *

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 recurring,

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 recurring,

Will the House agree to the amendment?

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

Mr. HEFFLEY. Thank you, Mr. Speaker.

Mr. Speaker, the maker of the amendment and myself both agree to this amendment. This is a good amendment that will enhance the bill, and I think it is important to note we had a long debate on this a few days ago. So not to rehash all the arguments, but I think it is really important to note that some of the parties that are objecting to this amendment are supporting other amendments and the underlying bill, which seeks to address the issue, and the fact that they are supporting those other amendments says that there is an issue, and this will provide relief for our homeowners and for our builders and for our small businesses.

In a recent poll, 87 percent of the respondents to an NFIB (National Federation of Independent Business) small business survey cited the enforcement by third-party TPAs and monopolies as one of the biggest obstacles to businesses in this State. That is 87 percent of these small businesses have identified this single problem.

I did not go out seeking and looking for this problem. This problem existed and this amendment will fix it. It will provide relief. It is good for businesses. It is good for the homeowner who just wants to get an HOP permit (highway occupancy permit) for a small project that they get at their house.

So I would appreciate the support of this amendment. It will not affect any municipality that has their own in-house third-party official, such as Philadelphia or Pittsburgh. It does nothing to affect any of those municipalities and how they enforce the code right now.

Mr. Speaker, I would ask for an affirmative vote on this amendment. Thank you.

The SPEAKER. Representative Harper.

Ms. HARPER. Thank you, Mr. Speaker.

Would the maker of the amendment stand for brief interrogation?

The SPEAKER. He has indicated he will so stand, and you may proceed.

Ms. HARPER. Thank you very much.

We did debate this amendment for hours the other day, and the amendment was defeated. Does this amendment allow a builder or contractor to select his own building inspector even when there has been no complaint against that building inspector?

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Could the gentlelady please rephrase the question?

Ms. HARPER. Sure. Does this amendment allow a builder or a contractor to select his own building inspector even when there have been no complaints about the building inspector?

Mr. EVANKOVICH. The amendment as drafted allows any applicant in the Commonwealth, including residents whom we all represent, to choose an inspector that is licensed in the State of Pennsylvania at the time when their permit is issued, not after the permit is issued, at the time the permit is applied for – excuse me – not after the permit application has been submitted. So before the permit has been submitted for application, it allows any applicant to choose a licensed building code inspector that is licensed by their professional licensure board in the State of Pennsylvania.

Ms. HARPER. Thank you.

Mr. Speaker, on the amendment?

The SPEAKER. Yes; you may proceed.

Ms. HARPER. Thank you.

Mr. Speaker, I remain opposed to allowing contractors and builders to select their own building inspectors. The purpose of the statewide Uniform Construction Code is to protect the public. The purpose is to make sure that the eventual users of the buildings are the beneficiaries of codes that protect their safety from fire, electricity, and otherwise. If you allow applicants to select their own inspectors, I do not think that we are going to ensure the public's safety. On the contrary, I think we are ensuring that the building inspectors who go easiest on the applicant will get the most business and be rewarded financially for being easy on the requirements.

Now, most of you are familiar with the fact that London just experienced an awful fire where 79 people died because the cladding on the building, instead of being fire-resistant, actually allowed the fire to run up the floors, all the way to the top where people were trapped and could not get out. The amendment has the possibility of incentivizing weak interpretations of our statewide building code, and I do not think that is a good thing for the public's safety.

Now, understanding that the bill in chief chooses to deal with the problem of inspectors who are unreasonable or just bad, I have an amendment already filed and waiting, which will allow for complaints to the Department of Labor and Industry and will also have whistleblower protections, so that if you complain, the code officer cannot retaliate against you.

If we are trying to get rid of bad inspectors – and that is the stated purpose of the bill according to the prime sponsor – then we ought to go after bad inspectors. What we should not do is

what this amendment proposes, which is to allow builders to pick their own inspectors. As I said before, if I could have picked my own bar exam and bar examiner, I surely would have done that, because the one I had to take under Pennsylvania law was very difficult and probably made sure that we only get good lawyers.

So it does not make sense to approve this amendment. You turned it down before. Please turn it down again. The public health, safety, and welfare are at stake. The ability of people to feel secure in the buildings they go to but did not build to work or the buildings they go to but did not build to live or the buildings their schoolchildren go to or the buildings their grandmothers are in as nursing homes depends on a good code and good inspectors, and this amendment gets in the way of that. Please vote "no" on this amendment.

If you are concerned about the guys out there who are bad apples – and there are always a few – I have an amendment that will deal with the bad apples. You do not have to say pick your own inspector.

Thank you very much, Mr. Speaker.

The SPEAKER. Representative Bob Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, we debated at great length this amendment last week and it was voted down by a vote of 94 to 98. It was voted down for a very good reason. It is bad public policy, pure and simple. It sets the stage for an opportunity for the fox to guard the henhouse. By allowing the builder to pick their third-party agent of choice, it sets up the potential for conflicts of interest, for a flagrant show of favoritism, incentivize that favoritism, because if there is a third-party agent who will benefit financially from being chosen over and over again because he is extremely lenient with the enforcement of the UCC or bends over backwards to accommodate the builder, then you are creating a conflict of interest and you are creating an opportunity for a substandard inspection of properties and buildings.

The UCC was put in place, with, I might add, the strong support of the Builders Association, to create a safety standard. The current process of allowing municipalities, in fact empowering municipalities, to pick the third-party agent is an important charge that belongs with the municipality. They are responsible for the safety and health of their citizens, of their residents, and they should be the agency or they should be the entity of government or the partner who chooses the proper third-party agency based upon the qualifications of that agency to uphold the standards of the UCC. If you allow the builder to choose that agent to inspect their buildings and their plans, you are creating a scenario that we have all known about throughout history – he who pays the piper calls the tune – and that is what will happen if the builder is allowed to pick the third-party agent.

The responsibility for hiring third parties belongs with municipalities and should stay with municipalities because they truly are the ones who are going to look out for the public health and safety. Nothing has changed on that issue. It is the same as it was last week when we voted this amendment down.

Proponents of the Evankovich amendment made the statements last session, or last week rather, that since all third-party agents are professionals and they have a standard to adhere by, that therefore there should be no problem with allowing the builder to pick their third-party agent to review

their plans. They are all professionals. They will all do a good job. If that is the case, what is the complaint against the municipally chosen third-party agent? They are all professionals. They all do a good job. So they should not be looked upon as being less than adequate in their role in supporting a proper inspection of buildings and of plans based upon the UCC code. Let us keep that power with our municipalities, not hand it over to the builder who has a vested interest in trying to find a third-party agent who will bend over backwards for their demands.

All of us received an e-mail on Monday from the Pennsylvania Association of Building Code Officials. They are the ICC (International Code Council) professional chapter for the Commonwealth of Pennsylvania, representing approximately 1100 municipal and third-party agent code officials as well as architects, engineers, contractors, and other professionals engaged or concerned with code administration and enforcement in Pennsylvania. They strongly oppose the Evankovich amendment and urged a "no" vote on the amendment. They gave a series of reasons, but let me highlight the most important of those reasons why these code inspectors believe that this is truly a bad idea. They note that allowing a permit applicant, the builder, to choose an alternative third-party agency where a sole source relationship exists in a municipality, simply allowing the applicant to shop for an agency that they feel will, A, offer them a better price; B, conduct a less thorough plan review and approval; C, conduct less thorough inspections; D, allow their project to proceed from start to finish with the least amount of oversight, put simply, this is a proposal to allow for plan review and inspector shopping. Do we really want to set the stage for the very important role of health and safety in our communities to be entrusted to plan review shopping and inspector shopping?

The other point they raised, which is a very strong point against this legislation, is that the contracted sole source third-party agency cannot be involved in this process at all – in other words, the ones that are hired – or accept the results of plan review and inspections performed by another third party without seriously jeopardizing its required errors and omissions insurance coverage. The underwriting involved in those policies does not allow for a third-party agency that when hired by the municipality to accept any decisions or actions by another party, including another third-party agency over which it does not have direct or substantial control. As their e-mail states, this crucial element is being ignored in this amendment and the very concept being proposed.

So the third-party agencies that will still be hired by the municipality are not permitted to successfully review the plans and approvals by the third-party agency hired by the builder. We are taking away all the safeguards that ensure that there is a proper review of those building plans and permits.

Stand by safety in Pennsylvania; stand by the public health. Vote "no" on the Evankovich amendment.

The SPEAKER. Representative Mark Mustio.

Mr. MUSTIO. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment.

The SPEAKER. Yes; you may proceed.

Mr. MUSTIO. Thank you, sir.

Mr. Speaker, I come from a district where my municipalities have employed building inspectors, and some of what I have heard from my colleagues in caucus—

Mr. Speaker, may I have some order?

The SPEAKER. Members, please take your seats.

Mr. MUSTIO. Thank you, Mr. Speaker. It was—

The SPEAKER. Sir, hold on for just a moment. Just please suspend for a moment.

Representative Mustio will be followed by Representative Maloney, followed by Representative Santora, followed by Representative Dush.

At this time I would ask all members to please take your seats. We have a lot to get through. Please take your seats.

Representative Mustio, you may proceed.

Mr. MUSTIO. Thank you, Mr. Speaker.

I think it was just, it may have been an internal buzz in my ear, I am not sure, but I think it is fixed now.

Mr. Speaker, like I said, I come from a district that has municipalities that employ their own inspectors. But in listening in caucus, there are concerns by some members not just for the contractor but for the homeowner that wants to do an addition or do a little deck or something onto their home and the municipality has hired a third-party inspector that has one employee, themselves, that goes on vacation and there is no option. Mr. Speaker, the amendment that you have drafted, the inspectors, are they all licensed in the same manner as those that are hired by the municipalities as third-party inspectors?

