

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 3, 2017

SESSION OF 2017

201ST OF THE GENERAL ASSEMBLY

No. 58

### HOUSE OF REPRESENTATIVES

The House convened at 9 a.m., e.d.t.

#### THE SPEAKER (MIKE TURZAI) PRESIDING

#### PRAYER

HON. PAMELA A. DeLISSIO, member of the House of Representatives, offered the following prayer:

Good morning, and thank you, Mr. Speaker.

This is my prayer for the budget and it is titled "A Prayer for Hope."

Heavenly Father, I am Your humble servant. I come before You today in need of hope. There are times when I feel helpless. There are times when I feel weak. I pray for hope. I need hope for a better future. I need hope for a better life. I need hope for love and kindness.

Some say that the sky is at its darkest just before the light. I pray that this is true, for all seems dark. I need Your light, Lord, in every way. I pray to be filled with Your light from head to toe, to bask in Your glory, to know that all is right in the world as You have planned and as You want it to be. Help me to walk in Your light and lift my life in faith and glory.

In Your name I pray. 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 Monday, October 2, 2017, will be postponed until printed.

#### GUEST INTRODUCED

The SPEAKER. Located to the left of the rostrum, we welcome Amanda Ralff. Amanda, please stand. She is a student at Elizabethtown College and is interning in Representative Dave Hickernell's district office. Welcome, Amanda.

### NATIONAL MARBLES CHAMPIONS PRESENTED

The SPEAKER. Representative Gainey, Representative Frankel, and Representative English, if you want to please come on up to the rostrum. Representative English, Representative Frankel; Representative Gainey is our lead, and they will be presenting a citation to some champions in the Commonwealth of Pennsylvania.

Mr. GAINEY. Thank you, Mr. Speaker.

Before I begin, I am going to let Hal speak first, and if Representative Frankel makes his way up, I will let him speak, then I will come back and finish it up.

But first, let me give the microphone to Hal English. Mr. English.

Mr. ENGLISH. Well, good morning, members.

If you would please look in your desk drawer at this time, in your desk drawer, please look in. There should be a couple of marbles in there, and the reason is because we are here to congratulate the national marble champions: Eli Murphy from Representative Frankel's district and Sierra Ricci from Shaler Township, my district. And both of these players and their parents are friends of our esteemed colleague, Representative Gainey.

So they went to New Jersey to compete, and it is a series of numerous matches where they are shooting, and you get to the finals – and the top 8 people, you are doing a series of knockout games with them – and then when you get to the final, it is the best of 15. I think the term is, they are "mibsters," and it just seems like a delightful good sport, maybe something you do not have to do when you are young, perhaps when you get old. So we are here to celebrate them.

And for Sierra, her family has a long lineage of marble champions and marble competitors, and even her older sister, Amber, was a national champion in 2008, and she has a couple of cousins that were national champions. So collectively, Allegheny County is proud to have 30 national champions over the past 97 years. We are very proud. Clearly Allegheny County Representatives and constituents have not lost their marbles. But if you do not have it in your drawer, the argument could be made that you have lost your marbles.

We welcome Sierra and Eli here today.

The SPEAKER. Representative Gainey.

Mr. GAINEY. Thank you, Mr. Speaker.

Let us give a warm hand for Eli and Sierra. Let us give them a hand, come on.

You know, in this great body we definitely try to instill that practice makes perfect, and you could not imagine the amount of hours they had to put in to be able to win the marbles championship. It is an honor to be able to sit here in front of this esteemed body, in front of the Speaker, and be recognized on the floor for such a great accomplishment. So today I wanted to make sure that they had their doing alike, because a lot of times a lot of our kids that are champions do not get a chance to come up here and be recognized on the House floor.

So I look at this as two things: one, as a civics lesson, that they get to meet the Speaker of the House, that they get to meet the Representatives from their district; as well as a time that we can celebrate them being champions for the hard work they put in to win the marbles championship. So before we introduce them with the proclamation, one more time can we have a good hand for this young man and woman who won for western Pennsylvania and the Commonwealth of Pennsylvania.

The SPEAKER. Representative Frankel waives off, but we are so glad to have him here with these champions.

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. Representative Donatucci and Representative DeLissio have requested that any staff members, any and all staff members that have battled breast cancer, they have been invited to the House floor to join in with the resolution on the National Breast Cancer Awareness Month. And so we are inviting any and all staffers throughout the Capitol to feel welcome to come to this resolution that Representative Donatucci and Representative DeLissio will be presenting.

### JUDICIARY COMMITTEE MEETING

The SPEAKER. Members, Chairman Marsico for a committee announcement, and then— We will begin with Chairman Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

The Judiciary Committee will meet at the break in 205 Ryan. Judiciary Committee will meet at the break in 205 Ryan Building. Thank you.

The SPEAKER. Thank you, sir.

The Judiciary Committee will meet at the break in 205 Ryan.

### STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. Representative Metcalfe, the chair of the State Government Committee. Chairman Metcalfe. Chairman, come down front. Just come down right here. I saw folks standing in front of you and I just wanted to make sure that everybody could see you.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, the House State Government Committee will hold a voting meeting immediately at the break today in room G-50 of the Irvis Office Building to consider HB 444 as well as any other business that might come before the committee, Mr. Speaker.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

The State Government Committee will meet at the break in room G-50 of the Irvis Office Building.

### LEAVES OF ABSENCE

The SPEAKER. The majority whip requests leaves of absence for the following members: Representative Rosemary BROWN of Monroe County for the day, Representative Harry LEWIS of Chester County for the day, Representative Mark MUSTIO of Allegheny County for the day, Representative Paul SCHEMEL of Franklin County for the day, Representative Bernie O'NEILL of Bucks County for the day, and Representative Mark KELLER of Perry County for the day. Without objection, those will be granted.

The minority whip requests leaves of absence for the following members: Representative Kevin HAGGERTY of Lackawanna County for the day, and Representative Angel CRUZ of Philadelphia County for the day.

### MASTER ROLL CALL

The SPEAKER. We will proceed to the master roll. We will proceed to the master roll. All members please proceed to vote.

The following roll call was recorded:

#### PRESENT—193

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

DeLozier	Kaufer	Petrarca	Watson
DeLuca	Kauffman	Petri	Wentling
Dermody	Kavulich	Pickett	Wheatley
Diamond	Keefer	Pyle	Wheeland
DiGirolamo	Keller, F.	Quigley	White
Donatucci	Keller, W.	Quinn, C.	Youngblood
Dowling	Kim	Quinn, M.	Zimmerman
Driscoll	Kinsey	Rabb	
Dunbar	Kirkland	Rader	Turzai,
Dush	Klunk	Rapp	Speaker
Ellis	Knowles	Ravenstahl	

ADDITIONS—0

NOT VOTING—0

EXCUSED—9

Brown, R.	Keller, M.K.	Metzgar	O'Neill
Cruz	Lewis	Mustio	Schemel
Haggerty			

LEAVES ADDED—3

Cox	DeLissio	Kauffman	
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LEAVES CANCELED—4

Brown, R.	DeLissio	O'Neill	Schemel
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The SPEAKER. One hundred and ninety-three members being present, we have a quorum.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mrs. DAVIS called up **HR 87, PN 500**, entitled:

A Resolution designating October 9, 2017, as "PANDAS Awareness Day" in Pennsylvania to inform and bring greater awareness of Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections (PANDAS) to the general public and medical community.

\* \* \*

Ms. DONATUCCI called up **HR 435, PN 2228**, entitled:

A Resolution recognizing the month of October 2017 as "National Breast Cancer Awareness Month" in Pennsylvania and October 20, 2017, as "National Mammography Day" in Pennsylvania.

\* \* \*

Mr. MARSHALL called up **HR 494, PN 2413**, entitled:

A Resolution designating the week of October 16 through 20, 2017, as "Community College Completion Week" in Pennsylvania.

\* \* \*

Mr. READSHAW called up **HR 503, PN 2429**, entitled:

A Resolution designating the month of October 2017 as "Archives Month" in Pennsylvania.

\* \* \*

Mr. MATZIE called up **HR 507, PN 2443**, entitled:

A Resolution designating the month of October 2017 as "Wine, Wineries and Grapes Month" in Pennsylvania.

\* \* \*

Mr. MACKENZIE called up **HR 523, PN 2488**, entitled:

A Resolution recognizing the month of October 2017 as "Energy Awareness Month" in Pennsylvania.

\* \* \*

Ms. HARPER called up **HR 530, PN 2500**, entitled:

A Resolution recognizing the month of October 2017 as "Italian-American Heritage Month" in Pennsylvania.

\* \* \*

Mr. BARRAR called up **HR 532, PN 2501**, entitled:

A Resolution recognizing October 13, 2017, as the 242nd birthday of the United States Navy.

