

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

THURSDAY, JUNE 21, 2018

SESSION OF 2018

202D OF THE GENERAL ASSEMBLY

No. 31

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

HON. RICK SACCONI, member of the House of Representatives, offered the following prayer:

I would ask you all to remember that prayer is not getting God to do your will; prayer is getting you ready to do God's will. So I invite you to pray with me in your faith tradition, as I pray in mine.

Please bow your heads.

Lord, we lift You up here this morning in the majesty of this great people's hall, as we pause and reflect on our blessings. Father, remind us that we were founded as a Holy Experiment and that we should live out the true meaning of that challenge, as we govern here today.

Lord, as we deal with a corrupted world, let us remember that as God provided Noah a flood to lift him above the corrupted earth, we ask that You provide us a flood of goodness to lift us above the corruption and temptation in our midst. Guide us in our public and private discourse and make our actions be those that would be pleasing to You. We ask for wisdom, as we go about our business, and we ask that You protect those that defend us, especially those in harm's way as we speak.

We give You all the praise and glory, in Jesus' name. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, June 20, 2018, will be postponed until printed.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 653, PN 1905 (Amended)

By Rep. HARPER

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, in local taxes, further providing for collection; in consolidated collection of local income taxes, further providing for tax collection committees and for powers and duties of tax officer; in collection of delinquent taxes, further providing for costs of collection; and making a related editorial change.

LOCAL GOVERNMENT.

RESOLUTION REPORTED FROM COMMITTEE

HR 761, PN 3176

By Rep. RAPP

A Resolution urging the Federal Government to allocate significant funds to Pennsylvania to be used for Lyme disease research and data surveillance.

HEALTH.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 1002 By Representative CHARLTON

A Resolution endorsing and encouraging participation in the Valley Forge Military College Legislative Appointment Initiative Program.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 21, 2018.

No. 1003 By Representatives KAUFER, RABB, MILLARD, KORTZ, PICKETT, MULLERY, READSHAW, BOBACK, TOOHIL, ROTHMAN, FRITZ, JAMES, PEIFER, BERNSTINE, COOK, SAYLOR, A. HARRIS, HELM and LAWRENCE

A Resolution urging the Department of Transportation to conduct a study of the specifications and materials used in department-approved concrete and asphalt projects.

Referred to Committee on TRANSPORTATION, June 21, 2018.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 2486 By Representatives EVERETT, BOBACK, JAMES, CHARLTON, PICKETT, SCHLOSSBERG, DRISCOLL, MULLERY, WHEELAND, MENTZER, WATSON, MARSHALL, MILLARD, SCHWEYER, D. COSTA, M. QUINN, GILLEN, FEE, PASHINSKI, VITALI, PHILLIPS-HILL, MURT, EVANKOVICH, BARRAR, SCHLEGEL CULVER, RADER, WARD, PYLE, KAMPF and RAVENSTAHL

An Act amending Titles 27 (Environmental Resources) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for Keystone Tree Fund; and, in registration of vehicles, providing for contributions to the Keystone Tree Fund.

Referred to Committee on TRANSPORTATION, June 21, 2018.

No. 2520 By Representatives JOZWIAK, BARRAR, MILLARD, SIMMONS, RYAN, DAVIS, PICKETT, MURT, DRISCOLL, SCHLEGEL CULVER, WARD, HILL-EVANS, EMRICK, THOMAS, DeLUCA, GILLEN and D. COSTA

An Act establishing the Advisory Council on PANDAS and PANS; and providing for the duties of the Advisory Council on PANDAS and PANS.

Referred to Committee on HEALTH, June 21, 2018.

No. 2522 By Representatives FARRY, BARRAR, SCHLOSSBERG, GREINER, READSHAW, ROTHMAN, J. McNEILL, SANTORA, KORTZ, DeLUCA and MURT

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in self-insurance pooling, providing for volunteer fire companies.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 21, 2018.