Mr. EVANKOVICH. Yes.

Mr. MUSTIO. Are there different standards, moral codes, any other qualifications that the municipally hired third-party inspector would go through that the contractor or homeowner hired would not?

Mr. EVANKOVICH. Mr. Speaker, to my knowledge, every building code inspector in the State of Pennsylvania has to undergo the exact same licensing parameters and criteria.

Mr. MUSTIO. I am sympathetic to the prior two speakers' comments about, you know, a building burns in London and we want to care about people's safety, but there is the practicality of this whole issue that is what is happening on a day-to-day basis. And sometimes we get caught up in the rhetoric to defend an issue that is not totally accurate. Heck, we have it happen to us where, you know, the public will send e-mails saying the legislators are all scum and, you know, that does not apply to everyone – in fact, it does not apply to anyone in this room – but they give these reasons to say, oh, we need to do something else.

Mr. Speaker, there are other opportunities and other processes in business that hire third parties. When a worker is injured and the employer and the employee disagree on what the actual treatment is, you get a third-party examiner. In this particular case, the way I look at this amendment, it is giving the opportunity to keep the current system on their toes. It is creating some competition and letting those municipalities know that you cannot run roughshod over your constituents.

Are there unscrupulous building inspectors? Maybe there are; I do not know. But I think it is more about efficiencies and having availability and saying, hey, I am not necessarily the only game in town.

Mr. Speaker, on the amendment. Thank you for— If you think about our State store system, when I grew up we had bars and you had to ask somebody to get it. Well, when you threaten with competition, all the things start to change, right? There is much better service. There is much better accountability. There is better pricing. That is how I look at this. It is an opportunity to keep the current system on its toes. If we do not pass this amendment, what is going to really change? Nothing is going to

change. But this gives an opportunity for some serious discussion and maybe some other amendments in the Senate, but I think this needs to be passed into the bill so that we make a stand for those individuals in our communities that have had a tough time working under the current system. Thank you.

The SPEAKER. Representative Dave Maloney.

Mr. MALONEY. Thank you, Mr. Speaker.

It is probably no surprise that I support this amendment. I came from this industry. I actually take somewhat of an offense to some of the things that I already heard today about weak interpretations, about those that are not certified but they are. How about we pick our own solicitor?

You know, my experience was so adverse that my daughter had to leave the house that she was trying to buy because a third-party agency hired by unscrupulous individuals made a plan to deny their own township line. The third-party agency came into the meetings that I paid the attorneys to come to figure this plan out and said, "Yeah, we have a problem." I said, "Is there a problem with my engineered surveyed plan that matches the county map?" They said, "No." I said, "So then what is the problem?" "Well, this township on this side of the line said they had this old survey plan." I said, "Well, a third-party agency. Is that a legal plan?" "No." I said, "So then why are we discussing this?" "Because they told me so."

This is why accountability, consistency, and using people who are certified that can say that is not legal; I ethically cannot do that to you. Just like when the owner of the third-party agency came to my legislative office that I built after being elected and told me that I had to do something with the electrical service and I challenged him on the code and he said, "Oh, let me call my commercial inspector." I said, "Why are you here then?" This is what happens.

So to insinuate that somebody who is a builder or a developer, which, by the way, is whoever has a plan in front of their municipality, that is how you are labeled. So the insinuation that they, we, whoever that might be has some ulterior motive so that they can pick something, that they might build a building that is going fall down, it annoys me. It is probably pretty obvious. This is why all this is, is good practice of consistent certification to the people whom we expect to be doing the job.

Thank you, Mr. Speaker.

The SPEAKER. Representative Jamie Santora.

Mr. SANTORA. Thank you, Mr. Speaker.

I am here to speak in favor of this amendment. Mine is not about a big developer. It is not about a town. It is about individuals. A family coming into my office in tears because the local building inspector would not come out and inspect their home prior to them selling it, before it went to foreclosure, and they lost the sale of the home because it did go to foreclosure and they did not have that opportunity to close.

It is about an inspector who decides that Monday nights at 7 p.m. if you can meet me, I will give you a permit; no other time. It is about an inspector who is also the zoning officer and the business manager for the borough.

When a borough is fortunate enough to get a large project that they have never seen before and their inspector cannot handle it, they have the opportunity to go out and hire another third party that can handle that size project and understand what goes on in a large-scale project. But a local resident does not have that opportunity today. They are stuck with what they have.

Yes, there are arguments that the borough should have other opportunities. They can fire that guy. They just do not. Unfortunately, they do not. And people are left with houses that are not complete, unable to sell their homes; different decisions on different days, no consistency.

And yes, there are opportunities, and I heard one of my colleagues talk about an amendment that is coming up where you can file a complaint. But it does not fix the problem now. You need to be able to— How long will it take? How many months will you be delayed? Are you going to lose your financing? Are you going to lose your construction loan? Those are things that are going through people's heads each and every day.

I have a borough that has 75 percent of its main street that is vacant, and people will not come in to work because they do not want to work with this inspector, unfortunately.

This is a good amendment that will help a situation in many boroughs across the Commonwealth. Please consider voting in favor of this amendment.

Thank you, Mr. Speaker.

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 1469 CONTINUED

The SPEAKER. Representative Cris Dush.

Mr. DUSH. Thank you, Mr. Speaker.

Will the maker stand for brief interrogation?

The SPEAKER. He has indicated he will so stand.

Mr. DUSH. Mr. Speaker, just to clarify, I understand this is supposed to be about – the whole process of the building inspectors is to protect the individual, the homeowner, the business owner. We have licensed engineers. Do we allow the municipalities to determine what engineers are used for design and construction?

Mr. EVANKOVICH. Mr. Speaker, to my knowledge, we do not allow municipalities to choose what engineers are used on private projects, no.

Mr. DUSH. Do we allow them to do it for architects?

Mr. EVANKOVICH. To my knowledge, no, we do not allow municipalities to do that.

Mr. DUSH. Do we allow the municipalities to select the builders and the contractors that are licensed in Pennsylvania?

Mr. EVANKOVICH. To my knowledge, we do not.

Mr. DUSH. Thank you, Mr. Speaker.

To the amendment, please.

The SPEAKER. On the amendment, you may proceed.

Mr. DUSH. Mr. Speaker, there has been an awful lot of talk about safety. The three areas that I have talked about – engineers, architects, and licensed builders – they are all about safety as well as our building inspectors.

Mr. Speaker, I live in a house that was built in the 1880s. Doing remodeling work on that, I found knob-and-tube wiring in there, old gas lines that I did not realize were still active until I started doing the work, and I ended up having to take that stuff out. But that thing was built back in the 1880s. It still has the original slate roof on it. We did not have building inspectors out there inspecting that and it is a very safe home. You could shoot

it with a .30-06 and not get through those 5 inches of solid wood to get into the house.

That is what I am getting at. This is about choice for the individual. It is about, yes, the building inspectors, the laws were passed to try and provide safety and some standards. The people who are inspecting have been licensed. They have gone through all the process. And when I have constituents who cannot get somebody to come out and inspect the property in a timely fashion, holding up construction, or in one case the building inspector says "Oh, you can't use this material on the flooring," they adjust the flooring and now all of a sudden the wiring boxes that have been in there ahead of time now have to be moved up a half an inch when the inspector comes back and takes a look to make sure that the flooring was right. And then there was another list that came on after that and after that. Mr. Speaker, the point of the entire inspection code was to protect individuals. This is about individual rights to select who is taking on and protecting their safety.

Just having lived 4 1/2 years over in England, the remarks about London, unless things have changed since I was over there, they have been inspecting those buildings at the city level in London, especially in London's West End where that fire occurred, since long before I was there in the 1980s. So they have government-run inspectors already taking a look at that. Mistakes get made, yes, but it does not matter if it is the government-sanctioned one or the ones that are government licensed that have already proven themselves.

Thank you, Mr. Speaker. I am in support of this bill.

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

Ms. HARPER. Thank you, Mr. Speaker.

The problem with the amendment that we are debating again now is that it actually incentivizes lax inspections and easy going by building inspectors so that they get more work. By giving the builders the right to choose who their inspector will be because builders and inspectors tend to see one another over and over again either in the same municipality or in the next municipality or in the next municipality, we are incentivizing inspectors to go easy and not do the job that they should do free of that kind of influence. Since inspectors who are hired as contracted inspectors by a municipality make money, the more inspections they do, they are incentivized to curry favor with those whom they are inspecting.

Now, will some of them be able to resist that and do the good job that they are certified to do regardless? Sure. Will there be a few bad apples? Yes; there always are.

So if the point of this bill is to address bad actors among inspectors, if it is to address incompetence, negligence, or unethical conduct, you should vote for the Harper amendment, which will allow the builder to make a complaint to the Department of Labor and Industry and be protected with whistleblower protection when they do so. The governing body of the municipality will be notified so that they know if they get multiple complaints or even if they just get one, that they have got a problem with the company they hired to do the inspections.

I am not unsympathetic to the idea that builders and contractors are on a strict time schedule. They are usually small business people, and they need to get the job done. But I do not want to give up the prime reason that we have a statewide building code in Pennsylvania, and that is to protect the people

who are not builders and not building inspectors but who will be using these buildings in the future. Their lives depend on it.

Please vote "no" on the Evankovich amendment. The Harper amendment is coming up. Thank you.

The SPEAKER. Representative Doyle Heffley.

Mr. HEFFLEY. Thank you, Mr. Speaker.

And I apologize for speaking twice on this, but I have to address some of the concerns.

For anybody to say that this is – that we are going to have buildings falling down—

The SPEAKER. Members, please take your seats.

After Representative Heffley, the maker of the amendment will go last, Representative Evankovich. There are no other speakers on the amendment.

Representative Heffley, the floor is yours.