On the question,  
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—193

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

DeLissio	Kampf	Peifer	Warren
Delozier	Kaufer	Petrarca	Watson
DeLuca	Kauffman	Petri	Wentling
Dermody	Kavulich	Pickett	Wheatley
Diamond	Keefer	Pyle	Wheeland
DiGirolamo	Keller, F.	Quigley	White
Donatucci	Keller, W.	Quinn, C.	Youngblood
Dowling	Kim	Quinn, M.	Zimmerman
Driscoll	Kinsey	Rabb	
Dunbar	Kirkland	Rader	Turzai,
Dush	Klunk	Rapp	Speaker
Ellis	Knowles	Ravenstahl	

NAYS—0

NOT VOTING—0

EXCUSED—9

Brown, R.	Keller, M.K.	Metzgar	O'Neill
Cruz	Lewis	Mustio	Schemel
Haggerty			

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

The SPEAKER. Representative Donatucci and Representative DeLissio and any members or staff who care to join them – you certainly may – please proceed to the front. Members, would you please take your seats. Members, please take your seats, other than the members who are coming up to the well of the House, which is perfectly appropriate. Guests, if you will please take your seats. All members, please take your seats.

### STATEMENT BY MS. DONATUCCI

The SPEAKER. Representative Donatucci, the floor is yours. Ms. DONATUCCI. Thank you, Mr. Speaker.

I want to thank my colleagues on both sides of the aisle for supporting my resolution to designate October as "National Breast Cancer Awareness Month" and October 20 as "National Mammography Day" in Pennsylvania. I am willing to bet that most of you in this room know someone suffering from breast cancer, someone who survived, or someone who lost their battle. I celebrate all the survivors among us.

According to the American Cancer Society, nearly 250,000 women and men in the United States will be diagnosed with the disease this year alone. Early detection and awareness save lives, and that is why I am advocating for the State to take further action to ensure Pennsylvanians are educated about preventative care and informed about self-breast exams, yearly mammograms, and regular visits to the doctor.

It is imperative that communication continues to be dispersed both on the national and State levels. As stewards of the public health, we must work collectively to spread awareness about this devastating disease. Being proactive helps protect life; being reactive risks losing it.

Thank you, Mr. Speaker.

The SPEAKER. Thank you very much, Representative Donatucci.

### STATEMENT BY MR. BARRAR

The SPEAKER. Representative Stephen Barrar is recognized to speak on HR 532.

Mr. BARRAR. Thank you, Mr. Speaker, for calling this up.

This resolution, simply, it honors the United States Navy on its 242d birthday. On October 13, 1775, the Continental Congress of the United States commissioned just two naval vessels to attack British commerce ships. Today our Navy is the largest and most powerful navy in the entire world and is a force for good.

Mr. Speaker, at this time we have many Navy veterans amongst our ranks here. If we could get them to stand and be recognized by the House, and if the Marines would like to stand too, that is okay too.

Thank you, Mr. Speaker.

The SPEAKER. Thank you for your service, and thank you, Chairman Barrar.

### REPUBLICAN CAUCUS

The SPEAKER. Representative Marcy Toepel, the caucus chair, for an announcement.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus at 10:30. We would be prepared to return to the floor at 11 o'clock.

### DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 10:30. Democrats will caucus at 10:30.

### HUMAN SERVICES COMMITTEE MEETING

The SPEAKER. Representative Gene DiGirolamo, for a committee announcement.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

There will be an immediate meeting of the Human Services Committee at the break in room 60, East Wing. It will be a voting meeting. We will be voting one bill. Human Services, at the break, 60 East Wing. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Mr. Chair.

There will be a Human Services Committee meeting at the break in room 60, East Wing.

So, members, Judiciary Committee, State Government Committee, and Human Services Committee will all be meeting at the break.

### RECESS

The SPEAKER. The House will stand in recess until 11 a.m.

**AFTER RECESS**

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

**LEAVES OF ABSENCE CANCELED**

The SPEAKER. Representative Rosemary Brown is on the House floor and should be placed back on the master roll. Representative Paul Schemel is back and should be placed on the master roll.

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

**HB 444, PN 460** By Rep. METCALFE

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in nomination of candidates, further providing for number of signers required for nomination petitions of candidates at primaries.

STATE GOVERNMENT.

**HB 1024, PN 2518** (Amended) By Rep. DiGIROLAMO

An Act amending the act of October 7, 2010 (P.L.484, No.70), known as the Adult Protective Services Act, in reporting suspected abuse by employees, providing for Statewide adult abuse registry.

HUMAN SERVICES.

**HB 1486, PN 1893** By Rep. MAHER

An Act amending the act of October 4, 1978 (P.L.864, No.167), known as the Storm Water Management Act, further providing for definitions and for effect of watershed storm water plans.

ENVIRONMENTAL RESOURCES AND ENERGY.

**SB 222, PN 1219** (Amended) By Rep. MARSICO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in organization and jurisdiction of courts of common pleas, further providing for courts of common pleas.

JUDICIARY.

**SB 260, PN 1220** (Amended) By Rep. MARSICO

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in administration, further providing for committee.

JUDICIARY.

**SB 741, PN 1221** (Amended) By Rep. MARSICO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in facilities and supplies, further providing for deposits into account; and repealing provisions relating to expiration of chapter.

JUDICIARY.

**RESOLUTION REPORTED  
FROM COMMITTEE**

**HR 515, PN 2460**

By Rep. MAHER

A Resolution urging the Delaware River Basin Commission to suspend consideration of a moratorium on natural gas drilling in the Delaware River Basin.

ENVIRONMENTAL RESOURCES AND ENERGY.

**SENATE MESSAGE**

AMENDED HOUSE BILL RETURNED  
FOR CONCURRENCE AND  
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 45, PN 2108**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**GUESTS INTRODUCED**

The SPEAKER. Located to the left of the rostrum, we welcome Shayla Reichenbach, who attends Manheim Township High School, and she is standing now. She is the daughter of a district office employee in Representative Sturla's office, Mena Rodriguez. Shayla is the guest of Representative Sturla and Representative Mentzer. Thank you so much for being with us today.

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. Representative Bernie O'Neill is on the House floor and should be placed back on the master roll.

Members, I would ask everybody to please take your seats. All members should come in from the anterooms and take your seats because we will be closing the doors of the House. All members should take their seats immediately because we are going to be closing the doors of the House. If any member wishes to be on the House floor, you must report now to honor our fallen colleague, a very, very good man.

The Sergeants at Arms will please close the doors of the House.

**MEMORIAL SERVICE FOR  
HON. DANIEL McNEILL**

The SPEAKER. We were all saddened to learn of the untimely passing of our friend and colleague, the gentleman from the 133d Legislative District, Representative Dan McNeill.

As is our custom, we will now take a few moments for a memorial service to reflect upon his life and service to the House of Representatives, to the constituents in his district, and to everyone in the Commonwealth at large.

**CONDOLENCE RESOLUTION**

The SPEAKER. At this time we are now going to consider the condolence resolution for Representative McNeill. Please proceed.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA  
THE HOUSE OF REPRESENTATIVES

**CONDOLENCE RESOLUTION**

WHEREAS, The House of Representatives of Pennsylvania wishes to honor the memory of the Honorable Daniel McNeill, who served the 133rd District of the House of Representatives of Pennsylvania with honor and distinction and passed away on September 8, 2017; and

WHEREAS, Representative McNeill graduated from Louis E. Dieruff High School and served in the Pennsylvania National Guard. He was a former Business Agent, Secretary and Treasurer of Ironworkers Local Union No. 36; a past Vice President of the Lehigh Valley Building Trades; past Commissioner for Whitehall Township. He further served as Whitehall Township Executive and Manager of Regional Partnerships for Lehigh County prior to his 2012 election to the House of Representatives, where he served on the Agriculture and Rural Affairs, Finance, Labor and Industry, Local Government and Professional Licensure Committees; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania proclaim with enduring sorrow the passing of the Honorable Daniel McNeill; and extend heartfelt condolences to his wife of thirty-two years, Jeanne Mudri McNeill; daughters, Kathleen, Shannon and Heather; granddaughter, MacKenzie; and be it further

RESOLVED, That a copy of this resolution, sponsored by Representatives Mike Turzai, Dave Reed, Frank Dermody, Bryan Cutler, Michael K. Hanna, Sr., Ryan A. Bizzarro, Marty Flynn, Robert L. Freeman, Ed Neilson, Steve Samuelson, Mike Schlossberg and Peter Schweyer on September 18, 2017, be transmitted to Jeanne Mudri McNeill.

Dave Reed, Sponsor  
Frank Dermody, Sponsor  
Bryan Cutler, Sponsor  
Michael K. Hanna, Sr., Sponsor  
Ryan A. Bizzarro, Sponsor  
Marty Flynn, Sponsor  
Robert L. Freeman, Sponsor  
Ed Neilson, Sponsor  
Steve Samuelson, Sponsor  
Mike Schlossberg, Sponsor  
Peter Schweyer, Sponsor

Mike Turzai, Speaker of the House  
ATTEST:  
David Reddecliff, Chief Clerk of the House

On the question,  
Will the House adopt the resolution?