No. 2523 By Representatives EMRICK, B. O'NEILL, SCHLEGEL CULVER, DAY, GROVE, MACKENZIE, MILLARD, B. MILLER, RADER, ROTHMAN, RYAN, SAYLOR, TOOHL, WHEELAND, HEFFLEY, COX and EVERETT

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, making editorial changes to incorrect references.

Referred to Committee on FINANCE, June 21, 2018.

No. 2524 By Representatives GILLEN, MURT, READSHAW, KAVULICH, BARRAR, CORBIN, DAVIS, YOUNGBLOOD, TOOHL, J. McNEILL, WATSON, MACKENZIE, STEPHENS, WARD, DONATUCCI, COX, NEILSON and HEFFLEY

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in disabled veterans' real estate tax exemption, further providing for exemption.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 21, 2018.

SENATE BILLS FOR CONCURRENCE

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

SB 945, PN 1718

Referred to Committee on TRANSPORTATION, June 21, 2018.

SB 1001, PN 1892

Referred to Committee on HEALTH, June 21, 2018.

SB 1132, PN 1644

Referred to Committee on JUDICIARY, June 21, 2018.

SB 1171, PN 1893

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, June 21, 2018.

The SPEAKER. All members, please report to the floor.

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

SB 1172, PN 1820

By Rep. BARRAR

An Act amending the act of October 31, 2006 (P.L.1210, No.133), known as the Price Gouging Act, further providing for definitions, for price gouging prohibited and for investigation.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 992, PN 3733

By Rep. BARRAR

A Resolution designating the Commonwealth of Pennsylvania as a Purple Heart State and recognizing August 7th as "Purple Heart Day" in Pennsylvania.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

The SPEAKER. All members, please report to the House floor. We are about to take the master roll.

LEAVES OF ABSENCE

The SPEAKER. The majority whip requests leaves of absence for the following members: Tommy SANKEY of Clearfield County for the day, Eric ROE of Chester County for the day, Bernie O'NEILL of Bucks County for the day, Mike PEIFER of Pike County for the day. Without objection, those will be granted.

The minority whip requests leaves of absence for the following members: Flo FABRIZIO of Erie County for the day, Mike O'BRIEN of Philadelphia County for the day, Chris RABB of Philadelphia County for the day, Madeleine DEAN of Montgomery County for the day, and I believe Representative FITZGERALD of Philadelphia County for the day. Without objection, those will be granted.

MASTER ROLL CALL

The SPEAKER. At this time members will proceed to vote on the master roll. Members will proceed to vote on the master roll.

(Members proceeded to vote.)

The SPEAKER. Representative Eric Roe is on the House floor and should be placed on the master roll. Representative Roe is not seeking a leave of absence and is on the House floor.

The following roll call was recorded:

PRESENT—192

Barbin	Ellis	Krueger	Reed
Barrar	Emrick	Kulik	Reese
Benninghoff	English	Lawrence	Roae
Bernstine	Evankovich	Lewis	Roe
Bizzarro	Evans	Longietti	Roebuck
Bloom	Everett	Mackenzie	Rothman
Boback	Farry	Madden	Rozzi
Boyle	Fee	Maher	Ryan
Bradford	Flynn	Mako	Saccone
Briggs	Frankel	Maloney	Sainato
Brown, R.	Freeman	Markosek	Samuelson
Brown, V.	Fritz	Marshall	Santora
Bullock	Gainey	Marsico	Saylor
Burns	Galloway	Masser	Schemel
Caltagirone	Gillen	Matzie	Schlossberg
Carroll	Gillespie	McCarter	Schweyer
Causer	Godshall	McClinton	Simmons
Cephas	Goodman	McGinnis	Sims
Charlton	Greiner	McNeill	Snyder
Christiana	Grove	Mehaffie	Solomon
Comitta	Haggerty	Mentzer	Sonney
Conklin	Hahn	Metcalfe	Staats
Cook	Hanna	Metzgar	Stephens
Corbin	Harkins	Millard	Sturla
Corr	Harper	Miller, B.	Tai
Costa, D.	Harris, A.	Miller, D.	Tallman
Costa, P.	Harris, J.	Moul	Taylor
Cox	Heffley	Mullery	Thomas
Cruz	Helm	Murt	Tobash
Culver	Hennessey	Mustio	Toepel
Cutler	Hickernell	Neilson	Toohil
Daley	Hill	Nelson	Topper
Davidson	Irvin	Nesbit	Vazquez
Davis, A.	James	O'Neal	Vitali
Davis, T.	Jozwiak	Oberlander	Walsh
Dawkins	Kampf	Ortitay	Ward
Day	Kaufer	Owlett	Warner
Deasy	Kauffman	Pashinski	Warren
DeLissio	Kavulich	Petrarca	Watson
Delozier	Keefer	Pickett	Wentling
DeLuca	Keller, F.	Pyle	Wheatley
Dermody	Keller, M.K.	Quigley	Wheeland
Diamond	Keller, W.	Quinn, C.	White
DiGiroloam	Kim	Quinn, M.	Youngblood
Donatucci	Kinsey	Rader	Zimmerman