Mr. HEFFLEY. Thank you, Mr. Speaker.

For anybody to say that we are going to have buildings falling down if we do not have a monopoly that is hired by that municipality to enforce the code, I would say that 10 percent of the municipalities across this Commonwealth right now opt out, and if 10 percent of those municipalities, like Fayette County, people can hire whom they choose to have the inspections done, those inspections are done as thoroughly there as they are anywhere else. We do not have issues with buildings falling down or safety concerns, no more in those 10 percent of the municipalities than we do in the other municipalities.

The other point to be made is the same third-party inspectors who are hired as a monopoly inspector in this municipality are the same third-party inspectors who are going to be doing the inspections in municipalities where they can compete. They are the same inspectors. Are you telling me that they are going to do less of a code inspection? Well, if they are going to do less over here, then they should have never been appointed as a monopoly inspector in this borough or township.

I think it is interesting to point out as well that elevators, we all ride on one every day pretty much here in the Capitol. The municipality does not select and mandate whom we have to use to inspect our elevators. You are allowed to hire a third-party inspection agency. I think that third-party inspection agency because I ride those elevators and I want to be safe.

I have a family, I have a daughter, I have friends, and I want them to be able to live in communities that have safe buildings, and this amendment will do nothing to jeopardize the inspection process.

What it will do is it will help that woman who came to my office in tears because she had the opportunity to purchase a bed and breakfast in Carbon County and for 2 1/2 years a UCC third-party inspector held up that project to the point where she was bankrupt, in tears in my office begging because she could not sell the property and she could do nothing just because this guy had an ax to grind with her. He is also the zoning official and the SEO (sewage enforcement officer) and if you fight him on one issue, he is going to fight you on everything.

We should not be subjecting Pennsylvanians to this type of abuse. This is the body that can stop it. I did not come here and run on a platform to address this issue, but when you are talking to people who are getting taken advantage of and abused by these folks whom we give that authority to, I think it is time that we as a body act responsibly and provide them the relief so they can get a safe, thorough home inspection done at an affordable cost and we can help our constituents.

Mr. Speaker, I would ask for an affirmative vote.

The SPEAKER. Representative Eli Evankovich, on the amendment.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

I want to thank my colleagues who have all spoken in favor of and against my amendment.

We have heard a lot of opposition and you are hearing a lot of opposition from outside groups as to why you should oppose my amendment. The argument is this, the argument that they make is that if you have more than one third-party agency, then they can be corrupted. But yet the supposition is that if you have one third-party agency, they cannot be corrupted in the same manner.

Mr. Speaker, how many times have you received phone calls from people in your district, how many times has someone called you and said, "Mr. or Mrs. Representative, my building, my home, my patio was not inspected well enough." How many times have you heard someone call in and say, "The municipality's third-party agency inspected my building and my building is dangerous? I do not trust the work that they did." That is not what we hear.

These building inspectors are not the corrupt people that everyone is trying to make them out to be. Some may be. And the market and their license is the mechanism that we in government have to keep people, have to use to keep people safe that we represent.

Mr. Speaker, 10 percent of municipalities already allow any licensed inspector to do their inspecting. My amendment, in addition, does not impact certain areas like the city of Philadelphia and the city of Pittsburgh. In addition, my amendment allows local governments to keep their contracts with their third-party agency of their choice. It allows them to keep those contracts.

My amendment does not incentivize inspectors to go easier on builders any more so than the existing law incentivizes bad behavior. My amendment is about standing with the people whom we represent versus standing with this notion of control, government control, whether it is at the State level or at the local level. Mr. Speaker, our State in many ways is in a race to the bottom. This is one thing that we can do, one thing that we can do to allow the power to be returned to the people to make choices for themselves.

I urge an affirmative vote. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—101

Baker	Everett	Mako	Rozzi
Barbin	Fee	Maloney	Ryan
Barrar	Fritz	Masser	Saccone
Benninghoff	Gabler	McClinton	Sankey
Bernstine	Gillen	McGinnis	Santora
Bloom	Greiner	Mentzer	Saylor
Boback	Grove	Metcalfe	Schemel
Brown, R.	Hahn	Metzgar	Simmons
Charlton	Heffley	Millard	Sonney
Christiana	Helm	Moul	Tallman
Cook	Hickernell	Mustio	Taylor
Corbin	Hill	Neilson	Tobash
Cox	Irvin	Nelson	Toepel
Cruz	James	Nesbit	Toohil

Cutler	Jozwiak	Oberlander	Topper
Dawkins	Kampf	Ortitay	Walsh
Delozier	Kaufer	Petrarca	Ward
Diamond	Keefer	Pickett	Warner
Donatucci	Keller, F.	Pyle	Wentling
Driscoll	Keller, M.K.	Quinn, C.	Wheeland
Dunbar	Keller, W.	Rapp	White
Dush	Klunk	Reed	Zimmerman
Ellis	Knowles	Reese	
Emrick	Lawrence	Roae	Turzai,
English	Lewis	Roe	Speaker
Evankovich	Mackenzie	Rothman	

NAYS—98

Bizzarro	Dowling	Kirkland	Petri
Boyle	Evans	Kortz	Quinn, M.
Bradford	Fabrizio	Krueger	Rabb
Briggs	Farry	Kulik	Rader
Brown, V.	Fitzgerald	Longietti	Ravenstahl
Bullock	Flynn	Madden	Readshaw
Burns	Frankel	Maher	Roebuck
Caltagirone	Freeman	Markosek	Sainato
Carroll	Gainey	Marsico	Samuelson
Cephas	Galloway	Matzie	Schlossberg
Comitta	Gergely	McCarter	Schweyer
Conklin	Gillespie	McNeill	Sims
Costa, D.	Godshall	Mehaffie	Snyder
Costa, P.	Goodman	Miccarelli	Solomon
Culver	Haggerty	Miller, B.	Staats
Daley	Hanna	Miller, D.	Stephens
Davidson	Harkins	Milne	Sturla
Davis	Harper	Mullery	Thomas
Day	Harris, A.	Murt	Vazquez
Dean	Harris, J.	Neuman	Vitali
Deasy	Hennessey	O'Brien	Warren
DeLissio	Kauffman	O'Neill	Watson
DeLuca	Kavulich	Pashinski	Wheatley
Dermody	Kim	Peifer	Youngblood
DiGirolamo	Kinsey		

NOT VOTING—0

EXCUSED—4

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

On the question,

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

Ms. **HARPER** offered the following amendment No. **A02371**:

Amend Bill, page 1, line 7, by striking out the period after "enforcement" and inserting
; and, in training and certification of inspectors, further providing for training of inspectors.

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

Section 1. Sections 501 and 701 of the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, are amended by adding subsections to read:

Amend Bill, page 2, by inserting between lines 23 and 24 Section 701. Training of inspectors.

* * *

(h.1) Code administrator complaints.—The following apply:

(1) The department shall accept and review a complaint submitted by a building permit applicant about a code administrator and the secretary shall have the discretion to enforce remedial actions if necessary, including actions to decertify the code administrator or revoke the code administrator's certification for a period of time as determined by the secretary. The department shall review a complaint about a code administrator regarding any of the following allegations:

(i) Incompetence, negligence or unethical conduct.

(ii) Failure to abide by a deadline specified under this act for a code enforcement action which results in an undue delay in the progress of a project.

(iii) Duplicative, undisclosed or exorbitant fees assessed as a result of a code enforcement action.

(iv) An interpretation of the Uniform Construction Code which demonstrates professional incompetence or differs from standard practice, including the establishment of a different requirement after plan approval.

(v) A violation of 34 Pa. Code § 401.14 (relating to decertification or refusal to certify).

(2) After reviewing a complaint as specified under paragraph (1), the department shall have the following duties:

(i) Notifying the municipality where the code administrator subject to the complaint is being utilized as to the existence of the complaint and recommending remedial actions that the department determines to be necessary to correct deficiencies.

(ii) Notifying the code administrator who is the subject of the complaint.

(iii) Investigating the complaint.

(3) The secretary may issue an order to a municipality to allow a building permit holder who submitted a complaint under this subsection to utilize another third-party agency of the building permit holder's choice for any remaining code enforcement actions necessary to utilize a project. The order may also include a provision to allow the building permit holder to permanently utilize a third-party agency of the permit holder's choice for future projects in the municipality if the secretary deems that it is possible that the building permit holder will be retaliated against for filing a complaint to the department by a code administrator.

(4) If a building permit applicant makes a complaint to the department concerning a third-party agency or code administrator, the department may not disclose the identity of the building permit holder's complaint without the building permit holder's consent unless disclosure is unavoidable as a result of an investigation of a code administrator under this subsection.

(5) A code administrator may not discriminate, threaten, coerce or otherwise retaliate against a building permit applicant who files a complaint under this subsection. A person who alleges a violation of this paragraph may bring a civil action in a court of competent jurisdiction for appropriate injunctive relief or damages within 180 days of occurrence of the alleged violation.
* * *

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, Representative Harper. Ms. HARPER. Thank you, Mr. Speaker.

This is the amendment that addresses the bad apples in the building inspector community. This is how we should handle bad actors. It allows a contractor or builder to file a complaint with the agency that certifies them. As the Representative who

sponsored the last amendment pointed out, we actually have a department who certifies these people, and if there is a problem, the complaints should be made to the department.

On the other hand, it is reasonable for a contractor or builder to worry about retaliation. So my amendment not only provides that retaliation is specifically prohibited and can get the building inspector in even more trouble than they are already in, but also that governing bodies of these municipalities are notified whenever a complaint is filed because they are the ones who hire these people.

So I respectfully request that if we are really interested in getting rid of bad apples, that we provide a mechanism for doing so with the department that is charged with certifying them. I actually agree with the speaker on the last amendment that that department should take care of making sure that anybody certified is doing the job appropriately. So the Harper amendment would specify a procedure with protections in it for the builder to take care of the problem. Thank you very much.