The SPEAKER. Those in favor of the adoption of the resolution will rise as a mark of respect for our former colleague. Guests, please also rise as able.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable Daniel McNeill.)

The SPEAKER. Members and guests, please take your seats. The resolution has been unanimously adopted.

Members, I am going to just say a few remarks and then I will conclude at the end. The majority leader will have an opportunity to speak. The minority leader will have an opportunity to speak. I would also indicate that any member who wishes to speak will be given the opportunity to do so. Certainly, we always honor those former members that have passed away, but this is a sitting member. This was one of our present-day colleagues and friends. If any member wishes to speak, you are more than welcome to do so. I will, of course, first call the majority leader, the minority leader, and then any other guests that wish to say some words. We will follow that with the presentation of the citation and memorial flag to Representative McNeill's wife and daughters, and we will have a closing prayer by Representative Bryan Barbin.

**REMARKS BY SPEAKER**

The SPEAKER. On behalf of the House of Representatives, I wish to convey our deepest sympathy to Representative Dan McNeill's wife of 32 years, Jeanne, and their daughters, Kathleen, Shannon, Heather, and granddaughter, MacKenzie.

I apologize, but I am going to ask his wife, Jeanne, and the daughters to please stand at this time so that we can express our sadness to you personally, and granddaughter, MacKenzie.

Representative McNeill will sorely be missed by you, his loving family, and his great friends and his constituents and all of his colleagues here in the House of Representatives.

I must tell you, I was honored to be at the service and it was so loving, and the stories that were conveyed by the young man who spoke at the service and the Reverend I think touched all of us; really, it just touched all of us.

Dan truly left his mark on this august institution and on the wide array of people whose lives he touched back in the district and throughout the Commonwealth.

At this time I would like to ask the majority leader to set forth his remarks, followed by the minority leader, and then if anybody else wishes to speak, please let me know.

**REMARKS BY MAJORITY LEADER**

The SPEAKER. Representative Reed, the majority leader. Mr. REED. Thank you very much, Mr. Speaker.

It is a very sad day that we mourn the passing but celebrate the life of Representative McNeill. Now, Dan and I did not share geographic proximity, we were not on the same side of the political aisle, and I am not of the same generation that Dan came from. Dan and I rarely talked about public policy, but we had the opportunity almost every day to share conversation. I would see Dan almost every morning in the gym, which may seem like an odd place for a 39-year-old and a 70-year-old to gather on a daily basis, and our attire was a little bit different, because I was normally in gym shorts and a T-shirt and Dan

was always in a suit and tie every single morning. It became obvious from the very beginning that Dan had not come down to work out, but Dan came down for the conversation. He was an early riser, he liked to get to know people at a personal level, he liked to share family experiences, life experiences, and he wanted to get away from the partisan bickering that sometimes dominates the discussion on the House floor. So we got to know a little bit about each other, we got to know about each other's family, and I just enjoyed Dan's company. He was easy to talk to. You know he was a hard worker, a dedicated family man, and more than anything else, he truly cared about the people he represented, not just of his district, but across the entire Commonwealth of Pennsylvania. He was just a good person trying to do the right thing for the right reasons each and every day.

Dan and I also would pass on the House floor. Almost every day at the end of session he would walk past this podium, and generally, you know, depending on how the day went, he would always kind of elbow me on the way through and say, "Hey, if you need me to take care of any of these knuckleheads, you just let me know. I'm more than willing to help out." That is just the kind of guy he was, you know, just a little bit of humor mixed with humility mixed with just a good-natured view on life.

Dan and I have known each other for a number of years, but I can honestly say we never once talked about the health problems he was suffering through. He dealt with them himself and was always worried about your problems more than his. When I heard of Dan's passing, I was shocked, number one, that he was 70 years old. I did not think he was that old. And number two, I just could not imagine going to the gym in the morning and not seeing my friend.

So today as we mourn his loss but we celebrate his life, to his daughters, Kathleen, Shannon, Heather; his granddaughter, MacKenzie; and his wife, Jeanne, I just want to say, thank you. Thank you for sharing your loved one with us. He made a difference in my life and our lives and the lives of each and every Pennsylvanian. Thank you for having him be part of the history of this chamber and this Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Leader Reed.

### REMARKS BY MINORITY LEADER

The SPEAKER. The minority leader, Representative Frank Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

To Dan's wife, Jeanne, and his daughters, Kathleen, Shannon and Heather, and his granddaughter, MacKenzie, thank you for being with us today. We are also joined by two of Dan's legislative staff, Mick Dee from the district and Maria from the Capitol, as well as some of Dan's closest friends from home. We all appreciated Dan's warmth and his fighting spirit, and it is great that you are with us today to honor such a dear friend.

Dan was proud to be a State legislator and he was a proud working man. A lifelong ironworker, he was a leader of his union and vice president of the Lehigh Valley Building Trades. Dan cared about finding good jobs for people and he identified with working people and their struggles all his life. He came from organized labor; that was his story. He later went on to serve in elected and appointed positions in Whitehall Township

and Lehigh County governments before winning election in 2012 as State Representative of the 133d District.

Anyone who has served with Dan here in Harrisburg will tell you that he never forgot his roots. He never forgot where he came from, not for a minute. That is one of the things that we all loved about him. Dan was a genuine guy. When elected to public office, he did not change who he was, because there was no need to. You knew he would tell you the truth as he saw it, most of the time telling you a pleasant story, sometimes not. He would always tell you the truth, whether you wanted to hear it or not.

He was a proud Irishman and he most certainly had the gift for telling a good story. And we did love Dan for his honesty. We knew this was a man who would stand by us and he would stand up for us, but also one, as I said before, who would always tell you the things you might not always want to hear. That happened to me several times, but actually the good news was, they were things that I needed to hear. And he would always tell you the truth. He was a friend through thick and thin, and good and bad times.

The Lehigh Countians he represented got to find that out as well. They went to Dan's office often. He was one of the busiest district offices and he took care of everybody and anybody who walked through the door. He never forgot that he was a public servant and he did his best to serve the people he represented. He understood that when somebody showed up at his office, they were probably at the end of their rope. They had nowhere else to turn, and he made sure that he did what he could to make their day better and to make their lives better. He made it his mission to do whatever he could do to help his folks, to help his constituents, no matter where they were from.

We saw that here in Harrisburg on his work on the Safe Streets programs, on job-training programs, in union apprenticeship programs, on crime prevention, and in the last several years he was a leader and gave a passionate response to the prescription drug and the heroin crisis we have that is gripping every part of our State.

Dan was taken away from us suddenly and we really all never got a chance to say goodbye. So I hope that you and his family and friends will understand how much he meant to all of us in this House, and take some comfort in that, Jeanne.

Because Dan and I share an Irish heritage, I would like to share a line from the great Irish poet, William Butler Yeats. He said, "Think where man's glory most begins and ends, and say my glory was that I had such friends."

Mr. Speaker, our glory was that we had such a friend as Dan McNeill. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Leader Dermody.

At this time if any other members wish to speak, you are more than welcome to do so. We also have a presentation that we are going to be doing.

### REMARKS BY MR. SCHLOSSBERG

The SPEAKER. Representative Schlossberg, please, at the front podium.

Mr. SCHLOSSBERG. Thank you, Mr. Speaker.

Let me start by acknowledging a fundamental truth about today's proceedings: It is very, very difficult to memorialize a man whose very presence was so larger than life. Everything

about Danny was big. His heart was big. His passion for working men and women was big. His desire to improve the lives of the people he represented was enormous.

Danny took an unorthodox route to the House. Now, most of us have a somewhat similar pattern – a career in politics, law, business, or education; maybe holding a local office or two. Danny was a bouncer. He was an ironworker, building casinos in Atlantic City, before becoming a business agent. Bitten by the political bug, Danny ran for office, being elected as a Whitehall Township Supervisor and then becoming a township executive. His service to the people of Whitehall was a hallmark of his career, one that stretched many decades, and when I think of Whitehall, I cannot help but think of Danny. His presence is everywhere there, from the bustle of MacArthur Road to the quietest farm on the outskirts of the town.

I can think of countless stories about Danny, but an accurate retelling of these stories would require me using more colorful language than the Speaker would probably allow. So let me just say this: Danny was loved and he was really, really well liked. His friends were from all walks of life, from across the political spectrum. His death broke hearts across the Lehigh Valley, everyone from the head of our local building trades to the president of the Greater Lehigh Valley Chamber of Commerce. If you were a good person, he was with you, and that went for everyone, from our Republican sheriff to Governor Wolf.

There were three fundamental truths to Danny. First, every story he told usually came back to his shore house in Brigantine. Second, he was an ironworker through and through, and he never hesitated to tell you. Third, he loved his family more than words can say; literally not a day went by without hearing about his wife, companion, and best friend, Jeanne. He adored his daughters, Kathleen, Shannon, and Heather, as well as his godson, Scott, and I know there are many members on the floor who heard about his family countless times. Whom we heard most of all about was Kenzie, his 4-year-old granddaughter, who loved hanging out with her Pop. He was so proud and so thrilled when she was born, and I remember him being right over there on the floor talking about his daughter being in labor and how he could not wait. Danny might be the first person I ever knew who was born to be a grandfather.