Dowling	Kirkland	Rapp	
Driscoll	Klunk	Ravenstahl	Turzai,
Dunbar	Knowles	Readshaw	Speaker
Dush	Kortz		

ADDITIONS—0

NOT VOTING—0

EXCUSED—11

Dean	Gabler	O'Brien	Rabb
Fabrizio	Miccarelli	O'Neill	Sankey
Fitzgerald	Milne	Peifer	

LEAVES ADDED—8

Evankovich	Maher	Quinn, M.	Saccone
Godshall	Moul	Rozzi	Stephens

LEAVES CANCELED—7

Dean	O'Neill	Rabb	Sankey
Fitzgerald	Peifer	Saccone	

The SPEAKER. There are 192 members on the House floor. We have a quorum.

Members, please take your seats.

GUESTS INTRODUCED

The SPEAKER. Located to the left of the rostrum, we welcome Jack Herrington. Jack is in fourth grade at Dallastown Intermediate School in York. He is here with his mom, Katie. Katie, please stand too. They are guests of Representative Phillips-Hill. Thank you very much for being here.

To the left of the rostrum, we welcome Katie Gandolfo. Katie is with Representative Rosemary Brown. Katie attends Delaware Valley High School. Katie, great to have you here. Thanks so much for being with us.

TreVaughn Ellis. Where is TreVaughn? Please stand. TreVaughn is with Representative Rosemary Brown, too, and he attends East Stroudsburg High School. Great to have you, sir. Thanks so much.

To the left of the rostrum, we welcome Jason Zapranzy. Jason, please stand. He is with Representative Tom Mehaffie for the day. Jason, where do you go to school? He is a student at Hershey High School, correct? Great to have you here, Jason.

To the left, we have Emmanuel Joyner. Emmanuel, how are you doing, sir? Great to have you here. He is a guest of Representative Fitzgerald. Thank you so much for joining us, sir.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. STURLA called up **HR 960, PN 3622**, entitled:

A Resolution designating June 26, 2018, as "Turkic Cultural Day" in Pennsylvania and recognizing the valuable work of the Council of Turkic American Associations and the Turkish Cultural Center of Pennsylvania.

Ms. HELM called up **HR 983, PN 3701**, entitled:

A Resolution commemorating Capital BlueCross for its 80th year of serving central Pennsylvania and the Lehigh Valley with excellence.

* * *

Mrs. BULLOCK called up **HR 985, PN 3703**, entitled:

A Resolution recognizing the week of June 11 through 17, 2018, as "Men's Health Week" in Pennsylvania.

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Mr. SAYLOR called up **HR 993, PN 3765**, entitled:

A Resolution recognizing August 1, 2018, as "Professional Engineers Day" in Pennsylvania.

* * *

Mr. BIZZARRO called up **HR 995, PN 3767**, entitled:

A Resolution designating the month of September 2018 as "Light the Night Walk Month" in Pennsylvania.

* * *

Mr. MASSER called up **HR 997, PN 3769**, entitled:

A Resolution designating the month of August 2018 as "Stevens-Johnson Syndrome Awareness Month" in Pennsylvania.