The SPEAKER. Thank you.

Representative Heffley, on the amendment.

Mr. HEFFLEY. Thank you, Mr. Speaker.

Mr. Speaker, I think this amendment is well intended and I think it does highlight the fact that there is an issue, and I think folks should have a better opportunity and recourse to file these complaints and they should be pursued either way, if the UCC inspector is not doing a thorough job or being abusive.

My concern is the cost. We did get a fiscal note on this amendment and there is going to be a cost involved, and I believe that L&I is not supportive of this amendment. So while I would like to be supportive of it, I do believe I am going to ask for a "no" vote on those two grounds.

I would like to work further with the maker of this amendment and see if we can get that issue resolved with L&I and that we could put forth a better process for filing complaints. But at this time I would ask for a "no" vote.

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

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in favor of the Harper amendment. I think this amendment gets at the crux of what this debate has been about for the last 2 weeks. If there are legitimate concerns on the part of builders that third-party agencies are not doing a proper job, that they feel they are lagging behind in the kind of inspections that they want to see done promptly, this is the way to solve the problem: provide a process of redress where those builders can file a complaint, where L&I can supervise and find out what is going on and get to the heart of anyone who is not doing their job properly. With the Harper amendment, we address that issue and we do so without throwing the baby out with the bathwater in terms of the inspection process.

So I urge a "yes" vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—133

Barbin	Dush	Keller, W.	Petri
Barrar	English	Kim	Quinn, M.
Bizzarro	Evankovich	Kinsey	Rabb

Boyle	Evans	Kirkland	Rader
Bradford	Everett	Kortz	Ravenstahl
Briggs	Fabrizio	Krueger	Readshaw
Brown, R.	Farry	Kulik	Roe
Brown, V.	Fitzgerald	Lewis	Roebuck
Bullock	Flynn	Longietti	Rothman
Burns	Frankel	Madden	Rozzi
Caltagirone	Freeman	Markosek	Sainato
Carroll	Fritz	Marsico	Samuelson
Cephas	Gabler	Matzie	Saylor
Charlton	Gainey	McCarter	Schemel
Comitta	Galloway	McClinton	Schlossberg
Conklin	Gergely	McNeill	Schweyer
Costa, D.	Gillen	Mehaffie	Sims
Costa, P.	Godshall	Metzgar	Snyder
Cruz	Goodman	Miccarelli	Solomon
Culver	Grove	Millard	Staats
Daley	Haggerty	Miller, B.	Stephens
Davidson	Hanna	Miller, D.	Sturla
Davis	Harkins	Milne	Taylor
Dawkins	Harper	Mullery	Thomas
Day	Harris, A.	Murt	Toepel
Dean	Harris, J.	Mustio	Toohil
Deasy	Hennessey	Neilson	Vazquez
DeLissio	Hill	Neuman	Vitali
Delozier	James	O'Brien	Warren
DeLuca	Kampf	O'Neill	Watson
Dermody	Kauffman	Pashinski	Wheatley
DiGirolamo	Kavulich	Peifer	White
Donatucci	Keller, M.K.	Petrarca	Youngblood
Driscoll			

NAYS—66

Baker	Greiner	Masser	Saccone
Benninghoff	Hahn	McGinnis	Sankey
Bernstine	Heffley	Mentzer	Santora
Bloom	Helm	Metcalfe	Simmons
Boback	Hickernell	Moul	Sonney
Christiana	Irvin	Nelson	Tallman
Cook	Jozwiak	Nesbit	Tobash
Corbin	Kaufner	Oberlander	Topper
Cox	Keefer	Ortitay	Walsh
Cutler	Keller, F.	Pickett	Ward
Diamond	Klunk	Pyle	Warner
Dowling	Knowles	Quinn, C.	Wentling
Dunbar	Lawrence	Rapp	Wheland
Ellis	Mackenzie	Reed	Zimmerman
Emrick	Maher	Reese	
Fee	Mako	Roae	Turzai,
Gillespie	Maloney	Ryan	Speaker

NOT VOTING—0

EXCUSED—4

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

On the question recurring,

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

AMENDMENT WITHDRAWN

The SPEAKER. The Heffley amendment has been withdrawn. Amendment 1998 is withdrawn.

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. We are going to temporarily go over. I understand there is going to be a motion for reconsideration filed.

STATEMENT BY MR. RADER

The SPEAKER. Representative Jack Rader. Representative Jack Rader is recognized on unanimous consent.

Mr. RADER. Thank you, Mr. Speaker.

I would just like to thank my colleagues for voting for HB 927. It is a commonsense bill and I think it was important to pass.

The genesis of the bill was, there are a number of larger townships in my district and just because they are larger townships landmasswise does not mean they have the population density to really need leaf collection. Leaf collection can be extremely expensive. It can cost four or five hundred thousand dollars to buy the equipment; then you have to also run the equipment.

So this is a bill the townships are going to like. It does not really impact leaf collection to where it is necessary. Like I said, my townships have a lot of animals but they do not have a lot of curbs. So those areas where it is important to have it, they can still do it.

So I would just like to thank my colleagues again for their votes. Thank you.

The SPEAKER. Thank you very much, Representative Rader.

MOTION TO RECONSIDER AMENDMENT A01999

The SPEAKER. Representative Harper and Representative Freeman have moved that the vote by which amendment 1999 to HB 1469 was passed moments ago on June 28 be reconsidered.

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

The SPEAKER. On the motion for reconsideration, Representative Harper.

Ms. HARPER. Thank you, Mr. Speaker.

Chairman Freeman and I filed the motion to reconsider because as chairs of the House Local Government Committee, we are very concerned that the Evankovich amendment removes from local governments the ability to select the person they feel best and safest with to take care of building inspections.

I am as tired of arguing over this as the rest of you are, but when I watched the board go above a majority, below a majority, above a majority, below a majority, and then it was locked so that the Evankovich amendment passed, what I realized was—

The SPEAKER. Please suspend. Please suspend.

A majority of the votes in this House voted in favor of the amendment. The integrity of the Chair will not be impugned.

MOTION PASSED OVER TEMPORARILY

The SPEAKER. We will go over the motion for reconsideration at this time.

When the integrity of the votes of each of these individuals in this chamber is questioned, the Chair will call it out.

CONSIDERATION OF HB 544 CONTINUED

The SPEAKER. Representative Moul calls on HB 544, PN 710.

BILL PASSED OVER TEMPORARILY

The SPEAKER. We will be going over HB 544 for the time being.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1497, PN 2007**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further defining "alcoholic cider" and "public venue"; and, in licenses and regulations for liquor, alcohol and malt and brewed beverages, further providing for wine and spirits auction permits.

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

Mr. **WARREN** offered the following amendment No. **A01922**:

Amend Bill, page 1, line 20, by inserting after "PERMITS" and for local option
Amend Bill, page 4, line 14, by striking out "SECTION" where it occurs the second time and inserting
Sections
Amend Bill, page 4, line 14, by inserting after "(12)" and 472(a)
Amend Bill, page 5, by inserting between lines 4 and 5
Section 472. Local Option.—(a) In any municipality or any part thereof is separated by another municipality, an election may be held, subject to subsection (c), not oftener than once in four years, to determine the will of the electors with respect to the granting of liquor licenses to hotels, restaurants, resort facilities and clubs, not oftener than once in four years, to determine the will of the electors with respect to the granting of liquor licenses to public venues, to performing arts facilities, to continuing care retirement communities, to hotels located on property owned by an accredited college or university, to privately-owned private golf courses or to privately-owned public golf courses, not oftener than once in four years, to determine the will of the electors with respect to the granting of licenses to retail dispensers of malt and brewed beverages, not oftener than once in four years, to determine the will of the electors with respect to granting of licenses to wholesale distributors and importing

distributors, not more than once in two years, to determine the will of the electors with respect to the granting of club liquor licenses or club retail dispenser licenses to incorporated units of national veterans' organizations, not oftener than once in two years to determine the will of the electors with respect to the granting of special occasion permits to qualified organizations, not more than once in four years, to determine the will of the electors with respect to the establishment, operation and maintenance by the board of Pennsylvania liquor stores, within the limits of such municipality or part of a split municipality, or not more than once in two years, to determine the will of the electors with respect to the granting of liquor licenses to ski resort facilities, under the provisions of this act: Provided, That an election on the question of establishing and operating a State liquor store shall be initiated only in those municipalities, or that part of a split municipality that shall have voted against the granting of liquor licenses; and that an election on the question of granting wholesale distributor and importing distributor licenses shall be initiated only in those municipalities or parts of split municipalities that shall have at a previous election voted against the granting of dispenser's licenses. Whenever electors equal to at least twenty-five per centum of the highest vote cast for any office in the municipality or part of a split municipality at the last preceding general election shall file a petition with the county board of elections of the county for a referendum on the question of granting any of said classes of licenses or the establishment of Pennsylvania liquor stores, the said county board of elections shall cause a question to be placed on the ballots or on the voting machine board and submitted at any election, except a special election. Separate petitions must be filed for each question to be voted on. Said proceedings shall be in the manner and subject to the provisions of the election laws which relate to the signing, filing and adjudication of nomination petitions, with respect to a question to be placed on the ballot in a primary election, and nomination papers, with respect to a question to be placed on the ballot in a municipal or general election, in each case insofar as such provisions are applicable.