My tenure so far in the House has been brief, and this is only the second time that I have been present when a member of this chamber has left us too soon. I know that Danny's death leaves a hole that cannot be filled. Time moves on, and in a couple of months the people of the 133d Legislative District will elect a new Representative, but I would hope and I believe that all of us are richer for having known Danny, that our lives have a little more color, that our perspectives are a little broader, and that our hearts are a little bit bigger, and I know Danny would have wanted it that way.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Schlossberg.

#### REMARKS BY MR. NEILSON

The SPEAKER. Representative Neilson.

Mr. NEILSON. Thank you, Mr. Speaker.

I am going to wait for our compadres to come up, because we have a little presentation that we would like to present to the family.

Well, we had a lot of comments on the way in today saying how well-dressed Marty, Ryan, and I are. That is because today we are sporting the McNeill ties, stains and all. Danny was not real good at tying a knot, so Jeanne would make sure when he came to Harrisburg that they were tied for him, and please be assured that while they do not look alike, they all, all three, are Danny's knots, and quite frankly, as his friends, we are really honored that Jeanne and the girls actually asked us to have one, and it is something that we will hold close to our hearts for a long time.

We hung around a lot with Danny. We did the morning things – after he got done with you, he came up to us and we would have a lot of coffee and we would watch the news. And at night when we went home, because we lived together, we would share those stories and we would have to watch some real poor football games, and every time we went to change the channel – because Danny was sleeping and snoring away – he would say, "Great game, isn't it?" and we were like "What?" He was asleep for 2 hours. It was like – but he would know.

But the highest quality that we found with Danny was his caring quality and loyalty. Loyalty, something that you do not find in politics. Danny was old school. When Danny shook a hand or gave his word, it was good as gold. Good as gold. You could take it to the bank and cash it in. He was a great friend to all of us and he is sorely missed and he will be missed.

#### FLAG PRESENTED

Mr. NEILSON. I guess, Mr. Speaker, would it now be appropriate to do the presentation?

The SPEAKER. Yes, I think that would be very appropriate.

Representative Neilson, Representative Bizzarro, and Representative Flynn have taken the time to actually put together a very, very wonderful gift for the family, for Jeanne and the daughters and granddaughter.

You may know that the good Representative served in the Pennsylvania National Guard for 6 years – receiving an honorable discharge – coming out of high school, and when we went to the service, of course, his casket was draped in the United States flag. Representative Neilson, that actually flew over the Capitol, correct?

Mr. NEILSON. That is correct, Mr. Speaker. That flew in honor of Danny and his passing. It was flown half-mast by order of the Governor, and on behalf of all of the members of the House, all of us, we would like to present that to Danny's wife, Jeanne, on behalf of all of us here.

The SPEAKER. Representative Neilson, if you could come over. Let us show all the members, and then I will present the condolence resolution subsequent to that.

#### BENEDICTION

The SPEAKER. We will close with a prayer offered by our friend and colleague, Representative Bryan Barbin.

Mr. BARBIN. Will you please join me in a final prayer to commend to the Lord, our God, our great friend and Irish storyteller. Dan was a champion of the working man, an alms giver, a defender of the powerless and the Commonwealth. He did not sit on the sidelines.

Lord, let Your Word comfort all who loved Dan, for it is written, "Let not your heart be troubled; you who believe in God, believe also in Me. In my Father's house are many rooms; if it were not so, I would have told you. I go to prepare a place for you. And if I go and prepare a place for you, I will come again and receive you to Myself; that where I am there you may be also. And where I go you know, and the way you know."

Lord, no one understands Your justice, Your mercy, and Your kindness. Grant our brother, Dan, Your justice, Your mercy, Your kindness, and reward him for his sense of justice, his mercy, and his many kindnesses, all known to You alone.

Lord, shield Dan today. Lord, be with Dan. Lord, be before Dan. Lord, be above Dan. Lord, be on Dan's right. Lord, be on Dan's left. Lord, be with Dan when he lies down. Lord be with Dan when he rises up. We, those who knew his justice mercy, his loves, and his kindness, commend Dan to You and ask for grace on Jeanne, MacKenzie, and all of his family.

All of God's children say, Amen.

The SPEAKER. Thank you, Representative Barbin.

Members and guests may be seated, and with that, we will close our memorial service for our beloved colleague, Representative Dan McNeill.

The Sergeants at Arms may open the doors of the House, and at this time, I know we are going to have the family escorted out, and so we are going to give them an opportunity to exit from the House floor.

Michelle, the Sergeant at Arms, will take them through the back.

Thank you very much, members.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Members, at this time the Chair recognizes the majority Appropriations chair, Representative Stan Saylor, for a committee announcement.

Mr. SAYLOR. Thank you, Mr. Speaker.

We will have an Appropriations meeting in the majority caucus room immediately. Again, in the majority caucus room, we will have an Appropriations meeting immediately following recess.

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

### COMMITTEE MEETING CANCELED

The SPEAKER. Representative Tim Hennessey, for a committee announcement.

Mr. HENNESSEY. Thank you, Mr. Speaker.

The House Aging and Older Adult Services Committee meeting that had been scheduled for tomorrow morning at 9:30 in G-50 is being canceled. Thank you.

The SPEAKER. Thank you, Representative Hennessey.

The House Aging and Older Adult Services Committee meeting scheduled for tomorrow at 9:30 a.m. in G-50 has been canceled.

### RECESS

The SPEAKER. The House is going to stand in recess until 2 p.m., unless sooner recalled by the Speaker.

### RECESS EXTENDED

The time of recess was extended until 3 p.m.; further extended until 3:30 p.m.

### AFTER RECESS

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

### LEAVE OF ABSENCE

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

### BILLS REREPORTED FROM COMMITTEE

#### HB 401, PN 413

By Rep. SAYLOR

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in jurisdiction of appellate courts, providing for commerce court program; and, in organization and jurisdiction of courts of common pleas, providing for commerce courts.

#### APPROPRIATIONS.

#### HB 1597, PN 2106

By Rep. SAYLOR

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

#### APPROPRIATIONS.

#### HB 1613, PN 2516

By Rep. SAYLOR

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for the Health Care Cost Containment Council, for its powers and duties, for health care cost containment through the collection and dissemination of data, for public accountability of health care costs and for health care for the indigent.

#### APPROPRIATIONS.

#### HB 1646, PN 2466

By Rep. SAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in licensing of drivers, further providing for suspension of operating privilege; and, in miscellaneous provisions, further providing for careless driving.

#### APPROPRIATIONS.

#### HB 1806, PN 2454

By Rep. SAYLOR

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, further providing for definitions; and making a related editorial change to Title 18 of the Pennsylvania Consolidated Statutes.

#### APPROPRIATIONS.

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 1801** By Representatives NESBIT, BRIGGS, D. COSTA, GILLEN, A. HARRIS, HEFFLEY, JAMES, McCLINTON, NEILSON, O'NEILL, PICKETT, READSHAW, ROZZI, SCHLOSSBERG, SOLOMON and WARD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in post-trial matters, further providing for postconviction DNA testing.

Referred to Committee on JUDICIARY, October 3, 2017.

**No. 1802** By Representatives NESBIT, BRIGGS, D. COSTA, GILLEN, McCLINTON, NEILSON, PICKETT and SCHLOSSBERG

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in post-trial matters, further providing for eligibility for relief and for jurisdiction and proceedings.

Referred to Committee on JUDICIARY, October 3, 2017.

**No. 1815** By Representatives HILL-EVANS, SAMUELSON, RABB, YOUNGBLOOD, KINSEY, PASHINSKI, SOLOMON, THOMAS, KORTZ, ROZZI, VAZQUEZ and BULLOCK

An Act providing for the Community Diaper and Incontinence Products Grant Program; establishing the Community Diaper and Incontinence Products Grant Program Fund; directing the Department of Aging to establish a program to improve access to incontinence supplies; and imposing powers and duties on the Department of Human Services.

Referred to Committee on HEALTH, October 3, 2017.

**No. 1844** By Representatives WATSON, CONKLIN, MILLARD, ROZZI, STEPHENS, WARD, V. BROWN, DRISCOLL, MURT, PASHINSKI and PICKETT

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

Referred to Committee on EDUCATION, October 3, 2017.

**No. 1848** By Representatives PICKETT, DeLUCA, CORR, MILLARD and THOMAS

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, in regulation of insurers and related persons generally, providing for corporate governance annual disclosure.

Referred to Committee on INSURANCE, October 3, 2017.

**SENATE BILL FOR CONCURRENCE**

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

**SB 530, PN 1166**

Referred to Committee on PROFESSIONAL LICENSURE, October 3, 2017.