* * *

Mr. MOUL called up **HR 998, PN 3770**, entitled:

A Resolution honoring Camp Letterman.

* * *

Mrs. BULLOCK called up **HR 1049, PN 3706**, entitled:

A Resolution designating the month of June 2018 as "Healthy Living and Healthy Eating Month" in Pennsylvania and encouraging all residents to eat healthily and exercise.

On the question,
Will the House adopt the resolutions?

LEAVE OF ABSENCE CANCELED

The SPEAKER. Representative Mike Peifer should be placed back on the master roll.

**CONSIDERATION OF
RESOLUTIONS PURSUANT TO RULE 35
CONTINUED**

On the question recurring,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—193

Barbin	Ellis	Krueger	Reed
Barrar	Emrick	Kulik	Reese
Benninghoff	English	Lawrence	Roae
Bernstine	Evankovich	Lewis	Roe
Bizzarro	Evans	Longietti	Roebuck
Bloom	Everett	Mackenzie	Rothman
Boback	Farry	Madden	Rozzi
Boyle	Fee	Maher	Ryan
Bradford	Flynn	Mako	Saccone
Briggs	Frankel	Maloney	Sainato
Brown, R.	Freeman	Markosek	Samuelson
Brown, V.	Fritz	Marshall	Santora
Bullock	Gainey	Marsico	Saylor
Burns	Galloway	Masser	Schemel
Caltagirone	Gillen	Matzie	Schlossberg
Carroll	Gillespie	McCarter	Schweyer
Causar	Godshall	McClinton	Simmons
Cephas	Goodman	McGinnis	Sims
Charlton	Greiner	McNeill	Snyder
Christiana	Grove	Mehaffie	Solomon
Comitta	Haggerty	Mentzer	Sonney
Conklin	Hahn	Metcalfe	Staats
Cook	Hanna	Metzgar	Stephens
Corbin	Harkins	Millard	Sturla
Corr	Harper	Miller, B.	Tai
Costa, D.	Harris, A.	Miller, D.	Tallman
Costa, P.	Harris, J.	Moul	Taylor
Cox	Heffley	Mullery	Thomas
Cruz	Helm	Murt	Tobash
Culver	Hennessey	Mustio	Toepel
Cutler	Hickernell	Neilson	Toohil
Daley	Hill	Nelson	Topper
Davidson	Irvin	Nesbit	Vazquez
Davis, A.	James	O'Neal	Vitali
Davis, T.	Jozwiak	Oberlander	Walsh
Dawkins	Kampf	Ortitay	Ward
Day	Kaufner	Owlett	Warner
Deasy	Kauffman	Pashinski	Warren
DeLissio	Kavulich	Peifer	Watson
Delozier	Keefer	Petrarca	Wentling
DeLuca	Keller, F.	Pickett	Wheatley
Dermody	Keller, M.K.	Pyle	Wheeland
Diamond	Keller, W.	Quigley	White
DiGirolamo	Kim	Quinn, C.	Youngblood
Donatucci	Kinsey	Quinn, M.	Zimmerman
Dowling	Kirkland	Rader	
Driscoll	Klunk	Rapp	Turzai,
Dunbar	Knowles	Ravenstahl	Speaker
Dush	Kortz	Readshaw	

NAYS—0

NOT VOTING—0

EXCUSED—10

Dean	Gabler	O'Brien	Rabb
Fabrizio	Miccarelli	O'Neill	Sankey
Fitzgerald	Milne		

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

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. WARREN called up **HR 999, PN 3785**, entitled:

A Resolution commemorating the 150th anniversary of the ratification of the 14th Amendment to the Constitution of the United States on July 9, 2018.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