When the question is in respect to the granting of liquor licenses, it shall be in the following form:
 Do you favor the granting of liquor licenses for the sale of liquor in.....? Yes
 of.....? No

When the question is in respect to the granting of liquor licenses to resort facilities in those municipalities that do not already allow the retail sale of liquor, it shall be in the following form:
 Do you favor the granting of liquor licenses to resort facilities for the sale of liquor in the.....? Yes
 of.....? No

When the question is in respect to the granting of liquor licenses to ski resorts in those municipalities that do not already allow the retail sale of liquor, it shall be in the following form:
 Do you favor the granting of liquor licenses to ski resort facilities for the sale of liquor in the.....? Yes
of? No

When the question is in respect to the granting of restaurant liquor licenses for use at public venues in those municipalities that do not already allow the retail sale of liquor, it shall be in the following form:
 Do you favor the granting of liquor licenses to public venues for the sale of liquor in the.....? Yes
 of.....? No

When the question is in respect to the granting of restaurant liquor licenses for use at performing arts facilities in those municipalities that do not already allow the retail sale of alcohol, it shall be in the following form:

Do you favor the granting of liquor licenses to performing arts facilities for the sale of liquor in the.....? Yes
 of.....? No

When the question is in respect to the granting of liquor licenses for hotels located on property owned by an accredited college or university in those municipalities that do not already allow the granting of liquor licenses, it shall be in the following form:
 Do you favor the granting of liquor licenses to hotels on property owned by an accredited college or university in the.....? Yes
 of.....? No

When the question is in respect to the granting of liquor licenses, for privately-owned private golf courses, it shall be in the following form:
 Do you favor the granting of liquor licenses for privately-owned private golf courses for the sale of liquor in.....by.....? Yes
 of.....? No

When the question is in respect to the granting of liquor licenses, for privately-owned public golf courses, it shall be in the following form:
 Do you favor the granting of liquor licenses for privately-owned public golf courses for the sale of liquor in.....by.....? Yes
 of.....? No

When the question is in respect to the granting of liquor licenses to continuing care retirement communities in those municipalities that have not already approved the granting of liquor licenses, it shall be in the following form:
 Do you favor the granting of liquor licenses for continuing care retirement communities in.....by.....? Yes
 of.....? No

When the question is in respect to the granting of licenses to retail dispensers of malt and brewed beverages, it shall be in the following form:
 Do you favor the granting of malt and brewed beverage retail dispenser licenses for consumption on premises where sold in the.....? Yes
 of.....? No

When the question is in respect to the granting of licenses to wholesale distributors of malt or brewed beverages and importing distributors, it shall be in the following form:
 Do you favor the granting of malt and brewed beverage wholesale distributor's and importing distributor's licenses not for consumption on premises where sold in the.....? Yes
 of.....? No

When the question is in respect to the granting of club liquor licenses to incorporated units of national veterans' organizations, it shall be in the following form:
 Do you favor the granting of club liquor licenses to incorporated units of national veterans' organizations in the.....? Yes
 of.....? No

When the question is in respect to the granting of club retail dispenser licenses to incorporated units of national veterans' organizations, it shall be in the following form:

Do you favor the granting of club retail dispenser licenses to incorporated units of national veterans' organizations in the.....? Yes
of.....? No

When the question is in respect to the granting of special occasion permits allowing the sale of liquor by qualified organizations in municipalities that do not already allow the retail sale of liquor, it shall be in the following form:

Do you favor the granting of special occasion permits to allow the sale of liquor by qualified organizations in the.....? Yes
of.....? No

When the question is in respect to the granting of special occasion permits allowing the sale of malt or brewed beverages only by qualified organizations in municipalities that do not already allow the retail sale of malt or brewed beverages, it shall be in the following form:

Do you favor the granting of special occasion permits to allow the sale of malt or brewed beverages only by qualified organizations in the.....? Yes
of.....? No

When the question is in respect to the establishment, operation and maintenance of Pennsylvania liquor stores it shall be in the following form:

Do you favor the establishment, operation and maintenance of Pennsylvania liquor stores in the.....? Yes
of.....? No

When the question is in respect to the granting of liquor licenses to an airport authority in those municipalities that do not already allow the retail sale of liquor, it shall be in the following form:

Do you favor the granting of liquor licenses to an airport authority for the sale of liquor in the.....? Yes
of.....? No

In case of a tie vote, the status quo shall obtain. If a majority of the voting electors on any such question vote "yes," then liquor licenses shall be granted by the board to hotels, restaurants, ski resorts, resort facilities and clubs, or liquor licenses shall be granted by the board to public venues, to performing arts facilities, to continuing care retirement communities, to hotels located on property owned by an accredited college or university, to privately-owned private golf courses or to privately-owned public golf courses, or malt and brewed beverage retail dispenser licenses or wholesale distributor's and importing distributor's license for the sale of malt or brewed beverages shall be granted by the board, or club liquor licenses or club retail dispenser licenses shall be granted by the board to incorporated units of national veterans' organizations, or special occasion permits may be issued to qualified organizations, or the board may establish, operate and maintain Pennsylvania liquor stores, as the case may be, in such municipality or part of a split municipality, as provided by this act; but if a majority of the electors voting on any such question vote "no," then the board shall have no power to grant or to renew upon their expiration any licenses of the class so voted upon in such municipality or part of a split municipality; or if the negative vote is on the question in respect to the establishment, operation and maintenance of Pennsylvania liquor stores, the board shall not open and operate a Pennsylvania liquor store in such municipality or part of a split municipality, nor continue to operate a then existing Pennsylvania

liquor store in the municipality or part of a split municipality for more than two years thereafter or after the expiration of the term of the lease on the premises occupied by such store, whichever period is less, unless and until at a later election a majority of the voting electors vote "yes" on such question.

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

The SPEAKER. On the amendment, Representative Warren. Mr. WARREN. Thank you, Mr. Speaker.

I understand the amendment is an agreed-to amendment.

The SPEAKER. Representative Jozwiak, on the amendment. Mr. JOZWIAK. Thank you, Mr. Speaker.

This is an agreed-to amendment. I ask the members to support the amendment.

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

The following roll call was recorded:

YEAS-193

Table with 4 columns of names: Baker, Barbin, Barrar, Benninghoff, Bernstine, Bizzarro, Bloom, Boback, Boyle, Bradford, Briggs, Brown, R., Brown, V., Bullock, Burns, Caltagirone, Carroll, Cephas, Charlton, Christiana, Conmita, Conklin, Cook, Corbin, Costa, D., Costa, P., Cox, Cruz, Culver, Cutler, Daley, Davidson, Davis, Dawkins, Day, Dean, Deasy, DeLissio, Delozier, DeLuca, Dermody, Diamond, DiGirolamo, Donatucci, Dowling, Driscoll, Dunbar, Emrick, English, Evankovich, Evans, Everett, Fabrizio, Farry, Fee, Fitzgerald, Flynn, Frankel, Freeman, Fritz, Gabler, Gainey, Galloway, Gergely, Gillespie, Godshall, Goodman, Greiner, Grove, Haggerty, Hahn, Hanna, Harkins, Harper, Harris, A., Harris, J., Heffley, Helm, Hennessey, Hickernell, Hill, Irvin, James, Jozwiak, Kampf, Kaufer, Kauffman, Kavulich, Keefer, Keller, F., Keller, M.K., Keller, W., Kim, Kinsey, Knowles, Kortz, Krueger, Kulik, Lawrence, Lewis, Longietti, Mackenzie, Madden, Maher, Mako, Maloney, Markosek, Marsico, Masser, Matzie, McCarter, McClinton, McNeill, Mehaffie, Mentzer, Metzgar, Miccarelli, Millard, Miller, B., Miller, D., Milne, Moul, Mullery, Murt, Mustio, Neilson, Nelson, Nesbit, Neuman, O'Brien, O'Neill, Oberlander, Ortity, Pashinski, Peifer, Petarca, Petri, Pickett, Pyle, Quinn, C., Quinn, M., Ravenstahl, Readshaw, Reed, Reese, Roae, Roe, Roebuck, Rothman, Rozzi, Ryan, Saccone, Sainato, Samuelson, Sankey, Santora, Saylor, Schemel, Schlossberg, Schweyer, Sims, Snyder, Solomon, Sonney, Staats, Stephens, Sturla, Taylor, Thomas, Tobash, Toepel, Toohil, Topper, Vazquez, Vitali, Walsh, Ward, Warner, Warren, Watson, Wentling, Wheatley, Wheeland, White, Youngblood, Zimmerman, Turzai.

Dush	Kirkland	Rabb	Speaker
Ellis	Klunk	Rader	

NAYS—5

Gillen	Metcalfe	Rapp	Tallman
McGinnis			

NOT VOTING—1

Simmons

EXCUSED—4

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

On the question,

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

The SPEAKER. Representative Tobash, I believe, has withdrawn amendment 1902 but is calling up amendment 2210.

You may proceed.

Mr. TOBASH. Thank you, Mr. Speaker.

In Act 39 of 2016 we strengthened and hardened the enforcement of some territories for importing distributors, and I will continue to seek support for a fix in that action. But HB 1497 is not the appropriate place today to do that, so I will be withdrawing that amendment.

Thank you, Mr. Speaker.

The SPEAKER. Both amendments 1902 and 2210 are withdrawn?

Just amendment 1902.

Are you going to proceed with amendment 2210?

On the question recurring,

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

Mr. **TOBASH** offered the following amendment No. **A02210**:

Amend Bill, page 1, line 20, by striking out the period after "PERMITS" and inserting and for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses.