**SUPPLEMENTAL CALENDAR A  
BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 401, PN 413**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in jurisdiction of appellate courts, providing for commerce court program; and, in organization and jurisdiction of courts of common pleas, providing for commerce courts.

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 Grove, do you wish to speak on the bill?  
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—192

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

Daley	Hennessey	O'Brien	Toohil
Davidson	Hickernell	O'Neill	Topper
Davis	Hill	Oberlander	Vazquez
Dawkins	Irvin	Ortitay	Vitali
Day	James	Pashinski	Walsh
Dean	Jozwiak	Peifer	Ward
Deasy	Kampf	Petrarca	Warner
DeLissio	Kaufner	Petri	Warren
Delozier	Kavulich	Pickett	Watson
DeLuca	Keefer	Pyle	Wentling
Diamond	Keller, F.	Quigley	Wheatley
DiGirolamo	Keller, W.	Quinn, C.	Wheeland
Donatucci	Kim	Quinn, M.	White
Dowling	Kinsey	Rabb	Youngblood
Driscoll	Kirkland	Rader	Zimmerman
Dunbar	Klunk	Rapp	
Dush	Knowles	Ravenstahl	Turzai,
Ellis	Kortz	Readshaw	Speaker
Emrick	Krueger		

NAYS-3

Carroll	Dermody	Mullery
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NOT VOTING-0

EXCUSED-7

Cruz	Kauffman	Lewis	Mustio
Haggerty	Keller, M.K.	Metzgar	

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 1597, PN 2106**, entitled:

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

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 James, do you wish to speak on the bill? He 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.

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 1597 CONTINUED

On the question recurring,  
Shall the bill pass finally?

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Cruz	Haggerty	Keller, M.K.	Metzgar
DeLissio	Kauffman	Lewis	Mustio

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.

**LEAVE OF ABSENCE**

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

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1806, PN 2454**, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, further providing for definitions; and making a related editorial change to Title 18 of the Pennsylvania Consolidated Statutes.

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—192**

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

Dawkins	Irvin	Oberlander	Vazquez
Day	James	Ortity	Vitali
Dean	Jozwiak	Pashinski	Walsh
Deasy	Kampf	Peifer	Ward
DeLozier	Kaufer	Petrarca	Warner
DeLuca	Kavulich	Petri	Warren
Dermody	Keefer	Pickett	Watson
Diamond	Keller, F.	Pyle	Wentling
DiGirolamo	Keller, W.	Quigley	Wheatley
Donatucci	Kim	Quinn, C.	Wheeland
Dowling	Kinsey	Quinn, M.	White
Driscoll	Kirkland	Rabb	Youngblood
Dunbar	Klunk	Rader	Zimmerman
Dush	Knowles	Rapp	
Ellis	Kortz	Ravenstahl	Turzai,
Emrick	Krueger	Readshaw	Speaker
English	Kulik		

**NAYS—1**

Barbin

**NOT VOTING—0**

**EXCUSED—9**

Cox	Haggerty	Keller, M.K.	Metzgar
Cruz	Kauffman	Lewis	Mustio
DeLissio			

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 1613, PN 2516**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for the Health Care Cost Containment Council, for its powers and duties, for health care cost containment through the collection and dissemination of data, for public accountability of health care costs and for health care for the indigent.

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 Dan Frankel, on the bill.  
Mr. FRANKEL. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 1613. The legislation before us will reauthorize the Pennsylvania Health Care Cost Containment Council, moving the council out of the Executive order limbo it has been in for the last several years. I am grateful to the prime sponsor for introducing this legislation, as it is now more important than ever. Maybe it is hard for some to get excited about a government agency that collects data, but this is a big deal.

Too often in the acrimonious debate over health care, we miss the big picture. We want good care, we want healthy people, and we want lower costs. It sounds too good to be true. Amazingly, experts believe this triple aim of encompassing quality and value is possible by focusing our health-care dollars on what works, but that requires knowledge. That is why I have been a supporter of the PHC4 (Pennsylvania Health Care Cost Containment Council) and the work it does to examine the trends in health care. The work of PHC4 will go a long way to help us identify what these cost drivers are and hopefully provide us with a roadmap on how to fix them.

I would like to note for the record that I wish the final bill before us today included the language authorizing an all-payer claims database, as was originally drafted in the bill. It is my understanding that language on the claims database ran into some opposition during the committee process, and in order to get the PHC4 to be reauthorized in a timely manner, that language was removed.

I am happy to say that I have spoken to the prime sponsor of the bill, the good gentleman from Lancaster County, and he has agreed to work with me and other interested parties on legislation that would create an all-payer claims database in the future. That kind of price transparency can begin to help consumers and lawmakers truly understand what is and is not working in our health-care system. With that in mind, I ask my colleagues to join me in support of HB 1613.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bryan Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the good gentleman's comments in support of HB 1613 that would reauthorize Pennsylvania Health Care Cost Containment Council. Mr. Speaker, this was a product that we have worked on for some time, and in fact, the statutory authorization of the council has since lapsed and it is currently under an Executive order. By passing this bill today, we will reinstate it into our statute so that it can truly be independent yet again.

Additionally, as the good gentleman pointed out, we worked on not only some price transparency components with the Governor's Office, we had also worked on some quality improvement initiatives that I think would be beneficial both in terms of health outcomes for patients as well as cost reducers as we move forward, because if we have healthier patients, we will have less visits, and then when we have less visits, particularly for those on the Medicaid program or those known as super-utilizers, that is lower cost. However, while I have an intense interest in both of those other two components, in the interest of getting the PHC4 reauthorized, we are moving that part of the bill today, while the discussions with the other stakeholders will be ongoing. I appreciate the chamber's support.

Thank you, Mr. Speaker.

The SPEAKER. Does anybody else wish to speak on the bill?

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—193

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Cox	Haggerty	Keller, M.K.	Metzgar
Cruz	Kauffman	Lewis	Mustio
DeLissio			

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

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

The SPEAKER. We are going to end the second consideration votes, but before I do, I think there are two chairs that would like to make committee announcements. I just do not want to forget those.

### LOCAL GOVERNMENT COMMITTEE MEETING

The SPEAKER. Chairman Harper will make a committee announcement first.

Ms. HARPER. Thank you, Mr. Speaker.

The House Local Government Committee, which was scheduled for tomorrow morning, is still on. It will be at the call of the Chair at one of the recesses in room 60. I will announce it tomorrow, Local Government Committee, so pay attention. Thank you.

The SPEAKER. There will be a Local Government Committee meeting tomorrow morning in room 60 at one of the recesses.

### CONSUMER AFFAIRS COMMITTEE MEETING

The SPEAKER. Chairman Bob Godshall, for a committee announcement, please.

Mr. GODSHALL. Thank you, Mr. Speaker.

If I could get a little bit of order, it might help a little bit.

The SPEAKER. If everybody could take their seats, please. Please take your seats.

Chairman Godshall, you may proceed.

Mr. GODSHALL. Thank you, Mr. Speaker.

I would like to remind the members of the Consumer Affairs Committee, tomorrow's voting meeting, the House Consumer Affairs Committee, to consider SB 242, which is the One Call bill, and any other business coming before the committee. The meeting will be held at the first break at the call of the Chair, in B-31. Tomorrow morning, Consumer Affairs, at the first break, in B-31, to move the One Call bill. Thank you.

The SPEAKER. Thank you, Chairman Godshall.

There will be a House Consumer Affairs Committee meeting tomorrow morning at the first break in B-31.

### JUDICIARY COMMITTEE MEETING

The SPEAKER. Representative Sheryl Delozier is recognized.

Ms. DELOZIER. Thank you, Mr. Speaker.

As the chairman for the House Judiciary Subcommittee on Family Law, I just wanted to announce, because there have been some scheduling changes, that we are going to meet tomorrow on HB 1644, in 205 Ryan Building, and it will be at the call of the Chair, depending on how our schedule goes tomorrow. So I will announce the official time tomorrow on the floor.

The SPEAKER. Thank you, Representative Delozier.

There will be a meeting of the House Judiciary Subcommittee on Family Law in 205 Ryan Building at the call of the Chair.

### COMMITTEE MEETING CANCELED

The SPEAKER. Representative Tim Hennessey, for a committee announcement, sir.

Mr. HENNESSEY. Thank you, Mr. Speaker.

Just a reminder that tomorrow's scheduled meeting of the House Aging and Older Adult Services Committee has been canceled. Aging and Older Adult Committee meeting tomorrow has been canceled. Thank you.

The SPEAKER. Thank you, sir.

### CALENDAR

#### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1009, PN 1168**, entitled:

An Act authorizing the release of Project 70 restrictions on certain land owned by the Borough of West Newton, Westmoreland County, in return for the development of park and open space lands within the Borough of West Newton, Westmoreland County.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

The SPEAKER. There are no amendments.

\* \* \*

The House proceeded to second consideration of **HB 1787, PN 2422**, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Borough of Kane, McKean County.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

The SPEAKER. There are no amendments.