Barbin	Ellis	Krueger	Reed
Barrar	Emrick	Kulik	Reese
Benninghoff	English	Lawrence	Roae
Bernstine	Evankovich	Lewis	Roe
Bizzarro	Evans	Longietti	Roebuck
Bloom	Everett	Mackenzie	Rothman
Boback	Farry	Madden	Rozzi
Boyle	Fee	Maher	Ryan
Bradford	Flynn	Mako	Saccone
Briggs	Frankel	Maloney	Sainato
Brown, R.	Freeman	Markosek	Samuelson
Brown, V.	Fritz	Marshall	Santora
Bullock	Gainey	Marsico	Saylor
Burns	Galloway	Masser	Schemel
Caltagirone	Gillen	Matzie	Schlossberg
Carroll	Gillespie	McCarter	Schweyer
Causar	Godshall	McClinton	Simmons
Cephas	Goodman	McNeill	Sims
Charlton	Greiner	Mehaffie	Snyder
Christiana	Grove	Mentzer	Solomon
Comitta	Haggerty	Metcalfe	Sonney
Conklin	Hahn	Metzgar	Staats
Cook	Hanna	Millard	Stephens
Corbin	Harkins	Miller, B.	Sturla
Corr	Harper	Miller, D.	Tai
Costa, D.	Harris, A.	Moul	Tallman
Costa, P.	Harris, J.	Mullery	Taylor
Cox	Heffley	Murt	Thomas
Cruz	Helm	Mustio	Tobash
Culver	Hennessey	Neilson	Toepel
Cutler	Hickernell	Nelson	Toohil
Daley	Hill	Nesbit	Topper
Davidson	Irvin	O'Neal	Vazquez
Davis, A.	James	Oberlander	Vitali
Davis, T.	Jozwiak	Ortitay	Walsh
Dawkins	Kampf	Owlett	Ward
Day	Kaufer	Pashinski	Warner
Deasy	Kauffman	Peifer	Warren
DeLissio	Kavulich	Petrarca	Watson
Delozier	Keefer	Pickett	Wentling
DeLuca	Keller, F.	Pyle	Wheatley
Dermody	Keller, M.K.	Quigley	Wheeland
Diamond	Keller, W.	Quinn, C.	White
DiGirolo	Kim	Quinn, M.	Youngblood
Donatucci	Kinsey	Rader	Zimmerman
Dowling	Kirkland	Rapp	
Driscoll	Klunk	Ravenstahl	Turzai,
Dunbar	Knowles	Readshaw	Speaker
Dush	Kortz		

NAYS—1

McGinnis

NOT VOTING—0

EXCUSED—10

Dean	Gabler	O'Brien	Rabb
Fabrizio	Miccarelli	O'Neill	Sankey
Fitzgerald	Milne		

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

* * *

Mr. PYLE called up **HR 1001, PN 3786**, entitled:

A Resolution designating the month of August 2018 as "Kidney Cancer Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HR 1001 CONTINUED

On the question recurring,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

Cox	Heffley	Mullery	Taylor
Cruz	Helm	Murt	Thomas
Culver	Hennessey	Mustio	Tobash
Cutler	Hickernell	Neilson	Toepel
Daley	Hill	Nelson	Toohil
Davidson	Irvin	Nesbit	Topper
Davis, A.	James	O'Neal	Vazquez
Davis, T.	Jozwiak	O'Neill	Vitali
Dawkins	Kampf	Oberlander	Walsh
Day	Kaufer	Ortitay	Ward
Deasy	Kauffman	Owlett	Warner
DeLissio	Kavulich	Pashinski	Warren
Delozier	Keefer	Peifer	Watson
DeLuca	Keller, F.	Petrarca	Wentling
Dermody	Keller, M.K.	Pickett	Wheatley
Diamond	Keller, W.	Pyle	Wheeland
DiGirolamo	Kim	Quigley	White
Donatucci	Kinsey	Quinn, C.	Youngblood
Dowling	Kirkland	Quinn, M.	Zimmerman
Driscoll	Klunk	Rader	
Dunbar	Knowles	Rapp	Turzai, Speaker
Dush	Kortz	Ravenstahl	

NAYS—0

NOT VOTING—0

EXCUSED—9

Dean	Gabler	Milne	Rabb
Fabrizio	Miccarelli	O'Brien	Sankey
Fitzgerald			

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

The SPEAKER. Representative Sue Helm has guests with us today, and she is going to be speaking on HR 983 and will be introducing her guests.

All members, please take your seats.