Amend Bill, page 5, by inserting between lines 4 and 5 Section 3. Section 431(b) of the act, reenacted and amended November 15, 2016 (P.L.1286, No.166), is amended to read:

Section 431. Malt and Brewed Beverages Manufacturers', Distributors' and Importing Distributors' Licenses.—

* * *

(b) The board shall issue to any reputable person who applies therefor, and pays the license fee hereinafter prescribed, a distributor's or importing distributor's license for the place which such person desires to maintain for the sale of malt or brewed beverages, not for consumption on the premises where sold, and in quantities of not less than a case or original containers containing one hundred twenty-eight ounces or more which may be sold separately as prepared for the market by the manufacturer at the place of manufacture. In addition, a distributor license holder may sell malt or brewed beverages in any

amount to a person not licensed by the board for off-premises consumption. The sales shall not be required to be in the package configuration designated by the manufacturer and may be sold in refillable growlers. The board shall have the discretion to refuse a license to any person or to any corporation, partnership or association if such person, or any officer or director of such corporation, or any member or partner of such partnership or association shall have been convicted or found guilty of a felony within a period of five years immediately preceding the date of application for the said license: And provided further, That, in the case of any new license or the transfer of any license to a new location, the board may, in its discretion, grant or refuse such new license or transfer if such place proposed to be licensed is within three hundred feet of any church, hospital, charitable institution, school or public playground, or if such new license or transfer is applied for a place which is within two hundred feet of any other premises which is licensed by the board: And provided further, That the board shall refuse any application for a new license or the transfer of any license to a new location if, in the board's opinion, such new license or transfer would be detrimental to the welfare, health, peace and morals of the inhabitants of the neighborhood within a radius of five hundred feet of the place proposed to be licensed. The board shall not license the area where liquid fuels or oil is sold. No sales of liquid fuels or oil may be made from a licensee's licensed premises. A licensed premises may not have an interior connection with a location that sells liquid fuels or oil unless it first receives permission from the board for the interior connection. The approval shall be required regardless of whether the licensee or another party is the entity selling the liquid fuels or oil. The board may enter into an agreement with the applicant concerning additional restrictions on the license in question. If the board and the applicant enter into such an agreement, such agreement shall be binding on the applicant. Failure by the applicant to adhere to the agreement will be sufficient cause to form the basis for a citation under section 471 and for the nonrenewal of the license under section 470. If the board enters into an agreement with an applicant concerning additional restrictions, those restrictions shall be binding on subsequent holders of the license until the license is transferred to a new location or until the board enters into a subsequent agreement removing those restrictions. If the application in question involves a location previously licensed by the board, then any restrictions imposed by the board on the previous license at that location shall be binding on the applicant unless the board enters into a new agreement rescinding those restrictions. The board shall require notice to be posted on the property or premises upon which the licensee or proposed licensee will engage in sales of malt or brewed beverages. This notice shall be similar to the notice required of hotel, restaurant and club liquor licensees.

Except as hereinafter provided, such license shall authorize the holder thereof to sell or deliver malt or brewed beverages in quantities above specified anywhere within the Commonwealth of Pennsylvania, which, in the case of distributors, have been purchased only from persons licensed under this act as manufacturers or importing distributors, and in the case of importing distributors, have been purchased from manufacturers or persons outside this Commonwealth engaged in the legal sale of malt or brewed beverages or from manufacturers or importing distributors licensed under this article. In the case of an importing distributor, the holder of such a license shall be authorized to store and repackage malt or brewed beverages owned by a manufacturer at a segregated portion of a warehouse or other storage facility authorized by section 441(d) and operated by the importing distributor within its appointed territory and deliver such beverages to another importing distributor who has been granted distribution rights by the manufacturer as provided herein. The importing distributor shall be permitted to receive a fee from the manufacturer for any related storage, repackaging or delivery services. In the case of a bailee for hire hired by a manufacturer, the holder of such a permit shall be authorized: to receive, store and repackage malt or brewed beverages produced by that manufacturer for sale by that manufacturer to importing distributors to whom that manufacturer has

given distribution rights pursuant to this subsection or to purchasers outside this Commonwealth for delivery outside this Commonwealth; or to ship to that manufacturer's storage facilities outside this Commonwealth. The bailee for hire shall be permitted to receive a fee from the manufacturer for any related storage, repackaging or delivery services. The bailee for hire shall, as required in Article V of this act, keep complete and accurate records of all transactions, inventory, receipts and shipments and make all records and the licensed areas available for inspection by the board and for the Pennsylvania State Police, Bureau of Liquor Control Enforcement, during normal business hours.

Each out of State manufacturer of malt or brewed beverages whose products are sold and delivered in this Commonwealth shall give distributing rights for such products in designated geographical areas to specific importing distributors, and such importing distributor shall not sell or deliver malt or brewed beverages manufactured by the out of State manufacturer to any person issued a license under the provisions of this act whose licensed premises are not located within the geographical area for which he has been given distributing rights by such manufacturer. In addition, the holder of a distributor license may not sell or deliver malt or brewed beverages to any licensee whose licensed premises is located within the designated geographical area granted to an importing distributor other than the importing distributor that sold the malt or brewed beverages to the distributor. If the licensee purchasing the malt or brewed beverages from the distributor license holder holds multiple licenses or operates at more than one location, then the malt or brewed beverages may not be consumed or sold at licensed premises located within the designated geographical area granted to an importing distributor other than the importing distributor that sold the malt or brewed beverages to the distributor. Should a licensee accept the delivery of malt or brewed beverages or transfer malt or brewed beverages in violation of this section, said licensee shall be subject to a suspension of his license for at least thirty days: Provided, That the importing distributor holding such distributing rights for such product shall not sell or deliver the same to another importing distributor without first having entered into a written agreement with the said secondary importing distributor setting forth the terms and conditions under which such products are to be resold within the territory granted to the primary importing distributor by the manufacturer.

When a Pennsylvania manufacturer of malt or brewed beverages licensed under this article names or constitutes a distributor or importing distributor as the primary or original supplier of his product, he shall also designate the specific geographical area for which the said distributor or importing distributor is given distributing rights, and such distributor or importing distributor shall not sell or deliver the products of such manufacturer to any person issued a license under the provisions of this act whose licensed premises are not located within the geographical area for which distributing rights have been given to the distributor and importing distributor by the said manufacturer. In addition, the holder of a distributor license may not sell or deliver malt or brewed beverages to a licensee whose licensed premises is located within the designated geographical area granted to an importing distributor other than the importing distributor that sold the malt or brewed beverages to the distributor. If the licensee purchasing the malt or brewed beverages from the distributor license holder holds multiple licenses or operates at more than one location, the malt or brewed beverages may not be consumed or sold at licensed premises located within the designated geographical area granted to an importing distributor other than the importing distributor that sold the malt or brewed beverages to the distributor. [If a licensee accepts the delivery of malt or brewed beverages or transfers malt or brewed beverages in violation of this section, the licensee shall be subject to suspension of his license for at least thirty days: Provided, That the] The importing

distributor holding such distributing rights for such product shall not sell or deliver the same to another importing distributor without first having entered into a written agreement with the said secondary importing distributor setting forth the terms and conditions under which such products are to be resold within the territory granted to the primary importing distributor by the manufacturer. Nothing herein contained shall be construed to prevent any manufacturer from authorizing the importing distributor holding the distributing rights for a designated geographical area from selling the products of such manufacturer to another importing distributor also holding distributing rights from the same manufacturer for another geographical area, providing such authority be contained in writing and a copy thereof be given to each of the importing distributors so affected.

A distributor who violates the provisions of this section and delivers to a licensee outside of the designated geographical area shall be subject to citation by the enforcement bureau of the board which shall result in penalties as follows: The receipt of a first citation will result in a fine of not less than five hundred dollars (\$500), nor more than one thousand dollars (\$1,000); the receipt of a second citation will result in a fine of not less than one thousand dollars (\$1,000), nor more than two thousand five hundred dollars (\$2,500) and suspension of operating privileges for at least two days; the receipt of a third or subsequent citation will result in a fine of not less than two thousand five hundred dollars (\$2,500), nor more than five thousand (\$5,000) and suspension of operating privileges for seven days.

A licensee who accepts product in violation of the provisions of this section shall be subject to citation by the enforcement bureau of the board, which shall result in penalties as follows: the receipt of a first citation will result in a warning and will serve as official notice that the licensee is accepting product in violation of this act; the receipt of a second citation will result in a fine of not less than five hundred dollars (\$500), nor more than one thousand dollars (\$1,000); the receipt of a third citation will result in a fine of not less than one thousand dollars (\$1,000), nor more than two thousand five hundred dollars (\$2,500) and suspension of operating privileges for at least two days; the receipt of a fourth or subsequent citation will result in a fine of not less than two thousand five hundred dollars (\$2,500), nor more than five thousand (\$5,000) and suspension of operating privileges for seven days.

* * *

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

4

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, Representative Tobash.

Mr. TOBASH. Thank you, Mr. Speaker.

Act 166 of 2016 did as I mentioned, strengthened and hardened some of the enforcement on territories and in that action we also imposed some penalties, which is a suspension for the licensee of 30 days. It has been recognized that that action and the suspension is too harsh in many cases. So this amendment seeks to reduce that penalty to fines for the first infraction, which will be increased. I would appreciate everyone's affirmative vote on this amendment.

Thank you, Mr. Speaker.

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 1497 CONTINUED

The SPEAKER. On the amendment, Representative Jozwiak. Mr. JOZWIAK. Thank you, Mr. Speaker.

This is an agreed-to amendment. I would ask the members to support the amendment.

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

The following roll call was recorded:

YEAS—197

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

NAYS—3

McCarter	McClinton	Rabb
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NOT VOTING—0

EXCUSED—3

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

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

The SPEAKER. Representative Adam Harris has three amendments.

Representative Harris, would you please set forth which are withdrawn?

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

I will be withdrawing amendment A02023 and I will also be withdrawing A02200, but I would like to offer the third amendment.

The SPEAKER. Thank you, sir.

So the amendment we will have in front of us is A02209.

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

Mr. A. HARRIS offered the following amendment No. A02209:

Amend Bill, page 1, line 20, by striking out the period after "PERMITS" and inserting
, for interlocking businesses prohibited and for unlawful acts relative to liquor, malt and brewed beverages and licensees.