\* \* \*

The House proceeded to second consideration of **HB 1499, PN 1919**, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in management of the condominium, further providing for powers of unit owners' association, for executive board members and officers and for conveyance or encumbrance of common elements; in protection of purchasers, further providing for release of liens and for warranty against structural defects; in management of cooperatives, further providing for powers of association, for executive board members and officers and for conveyance or encumbrance of cooperative; in protection of cooperative interest purchasers, further providing for release of liens and for implied warranty against structural defects; in general

provisions relating to planned communities, further providing for definitions; in creation, alteration and termination of planned communities, further providing for construction and validity of declaration and bylaws and for contents of declaration and all planned communities; in management of planned community, further providing for power of unit owners' association, for executive board members and officers and for conveyance or encumbrance of common facilities; and, in protection of purchasers, further providing for release of liens and for warranty against structural defects.

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

The SPEAKER. There are no amendments.

\* \* \*

The House proceeded to second consideration of **HB 1692, PN 2277**, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in Iran-free procurement, further providing for expiration.

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

The SPEAKER. There are some amendments that are filed by Representative Bradford – it seems a little like déjà vu – but that said, there are three amendments: 3550, 3564, and 3613.

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

Mr. **BRADFORD** offered the following amendment No. **A03550**:

Amend Bill, page 1, line 3, by inserting after "expiration"  
; and providing for Russia-free procurement  
Amend Bill, page 2, by inserting between lines 2 and 3  
Section 2. Title 62 is amended by adding a chapter to read:

CHAPTER 35A  
RUSSIA-FREE PROCUREMENT

Sec.

35A01. Definitions.

35A02. Engaging in investment activities.

35A03. List of persons engaged in investment activities.

35A04. Certification.

35A05. Penalties for false certification.

35A06. Expiration.

§ 35A01. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Department." The Department of General Services of the Commonwealth.

"Energy-related activities." The term includes all of the following:

(1) Development of petroleum, natural gas or nuclear energy resources. This paragraph does not include the mere sale of gasoline and related consumer products.

(2) Owning rights to oil or natural gas blocks or nuclear facilities.

(3) Exporting, extracting, producing, refining, processing, exploring for, transporting, selling or trading oil or natural gas or developing nuclear energy.

(4) Constructing, maintaining or operating any pipeline, refinery, liquefaction facility, nuclear reactor or other oil, natural gas or nuclear energy infrastructure.

"Financial institution." The term as defined in section 2 of the Ukraine Freedom Support Act of 2014 (Public Law 113-272, 22 U.S.C. § 8921).

"Person." An individual, organization, a financial institution, sole proprietorship, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company or other entity or business association that exists for the purpose of making a profit or government entity that includes a multilateral development institution as defined in section 1701 of the International Financial Institutions Act (Public Law 95-118, 22 U.S.C. § 262r).

"Russia." The government of the Russian Federation or an agency or instrumentality of the Russian Federation.  
§ 35A02. Engaging in investment activities.

A person or financial institution engages in an investment activity by doing any of the following:

(1) Providing goods or services worth at least \$20,000,000, including oil tankers or transporters and liquefied natural gas tankers or transporters, to the energy-related activities of Russia, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas for the energy sector of Russia.

(2) Extending at least \$20,000,000 in credit to a person for 45 days or more if all of the following apply:

(i) The person uses the credit to provide goods or services to the energy sector in Russia.

(ii) The person is, at the time the financial institution or person extends credit, identified on a list created under section 35A03 (relating to list of persons engaged in investment activities).

§ 35A03. List of persons engaged in investment activities.

(a) List.—The department shall develop a list of persons whom the department determines are engaged in investment activities in Russia as described in section 35A02 (relating to engaging in investment activities). The department shall make its determination based on publicly available, credible information. The department shall update the list every 180 days. Ninety days prior to adding a person to the list, the department shall do all of the following:

(1) Provide notice to the person of the department's intention to add the person to the list. The notice shall inform the person that inclusion on the list makes the person ineligible to enter into a contract with a Commonwealth entity for goods or services worth at least \$1,000,000. The notice shall specify that if the person ceases to engage in investment activities in Russia, the person may regain eligibility upon removal from the list.

(2) Provide the person an opportunity to comment in writing to the department. The person shall maintain eligibility if the person demonstrates no engagement in investment activities in Russia.

(b) Ineligibility of persons on list.—A person identified on a list under subsection (a) shall be ineligible to enter into a contract with a Commonwealth entity to provide for goods or services worth at least \$1,000,000.

(c) List.—The department shall post the list on its publicly accessible Internet website. Upon request, the department shall provide the list free of charge to the General Assembly or a public entity.

(d) Investment service contracts.—Service contracts entered into by Commonwealth entities for the management and investment of a fund for which there is a fiduciary responsibility and for which compliance with the act of July 2, 2010 (P.L.266, No.44), known as the Protecting Pennsylvania's Investments Act, is required, shall be exempt from the provisions of this chapter.

(e) Exception.—On a case-by-case basis, the department may permit a person engaging in investment activities in Russia to enter a contract with a Commonwealth entity for goods or services worth at

least \$1,000,000 if any of the following apply:

(1) The investment activities in Russia were made before and were not expanded after January 1, 2018.

(2) The person refrains from entering into new agreements to engage in any future investment activities in Russia.

(3) The department determines that the Commonwealth entity has no other cost-effective method of obtaining the goods or services than entering into a contract with the person.

§ 35A04. Certification.

(a) General rule.—The department shall make available a certification form indicating that a person is not on the list under section 35A03(a) (relating to list of persons engaged in investment activities) and is eligible under this chapter to contract with the Commonwealth. Prior to entering into a contract with a Commonwealth entity, a person shall provide a certification form to the Commonwealth entity unless the person is exempt under section 35A03(e).

(b) Right to cure.—

(1) If the department determines, using credible information available to the public, that a person has submitted a false certification under subsection (a), the person shall be provided with written notice and an opportunity to demonstrate to the department that the person has ceased its engagement in energy-related activities in Russia within 90 days of the notice.

(2) A person who reasonably demonstrates to the department that the person has ceased its engagement in energy-related activities in Russia within 90 days after the written notice shall not be subject to the penalties under section 35A05 (relating to penalties for false certification).

§ 35A05. Penalties for false certification.

(a) Penalties.—Subject to the provisions of section 35A04(b) (relating to certification), if the department determines that a person has provided a false certification form to a Commonwealth entity under section 35A04, the person shall be subject to the following:

(1) A civil penalty in the amount of \$250,000 or twice the amount of the contract, whichever is greater. Only one civil penalty may be imposed upon a person per investment.

(2) Suspension of the existing contract with the Commonwealth entity for a period of three years from the date of the determination that the person submitted the false certification. Following the three-year suspension period, the Commonwealth entity or the department may terminate the contract.

(b) Report of false certification.—The department shall report to the Attorney General the name of the person who submitted the false certification and the pertinent information that led to the department's determination. No later than three years after the department makes a determination under subsection (a), the Attorney General shall determine whether to bring a civil action against the person to collect the penalty described in subsection (a). If a court determines the person submitted a false certification, the person shall pay all reasonable costs and fees incurred in the civil action. Reasonable costs shall include the reasonable costs incurred by the Commonwealth entity in investigating the authenticity of the certification. Only one civil action against the person may be brought for a false certification on a contract.

(c) No private right of action.—Nothing in this section may be construed to create or authorize a private right of action.

§ 35A06. Expiration.

The department shall have no obligations under this chapter with respect to a person engaged in investment activities in Russia upon the repeal of the following:

(1) Sections 3 and 4 of the Ukraine Freedom Support Act of 2014 (Public Law 113-272, 22 U.S.C. §§ 8923 and 8924).

(2) Section 235 of the Countering America's Adversaries Through Sanctions Act (Public Law 115-44, 22 U.S.C. § 9529).

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

3

Amend Bill, page 2, line 3, by striking out "immediately." and inserting

as follows:

(1) The addition of 62 Pa.C.S. Ch. 35A shall take effect January 1, 2018.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendment?

#### AMENDMENT WITHDRAWN

The SPEAKER. On the question, the Chair recognizes Representative Bradford on amendment 3550.

Mr. BRADFORD. Mr. Speaker, if it is okay, actually, I would only like to call up amendment 3564.

The SPEAKER. Sir, is amendment 3550 withdrawn?

Okay. Amendment 3550 is withdrawn.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **BRADFORD** offered the following amendment No. **A03564**:

Amend Bill, page 1, line 3, by inserting after "expiration" ; and providing for North Korea-free procurement

Amend Bill, page 2, by inserting between lines 2 and 3

Section 2. Title 62 is amended by adding a chapter to read:

#### CHAPTER 35A

#### NORTH KOREA-FREE PROCUREMENT

Sec.

35A01. Definitions.

35A02. Engaging in investment activities.

35A03. List of persons engaged in investment activities.

35A04. Certification.