Amend Bill, page 4, line 14, by striking out "SECTION" where it occurs the second time and inserting

Sections

Amend Bill, page 4, line 14, by inserting after "(12)" and 411(d) and (e)

Amend Bill, page 5, by inserting between lines 4 and 5 Section 411. Interlocking Business Prohibited.—* * *

(d) Excepting as herein provided, no hotel licensee, restaurant licensee or club licensee, and no officer, director, stockholder, agent or employe of any such licensee shall in any wise be interested, either directly or indirectly, [in the ownership or leasehold of any property or the equipment of any property or any mortgage lien against the same, used by a manufacturer in manufacturing liquor or malt or brewed beverages; nor shall any hotel, restaurant or club licensee, or any officer, director, stockholder, agent or employe of any such licensee, either directly or indirectly,] lend any moneys, credit, or give anything of value or the equivalent thereof, to any manufacturer for equipping, fitting out, or maintaining and conducting, either in whole or in part, an establishment used for the manufacture of liquor or malt or brewed beverages.

(e) Except as herein provided, no hotel, restaurant, retail dispenser or club licensee, and no officer, director or stockholder, agent or employe of any such licensee shall in any wise be interested, directly or indirectly, in the ownership or leasehold of any property or the equipment of any property or any mortgage lien against the same, used by a distributor, importing distributor, or by an importer or sacramental wine licensee, in the conduct of his business; nor shall any hotel, restaurant, retail dispenser or club licensee, or any officer, director, stockholder, agent or employe of any such licensee, either directly or indirectly, lend any moneys, credit, or give anything of value or the

equivalent thereof, to any distributor, importing distributor, importer or sacramental wine licensee, for equipping, fitting out, or maintaining and conducting, either in whole or in part, an establishment used in the conduct of his business.

The purpose of this section is to require a separation of the financial and business interests between manufacturers and holders of hotel or restaurant liquor licenses and, as herein provided, of club licenses, issued under this article, and no person shall, by any device whatsoever, directly or indirectly, evade the provisions of the section. But in view of existing economic conditions, nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest by a manufacturer of any place occupied by a licensee under this article after the manufacturer has continuously owned and had a conflicting interest in such place for a period of at least five years prior to July eighteenth, one thousand nine hundred thirty-five: Provided, however, That this clause shall not prohibit any hotel, restaurant or club liquor licensee, or any officer, director or stockholder of any such licensee, from owning land or buildings which are leased to a holder of a retail dispenser's license, [a distillery license or a limited distillery license] or a manufacturer's license: And, provided further, That nothing contained in this section shall be construed to prohibit any hotel, restaurant, retail dispenser or club licensee or any officer, director or stockholder, agent or employe of any such licensee from having a financial or other interest, directly or indirectly in [the ownership or leasehold of any property or] the equipment of any property or any mortgage lien against same, used, leased by an importer or sacramental wine licensee for the exclusive purpose of maintaining commercial offices and on the condition that said property is not used for the storage or sale of liquor or malt or brewed beverages in any quantity: And, provided further, That nothing contained in this section shall prohibit an officer or member of a licensed privately owned private golf course catering club from having an interest in a limited winery license: And, provided further, That nothing contained in this section shall be construed to prohibit a member of the governing board of a public authority created under subdivision (n) of Article XXIII of the act of August 9, 1955 (P.L.323, No.130), known as "The County Code," from having an interest in a distributor or importing distributor license notwithstanding the fact that the public authority has an interest in one or more retail licenses or acts as a landlord for one or more retail licenses: And, provided further, That, nothing in this section may prohibit an employe of a hotel or restaurant licensee from having an interest in any property used by a limited winery licensee or in guaranteeing any loans, or lending any moneys, providing credit or giving anything of value to a limited winery licensee or its officers, directors and shareholders, provided that the person also is not an officer of or does not have any interest in or exercise any control over any other licensed entity that engages in any sales to or from the licensee: And, provided further, That, notwithstanding any other provision of this section, an entity may acquire both a manufacturer's license or a limited winery license and a hotel, restaurant or retail dispenser license for use at the same location and more than one location may be so licensed. And, provided further, That, notwithstanding any other provision of this section, an entity licensed as a limited winery may hold and operate a restaurant liquor license at one of its additional, board-approved locations instead of at its primary location where manufacturing occurs. The licenses and a person's interest in the licenses or in the entity holding the licenses shall not be subject to this section. Provided further, That, a person who is a holder of ten per centum (10%) or less of securities or other interests in a publicly or privately held domestic or foreign corporation, partnership, limited liability company or other form of legal entity owning a retail license shall not be deemed to possess a financial interest and is not subject to the provisions of this section, provided that the person is not an officer of, employe of or does not have any interest in or exercise any control over any other licensed entity that engages in any sales to or from the retail licensee in which the person holds the ten per centum (10%) or less interest[.]; And, provided further, That nothing in this section shall prohibit a person who has an

ownership interest in a limited winery license from being employed by an entity that holds a hotel, restaurant, eating place or club license so long as the person is not employed as an alcohol service personnel or as manager.

* * *

Section 3. Section 493(11) of the act is amended to read:

Section 493. Unlawful Acts Relative to Liquor, Malt and Brewed Beverages and Licensees.—The term "licensee," when used in this section, shall mean those persons licensed under the provisions of Article IV, unless the context clearly indicates otherwise.

It shall be unlawful—

* * *

(11) Licensees Employed by Others. For any hotel, restaurant or club liquor licensee, or any malt or brewed beverage licensee, or any officer, servant, agent or employe of such licensee, to be at the same time employed, directly or indirectly, by any distributor, importing distributor, manufacturer, importer or vendor licensee or any out of State manufacturer. It shall also be unlawful for any distributor or importing distributor, or any officer, servant, agent or employe of such licensee, to be at the same time employed, directly or indirectly, by any other distributor, importing distributor, manufacturer, importer, vendor, out of State manufacturer, hotel restaurant, malt or brewed beverage licensee, or club liquor licensee. It shall also be unlawful for any manufacturer, importer, or vendor licensee, or any out of State manufacturer, or any officer, servant, agent or employe of such licensee or manufacturer, to be at the same time employed, directly or indirectly, by any hotel, restaurant or club liquor licensee or any malt or brewed beverage licensee or any distributor or importing distributor licensee. Nothing in this subsection shall be construed to prohibit a manufacturer or limited winery licensee, or any officer, servant, agent or employe of such licensee, to be employed at the same time by a hotel, restaurant or retail dispenser licensee if the hotel, restaurant or retail dispenser licensee is located at the manufacturer or limited winery premises pursuant to section 443. For the purposes of this subsection, an officer, servant, agent or employe of a licensee or manufacturer is an individual who has either an ownership interest in the licensee or manufacturer or who receives compensation for his or her work on behalf of the licensee or manufacturer[.]; Provided further, That nothing in this section shall prohibit a person who has an ownership interest in a limited winery license from being employed by an entity that holds a hotel, restaurant, eating place or club license so long as the person is not employed as an alcohol service personnel or as manager.

* * *

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

4

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, sir.

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

I believe this is an agreed-to amendment. We have had several brewers throughout the State run into a problem where the LCB will not renew their brewing license because of who their landlord is, even though in the past they have always allowed this to happen. So what we are saying is, as long as that landlord has no financial interest in that brewer, that landlord-lessee relationship can continue.

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

Mr. JOZWIAK. Mr. Speaker, this is an agreed-to amendment. I would ask the membership to support the amendment.

The SPEAKER. Thank you, sir.

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

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

Mr. **SAMUELSON** offered the following amendment
No. **A02379**:

Amend Bill, page 1, line 20, by inserting after "PROVIDING"
for sales by liquor licensees and restrictions,

Amend Bill, page 1, line 20, by inserting after "PERMITS"
and for performing arts facility license

Amend Bill, page 4, lines 14 through 16, by striking out all of
said lines and inserting

Section 2. Sections 406(d), 408.12(a)(6), (10), (11) and (12) and
413(f)(1) of the act, amended November 15, 2016 (P.L.1286, No.166),
are amended to read:

Section 406. Sales by Liquor Licensees; Restrictions.—* * *

(d) Subject to section 412, licensed public venues may sell
liquor and malt or brewed beverages on Sundays from eleven o'clock
antemeridian until midnight without the need to acquire or qualify for a
special permit. In addition, subject to section 413, licensed performing
arts facilities may sell liquor and malt or brewed beverages on Sundays
from [one o'clock postmeridian] ten o'clock antemeridian until ten
o'clock postmeridian without the need to acquire or qualify for a
special permit.

* * *

Amend Bill, page 5, by inserting between lines 4 and 5

Section 413. Performing Arts Facility License.—* * *

(f) Licenses issued under this section are to be considered
restaurant liquor licenses. However, the following additional
restrictions and privileges apply:

(1) Sales of liquor and malt or brewed beverages may be made
two hours before, during and one hour after any performance at the
facility; however, sales may not be made from two o'clock
antemeridian to seven o'clock antemeridian. In addition, sales may not
occur prior to [one o'clock postmeridian] ten o'clock antemeridian or
after ten o'clock postmeridian on Sundays. However, facilities that had
been licensed under former section 408.3(a) and 408.3(a.2) may sell
liquor and malt or brewed beverages anytime except from two o'clock
antemeridian to seven o'clock antemeridian or prior to one o'clock
postmeridian or after ten o'clock postmeridian on Sundays, regardless
of whether there is a performance at the facility.

* * *

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

The **SPEAKER**. Representative Samuelson, sir, on the
amendment.

Mr. **SAMUELSON**. Thank you, Mr. Speaker.

Under current law, licensed performing arts facilities may
sell alcoholic beverages starting at 1 p.m. on a Sunday. This
amendment changes that time to 10 a.m., and it is my
understanding that this amendment has been agreed to by the
prime sponsor of the bill.