35A05. Penalties for false certification.

35A06. Expiration.

§ 35A01. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Department." The Department of General Services of the Commonwealth.

"Energy-related activities." The term includes all of the following:

(1) Development of petroleum, natural gas or nuclear energy resources. This paragraph does not include the mere sale of gasoline and related consumer products.

(2) Owning rights to oil or natural gas blocks or nuclear facilities.

(3) Exporting, extracting, producing, refining, processing, exploring for, transporting, selling or trading oil or natural gas or developing nuclear energy.

(4) Constructing, maintaining or operating any pipeline, refinery, liquefaction facility, nuclear reactor or other oil, natural gas or nuclear energy infrastructure.

"Financial institution." A financial institution subject to the provisions of the North Korea Sanctions and Policy Enhancement Act of 2016 (Public Law 114-122, 22 U.S.C. § 9201 et seq.).

"North Korea." The government of North Korea or an agency or instrumentality of North Korea.

"Person." An individual, organization, a financial institution, sole proprietorship, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability

company or other entity or business association that exists for the purpose of making a profit or government entity that includes a multilateral development institution as defined in section 1701 of the International Financial Institutions Act (Public Law 95-118, 22 U.S.C. § 262r).

§ 35A02. Engaging in investment activities.

A person or financial institution engages in an investment activity by doing any of the following:

(1) Providing goods or services worth at least \$20,000,000, including oil tankers or transporters and liquefied natural gas tankers or transporters, to the energy-related activities of North Korea, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas for the energy sector of North Korea.

(2) Extending at least \$20,000,000 in credit to a person for 45 days or more if all of the following apply:

(i) The person uses the credit to provide goods or services to the energy sector in North Korea.

(ii) The person is, at the time the financial institution or person extends credit, identified on a list created under section 35A03 (relating to list of persons engaged in investment activities).

§ 35A03. List of persons engaged in investment activities.

(a) List.—The department shall develop a list of persons whom the department determines are engaged in investment activities in North Korea as described in section 35A02 (relating to engaging in investment activities). The department shall make its determination based on publicly available, credible information. The department shall update the list every 180 days. Ninety days prior to adding a person to the list, the department shall do all of the following:

(1) Provide notice to the person of the department's intention to add the person to the list. The notice shall inform the person that inclusion on the list makes the person ineligible to enter into a contract with a Commonwealth entity for goods or services worth at least \$1,000,000. The notice shall specify that if the person ceases to engage in investment activities in North Korea, the person may regain eligibility upon removal from the list.

(2) Provide the person an opportunity to comment in writing to the department. The person shall maintain eligibility if the person demonstrates no engagement in investment activities in North Korea.

(b) Ineligibility of persons on list.—A person identified on a list under subsection (a) shall be ineligible to enter into a contract with a Commonwealth entity to provide for goods or services worth at least \$1,000,000.

(c) List.—The department shall post the list on its publicly accessible Internet website. Upon request, the department shall provide the list free of charge to the General Assembly or a public entity.

(d) Investment service contracts.—Service contracts entered into by Commonwealth entities for the management and investment of a fund for which there is a fiduciary responsibility and for which compliance with the act of July 2, 2010 (P.L.266, No.44), known as the Protecting Pennsylvania's Investments Act, is required, shall be exempt from the provisions of this chapter.

(e) Exception.—On a case-by-case basis, the department may permit a person engaging in investment activities in North Korea to enter a contract with a Commonwealth entity for goods or services worth at least \$1,000,000 if any of the following apply:

(1) The investment activities in North Korea were made before and were not expanded after January 1, 2018.

(2) The person refrains from entering into new agreements to engage in any future investment activities in North Korea.

(3) The department determines that the Commonwealth entity has no other cost-effective method of obtaining the goods or services than entering into a contract with the person.

§ 35A04. Certification.

(a) General rule.—The department shall make available a certification form indicating that a person is not on the list under section 35A03(a) (relating to list of persons engaged in investment activities) and is eligible under this chapter to contract with the Commonwealth. Prior to entering into a contract with a Commonwealth entity, a person shall provide a certification form to the Commonwealth entity unless the person is exempt under section 35A03(e).

(b) Right to cure.—

(1) If the department determines, using credible information available to the public, that a person has submitted a false certification under subsection (a), the person shall be provided with written notice and an opportunity to demonstrate to the department that the person has ceased its engagement in energy-related activities in North Korea within 90 days of the notice.

(2) A person who reasonably demonstrates to the department that the person has ceased its engagement in energy-related activities in North Korea within 90 days after the written notice shall not be subject to the penalties under section 35A05 (relating to penalties for false certification).

§ 35A05. Penalties for false certification.

(a) Penalties.—Subject to the provisions of section 35A04(b) (relating to certification), if the department determines that a person has provided a false certification form to a Commonwealth entity under section 35A04, the person shall be subject to the following:

(1) A civil penalty in the amount of \$250,000 or twice the amount of the contract, whichever is greater. Only one civil penalty may be imposed upon a person per investment.

(2) Suspension of the existing contract with the Commonwealth entity for a period of three years from the date of the determination that the person submitted the false certification. Following the three-year suspension period, the Commonwealth entity or the department may terminate the contract.

(b) Report of false certification.—The department shall report to the Attorney General the name of the person who submitted the false certification and the pertinent information that led to the department's determination. No later than three years after the department makes a determination under subsection (a), the Attorney General shall determine whether to bring a civil action against the person to collect the penalty described in subsection (a). If a court determines the person submitted a false certification, the person shall pay all reasonable costs and fees incurred in the civil action. Reasonable costs shall include the reasonable costs incurred by the Commonwealth entity in investigating the authenticity of the certification. Only one civil action against the person may be brought for a false certification on a contract.

(c) No private right of action.—Nothing in this section may be construed to create or authorize a private right of action.

§ 35A06. Expiration.

The department shall have no obligations under this chapter with respect to a person engaged in investment activities in North Korea upon the repeal of section 204 of the North Korea Sanctions and Policy Enhancement Act of 2016 (Public Law 114-122, 22 U.S.C. § 9224).

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

3

Amend Bill, page 2, line 3, by striking out "immediately." and inserting

as follows:

(1) The addition of 62 Pa.C.S. Ch. 35A shall take effect January 1, 2018.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question, the Chair recognizes Representative Bradford for a brief description of the amendment and any remarks on the amendment.

Mr. BRADFORD. Thank you, Mr. Speaker.

Obviously, at this time the biggest pariah state in the world is North Korea. This amendment simply adds the same procurement policies that we currently use to Iran on the outlaw regime in Pyongyang.

### GERMANENESS QUESTIONED

The SPEAKER. Representative Kaufer, on that particular amendment, sir.

Mr. KAUFER. Thank you, Mr. Speaker.

In regard to amendment 3564, Representative Bradford is trying to amend the Comprehensive Iran Sanctions, Accountability, and Divestment Act that we have in Pennsylvania. He is looking to add pieces in regard to North Korea which do not fully reflect the Federal law and also are not important or germane to the idea of Iran.

So I would make a motion that this amendment is not germane.

The SPEAKER. Okay. So we have a germaneness motion and this germaneness will be taken to the House floor.

Representative Kaufer has raised the question of whether amendment 3564 is germane to HB 1692, and under House rule 27, questions involving whether an amendment is germane to the subject shall be decided by the House.

On the question,

Will the House sustain the germaneness of the amendment?

The SPEAKER. On that question, the Chair recognizes Representative Kaufer first on the issue of germaneness.

Members, on the issue of germaneness, certainly you are going to have to discuss what the amendment says, what the bill says, but once that is stated, the primary discussion then is whether or not the amendment is in fact germane or relative to the underlying bill.

Representative Kaufer, the floor is yours.

Mr. KAUFER. Thank you, Mr. Speaker.

Amendment 3564 is not germane. This is specific. The underlying bill is specific to Iran and the Iran-free procurement that we have in law. This is to update it, to reflect current Federal law, and in no place does it speak specifically about North Korea, which this amendment does attempt to do, to add North Korea, which does not reside within Iran and is, therefore, not germane. And also, this would also not reflect current Federal policy.

The SPEAKER. On the issue of germaneness – I always like a little pause so that everybody can think about the arguments.

Representative Bradford, on the issue of germaneness.

Mr. BRADFORD. Thank you, Mr. Speaker.

Obviously, the underlying issue here is the procurement policies of the Commonwealth, and our Commonwealth has rightly taken the position that we should not do business with any nation that trades with or does business with the outlaw regime in Tehran. The idea that it is not germane to include another outlaw regime, one that just this month has threatened the very existence of American islands – Guam, Hawaii – and

potentially the homeland, and has actually talked about the use of a hydrogen weapon. This is not hyperbole. These are the stated ambitions and goals of the leader of Pyongyang. So I think when we are talking about nations that we should do business with, if anyone really believes that it is not germane that a nation would dare threaten to use these kinds of weapons and that we would continue to do business with those actors, those companies, those corporations that see fit to trade with an outlaw regime, that just seems absurd to me. In fact, I cannot imagine anything more germane at this time than to make sure we speak with one voice. If we are, again, going to engage in this type of business, then they should not deal with the North Korean regime. It is profoundly absurd that if we are going to have this policy, as with the country of Iran, that North Korea clearly qualifies as such an outlaw regime—

### PARLIAMENTARY INQUIRY

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

Mr. EVANKOVICH. A parliamentary inquiry.