The **SPEAKER**. Representative Jozwiak, on the amendment,
sir.

Mr. **JOZWIAK**. Thank you, Mr. Speaker.

This is an agreed-to amendment. I would ask the
membership to support the amendment.

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

The following roll call was recorded:

YEAS—161

Baker	Dowling	Keller, W.	Roae
Barbin	Driscoll	Kim	Roebuck
Barrar	Dunbar	Kinsey	Rozzi
Benninghoff	Dush	Kirkland	Ryan
Bernstine	Ellis	Klunk	Saccone
Bizzarro	English	Kortz	Sainato
Bloom	Evankovich	Krueger	Samuelson
Boback	Evans	Kulik	Sankey
Boyle	Everett	Lewis	Santora
Bradford	Fabrizio	Longietti	Saylor
Briggs	Farry	Mackenzie	Schemel
Brown, R.	Fitzgerald	Madden	Schlossberg
Bullock	Flynn	Maher	Schweyer
Burns	Frankel	Markosek	Simmons
Caltagirone	Freeman	Marsico	Sims
Carroll	Fritz	Matzie	Solomon
Charlton	Gabler	McNeill	Sonney
Christiana	Gainey	Mehaffie	Staats
Comitta	Galloway	Metzgar	Stephens
Conklin	Gergely	Miccarelli	Sturla
Cook	Gillespie	Millard	Taylor
Corbin	Godshall	Moul	Thomas
Corr	Goodman	Mullery	Tobash
Costa, D.	Grove	Mustio	Toepel
Costa, P.	Haggerty	Nesbit	Toohil
Cruz	Hahn	Neuman	Topper
Culver	Hanna	O'Brien	Vazquez
Cutler	Harkins	O'Neill	Vitali
Daley	Harper	Oberlander	Ward
Davidson	Harris, A.	Ortitay	Warner
Davis	Harris, J.	Pashinski	Warren
Dawkins	Helm	Peifer	Watson
Day	Hennessey	Petri	Wentling
Dean	Hill	Pickett	Wheatley
Deasy	Irvin	Pyle	Wheeland
DeLissio	James	Quinn, M.	White
Delozier	Jozwiak	Rader	Youngblood
DeLuca	Kampf	Ravenstahl	
Dermody	Kaufer	Readshaw	Turzai,
Diamond	Kavulich	Reed	Speaker
Donatucci	Keller, M.K.	Reese	

NAYS—39

Brown, V.	Kauffman	McGinnis	Quinn, C.
Cephas	Keefer	Mentzer	Rabb
Cox	Keller, F.	Metcalfe	Rapp
DiGirolamo	Knowles	Miller, B.	Roe
Emrick	Lawrence	Miller, D.	Rothman
Fee	Mako	Milne	Snyder
Gillen	Maloney	Murt	Tallman
Greiner	Masser	Neilson	Walsh
Heffley	McCarter	Nelson	Zimmerman
Hickernell	McClinton	Petrarca	

NOT VOTING—0

EXCUSED—3

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

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

The SPEAKER. Members, I do not believe that there are any other amendments to this bill.

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

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 1175, PN 1398**, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in lobbying disclosure, further providing for registration, for reporting, for prohibited activities, for administration, for penalties and for registration fees, fund established, system and regulations.

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

Mr. **CUTLER** offered the following amendment
No. **A02376**:

- Amend Bill, page 1, line 4, by inserting after "activities," for administration,
- Amend Bill, page 1, line 9, by inserting after "13A07(f)(2)," 13A089(b),
- Amend Bill, page 2, line 26, by inserting a bracket before "under"
- Amend Bill, page 2, line 27, by inserting after "affirmation"] subject to the penalties under 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities)
- Amend Bill, page 4, by inserting between lines 24 and 25 § 13A08. Administration.

* * *

(b) Forms.—The department shall prescribe registration and reporting forms to be used under this chapter. The forms shall be available on a publicly accessible Internet website. All information requested on the forms shall be provided to the best of the knowledge, information and belief of the person required to file and shall be signed [under oath or equivalent affirmation] subject to the penalties under 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

* * *

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

The SPEAKER. Members, please look to your laptops to see the language on the amendments.

Amendment 2376 is subjecting certain actions to penalties under 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

BILL PASSED OVER

The SPEAKER. Members, we are going to go over this bill. We are going to go over HB 1175, PN 1398, because the amendments are not showing up on the calendar.

CONSIDERATION OF HB 1469 CONTINUED**MOTION TO RECONSIDER
AMENDMENT A01999 CONTINUED**

The SPEAKER. At this time the motion to reconsider filed by Representatives Harper and Freeman. They move that the vote by which amendment 1999 to HB 1469 was passed earlier today be reconsidered.

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

The SPEAKER. On the motion, Representative Reed, the majority leader.

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

I would ask the members to vote against the motion to reconsider, to vote "no" on the motion to reconsider. Thank you.

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

The following roll call was recorded:

YEAS—87

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

NAYS—113

Baker	Gabler	Marsico	Rothman
Barrar	Gillen	Masser	Ryan
Benninghoff	Gillespie	McGinnis	Saccone
Bernstine	Godshall	Mehaffie	Sankey
Bloom	Greiner	Mentzer	Santora
Boback	Grove	Metcalfe	Saylor
Brown, R.	Hahn	Metzgar	Schemel
Cephas	Harris, A.	Miccarelli	Simmons
Charlton	Heffley	Millard	Sonney
Christiana	Helm	Milne	Staats
Cook	Hickernell	Moul	Tallman
Corbin	Hill	Mustio	Taylor
Cox	Irvin	Nelson	Thomas
Culver	James	Nesbit	Tobash
Cutler	Jozwiak	O'Neill	Toepel
Dawkins	Kampf	Oberlander	Toohil
Day	Kaufert	Ortity	Topper

DeLozier	Kauffman	Peifer	Walsh
Diamond	Keefe	Petri	Ward
Dowling	Keller, F.	Pickett	Warner
Dunbar	Keller, M.K.	Pyle	Watson
Dush	Klunk	Quinn, C.	Wentling
Ellis	Knowles	Quinn, M.	Wheeland
Emrick	Lawrence	Rader	White
English	Lewis	Rapp	Zimmerman
Evankovich	Mackenzie	Reed	
Everett	Maher	Reese	Turzai,
Fee	Mako	Roae	Speaker
Fritz	Maloney	Roe	

NOT VOTING—0

EXCUSED—3

Causar Marshall Quigley

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

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

POINT OF ORDER

Mr. VITALI. Point of order.

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

Mr. VITALI. Mr. Speaker, Mr. Freeman was trying to get attention. There were members trying to assist him in getting attention on that motion to reconsider. We really need to err on the side of having the voices of members be heard on this.

I think for you to – I really respect the way you conduct yourself, but I think in this particular circumstance, you just may want to reconsider what just happened. You just may want to do that.

The SPEAKER. Sir, at this time the motion to reconsider has failed.

There are no further votes for today.

We will take up housekeeping at this time.

BILLS RECOMMITTED

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

HB 1094;
HB 1364;
HB 1452;
HB 1469;
HB 1497;
HB 1518;
HB 1550; and
SB 137.

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

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be removed from the tabled calendar and moved to the active calendar:

HB 479;
HB 480;
HB 481;
SB 446; and
SB 589.

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

BILLS REMOVED FROM TABLE

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

HB 447;
HB 593;
HB 966;
HB 984;
HB 1390; and
HB 1406.

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

BILLS TABLED

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

HB 447;
HB 593;
HB 966;
HB 984;
HB 1390; and
HB 1406.

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

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. Representative Metcalfe, for what purpose do you rise?

Mr. METCALFE. Thank you, Mr. Speaker.

To call a meeting of the House State Government Committee, Mr. Speaker, tomorrow at 10 a.m. in room G-50 of the Irvis Office Building to consider SB 527, as well as any other business that comes before the State Government Committee, Mr. Speaker.

So voting meeting tomorrow, 10 a.m., G-50, Irvis Office Building, of the House State Government Committee to consider SB 527, as well as any other business that comes before the committee, Mr. Speaker.

Thank you, Mr. Speaker.

The SPEAKER. The House State Government Committee will meet tomorrow at 10 a.m. in room G-50 of the Irvis Office Building. Thank you.

ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE MEETING

The SPEAKER. Representative John Maher, for what purpose do you rise, sir?

Mr. MAHER. For the purpose of a committee announcement.

The SPEAKER. Yes, sir. Please proceed.

Mr. MAHER. The Environmental Resources and Energy Committee members should plan to meet tomorrow at the recess associated with caucus. We will have the exact time and place tomorrow, but for planning purposes, Environmental Resources and Energy Committee will be meeting at our recess tomorrow.

The SPEAKER. The Environmental Resources and Energy Committee will be meeting at our recess tomorrow. Thank you.

ANNOUNCEMENT BY MS. BOBACK

The SPEAKER. Representative Karen Boback, for what purpose do you rise?

Ms. BOBACK. An announcement, Mr. Speaker.

The SPEAKER. Yes. Please proceed.

Ms. BOBACK. The northeast delegation will meet immediately in room 316A, the Main Capitol. That is the northeast delegation. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Boback.

VOTE CORRECTION

The SPEAKER. Representative Justin Simmons.

Mr. SIMMONS. To correct the record, Mr. Speaker.

The SPEAKER. Yes, sir. You may proceed.

Mr. SIMMONS. On HB 1497, amendment 1922, my button malfunctioned. I was not recorded. I was a "yes" vote.

The SPEAKER. Yes, sir. That will be recorded.

Does anybody else wish to be recognized for committee announcements?

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. At this time the majority leader moves that the House be adjourned until tomorrow, Thursday, June 29, 2017, at 11 a.m., e.d.t., unless sooner recalled by the Speaker. Thank you.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:01 p.m., e.d.t., the House adjourned.