The SPEAKER. Yes, sir.

Mr. EVANKOVICH. Mr. Speaker, is the issue in front of the chamber the amendment at hand or whether the amendment is germane to the underlying resolution?

The SPEAKER. The issue is germaneness, and it is actually a bill.

Yes; it is an amendment and a bill, and it is whether or not the amendment is germane to the bill.

### POINT OF ORDER

Mr. EVANKOVICH. Then point of order.

The SPEAKER. Yes, sir.

Mr. EVANKOVICH. I respectfully ask that the debate be limited to whether or not the subject contained in the amendment is germane to the underlying bill.

The SPEAKER. Yes; I suspect we are going to get into some geography here shortly.

Representative Bradford, you may proceed.

Mr. BRADFORD. Thank you, Mr. Speaker.

Again, I know that the maker wants to engage in debates about foreign affairs, and again, in order to draw parallels and to prove the underlying germaneness, obviously this is about whether or not the Commonwealth of Pennsylvania should sanction the regime in Pyongyang like we have that in Tehran. I think these are exactly germane. In fact, I think they are almost identical in that you have two outlaw regimes; one has used terrorism, one threatens us with the use of ICBMs (intercontinental ballistic missiles) and rocket technology, and frankly, the use of hydrogen weaponry. I cannot imagine what is more germane at this time than to equally sanction the regime in North Korea. I cannot imagine why we would find it anything other than germane at this time, if we are going to go down this road, than to sanction the North Korean dictator, Kim Jung Un.

Thank you, Mr. Speaker.

The SPEAKER. On germaneness, members are only allowed one time to speak on a motion of germaneness under the rules. Does anybody else wish to speak?

Let me make sure I get this right. Those who believe that the amendment is germane will be voting "aye." If you believe that the amendment is not germane, you will be voting "no."

On the question recurring,  
Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

#### YEAS—78

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

#### NAYS—115

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

#### NOT VOTING—0

#### EXCUSED—9

Cox	Haggerty	Keller, M.K.	Metzgar
Cruz	Kauffman	Lewis	Mustio
DeLissio			

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

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

The SPEAKER. I believe that the good gentleman is withdrawing amendment 3613. Thank you, sir.

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

The SPEAKER. Members, my understanding is that we are going to be keeping the rostrum and the desk open. So we are going to recess. We will be back to the floor at the call of the Chair. We are going to recess until the call of the Chair.

At this time Representative Toepel for a caucus announcement and Representative Frankel will be making a caucus announcement. I am going to give the caucus chairs just a minute to talk with staff and we will have an announcement, just so that everybody is on the same page.

The SPEAKER. First of all, Representative Toepel, I am going to hold off on that just for a second.

#### RULES COMMITTEE MEETING

The SPEAKER. I am going to call on Representative Reed for a committee announcement first. The majority leader, please.

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

There will be a meeting of the House Rules Committee at 4:30 in the Appropriations conference room. Meeting of the House Rules Committee at 4:30 in the Appropriations conference room. Thank you.

The SPEAKER. Thank you, sir.

There will be a meeting of the House Rules Committee at 4:30 in the Appropriations conference room.

#### REPUBLICAN CAUCUS

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

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus immediately. Republicans will caucus immediately in the majority caucus room.

The SPEAKER. Thank you, Madam Chair.

#### DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will also caucus immediately. Democrats will caucus immediately. Thank you.

The SPEAKER. Thank you very much.

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. Representative Pam DeLissio is back on the floor. She will be placed on the master roll.

**REMARKS SUBMITTED FOR THE RECORD**

The SPEAKER. Representative Ryan Mackenzie is called on unanimous consent.

Mr. MACKENZIE. Thank you Mr. Speaker.

I would just like to submit some remarks for the record regarding Energy Awareness Month this October. It was previously passed this morning as HR 523, so I would like to thank the members for that affirmative vote and submit these remarks. Thank you.

The SPEAKER. Thank you, sir.

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

Thank you, Mr. Speaker.

Today I would like to recognize October 2017 as "Energy Awareness Month" in Pennsylvania through HR 523. Nationally, October has been recognized as "Energy Awareness Month" since 1991, when it was first declared by former President George Bush. This nationwide effort highlights how essential energy conservation is to our environment, while also growing our economy.

As of 2015 our great State ranks third in the nation for total energy production. We are the second largest gas producer in the United States, the third largest coal-producing State, and the second largest in generating electricity from nuclear power. In 2016 nuclear power supplied 39 percent of the Commonwealth's net electricity generation, which is more than any other source. Pennsylvania is also one of the largest solar employers in the nation. There are currently 527 solar businesses here with 3,061 employees, making us one of the largest solar employers in the United States. Pennsylvania is also home to 24 commercial wind farms, with approximately 1,400 megawatts of capacity.

With the advancements in technology and science, we have made great strides in developing energy-efficient products. Pennsylvanians continue to make informed purchases and decisions when it comes to purchasing energy-efficient products and making conscious decisions to preserve our natural resources.

And with that, I ask you, my colleagues, to vote "yes" on HR 523 to recognize October as "Energy Awareness Month" in Pennsylvania to continue highlighting the importance of energy conservation in our Commonwealth.

Thank you, Mr. Speaker.

**RECESS**

The SPEAKER. Members, the House will stand in recess until called back by the Chair. We will be back to the floor this evening. At 4:30 the Rules Committee and both caucuses are meeting at the present time. We are going to be heading to our respective caucuses.

**RECESS EXTENDED**

The time of recess was extended until 7:15 p.m.

**AFTER RECESS**

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

**BILLS ON CONCURRENCE  
REPORTED FROM COMMITTEE**

**HB 45, PN 2108**

By Rep. REED

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

RULES.

**HB 542, PN 2536 (Amended)**

By Rep. REED

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for definitions, for imposition of tax and for exclusions from tax, providing for marketplace providers and marketplace sellers and further providing for remote sales reports; providing for lodging tax; in personal income tax, providing for the Pennsylvania ABLE Savings Program Tax Exemption, repealing provisions relating to contribution for Korea/Vietnam Memorial National Education Center, further providing for operational provisions, providing for definitions, further providing for requirement of withholding tax, providing for withholding tax requirement for non-employer payors, further providing for information statement, providing for information statement for non-employer payors and for information statement for payees, further providing for time for filing withholding returns, providing for time for filing payors' returns, further providing for payment of taxes withheld, providing for payment of taxes withheld for non-employer payors, further providing for liability for withheld taxes, providing for payor's liability for withheld taxes and for payor's failure to withhold, further providing for amount of withholding tax and for treatment of nonresident partners, members or shareholders, providing for withholding on income and for annual withholding statement and further providing for requirements concerning returns, notices, records and statements and for additions, penalties and fees; in corporate net income tax, further providing for definitions and providing for qualified manufacturing innovation and reinvestment deduction; in realty transfer tax, further providing for definitions and for exempt parties; providing for tax credit eligibility; in entertainment production tax credit, further providing for definitions and for credit for qualified film production expenses, providing for film production tax credit districts and establishing the Entertainment Economic Enhancement Program; in city revitalization and improvement zones, further providing for restrictions and for transfer of property; in neighborhood improvement zones, providing for transfer of property; in keystone opportunity zones, keystone opportunity expansion zones and keystone opportunity improvement zones, further providing for additional keystone opportunity zones; in inheritance tax, further providing for timely mailing treated as timely filing and payment; in Public Transportation Assistance Fund, further providing for fund; providing for fireworks; in procedure and administration, further providing for petition for reassessment and for review by board; in general provisions, further providing for timely filing; providing for severability; making related repeals; and making editorial changes.

RULES.

**HB 785, PN 2537 (Amended)**

By Rep. REED

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, in capital facilities, further providing for bonds, issue of bonds and notes, maturity, interest and for appropriation for and limitation on redevelopment assistance capital projects; and providing for capital budgets.

RULES.

**BILLS RECOMMITTED**

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

HB 1009;  
HB 1499;  
HB 1692; and  
HB 1787.

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

**CALENDAR CONTINUED****BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 641, PN 1712**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in assessments of persons and property, providing for senior property tax freeze.

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

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 641 be removed from the active calendar and placed on the tabled calendar.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 641 be removed from the tabled calendar and placed on the active calendar.

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

**BILLS AND RESOLUTIONS PASSED OVER**

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

**ADJOURNMENT**

The SPEAKER. The majority leader, Representative Dave Reed, moves to adjourn until Wednesday, October 4, 2017, at 9 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 8:01 p.m., e.d.t., the House adjourned.