STATEMENT BY MS. HELM

The SPEAKER. Representative Helm, you may proceed.
Ms. HELM. Thank you, Mr. Speaker.

Mr. Speaker, I would like to thank my colleagues for their unanimous support of HR 983, which recognizes the 80th anniversary of Capital BlueCross. As a proud former employee of Capital BlueCross, I know firsthand of the company's commitment to serving customers with excellence and driving innovation through the health-care system. Capital BlueCross was founded on March 1, 1938, as a small hospital-based insurer. The company currently serves members in 21 counties across central Pennsylvania and the Lehigh Valley. It has grown to become one of the largest employers in our region.

Capital BlueCross supports community health and wellness by establishing Capital Blue health and wellness centers in Enola and the Lehigh Valley that are open to anyone in the community, offering fitness classes, wellness coaching, health screening, and nutritious food. Capital BlueCross remains dedicated to the counties it serves, demonstrating continued contributions to this Commonwealth by supporting multiple causes and organizations that work to improve our communities; not only as a company, but by encouraging employees to volunteer and support charities promoting health and wellness and families and children in need.

Mr. Speaker, I would like to introduce a representative from Capital BlueCross who has joined us in the chamber this morning. David Skerpon is senior vice president of Consumer Strategies and Community Impact. I would—

The SPEAKER. Members, we have a guest that is being introduced from Capital BlueCross on their anniversary.

Representative Helm, if you could just reintroduce our guest.

Ms. HELM. Yes. I would ask him to please stand for a round of applause so we can officially congratulate Capital BlueCross on its 80th anniversary.

Again, David Skerpon is senior vice president of Consumer Strategies and Community Impact.

Thank you, Mr. Speaker, and thanks again to my colleagues for their support of this HR 938.

The SPEAKER. Thank you.

Members, typically we have those members who want to speak on resolutions towards the end of the day after all of our voting is done. But Representative Pyle has, I think, a very personal connection with the resolution that we passed, HR 1001, I think, if I am not mistaken, and I am going to allow Representative Pyle to speak at this time.

I would ask everybody to please take their seats.

STATEMENT BY MR. PYLE

The SPEAKER. You may proceed, sir.

Mr. PYLE. Thank you, Mr. Speaker.

Members, I rise to offer my thanks for your support of my resolution recognizing August as "Kidney Cancer Awareness Month." I probably have more experience with kidney cancer than anyone on this floor, and I am right now at the tail end of finishing another fight.

What is different now than from 12 years ago? First of all, let us get the nuts and bolts taken care of. Twenty-seven thousand Pennsylvanians are going to be diagnosed with renal cell cancer this year. Whereas, in prior years, the rehab and the comeback from it was very, very arduous. Advances in technology, particularly immunotherapy, have made renal cell cancer a disease that is no longer 100 percent fatal. Advances in research, spurred by UPMC and the Philadelphia area hospitals, have made it very possible for people like me to just keep on trucking.

Now I have good news. When I was first diagnosed at the end of October, there was a mass inside my chest, behind my chest bone, that measured 20.5 centimeters across by 10 1/2 centimeters thick. As my doctor told me, I had a double quarter-pounder with cheese lodged in my chest. Last Friday, upon my consultation, he informed me that mass is now 1 centimeter by 1 centimeter.

As with most potentially terminal diseases, early detection is important in this process. How did I find out? I had an earache and I took myself to the hospital and they stuck that long pointy ear-looking thing in me and he just shook his head, and I said, "Is it cancer, Doc?" and he said, "Yeah." And I said, "Don't worry about it. I got this."

Thank you, Mr. Speaker.

The SPEAKER. Thank you and God bless, Representative Pyle.

Members, please come to the floor. I am going to ask the Sergeants at Arms to close the doors of the House. So all members, I would ask you to please take your seats.

GUESTS INTRODUCED

The SPEAKER. To my left, we welcome Lawrence, Melissa, and Max Raffel. Will you please stand. We are so honored to have you here today. They are the guests of Representative Brian Sims. Brian is right with them. Thank you for joining us. Great to have you.

All members, please come to the House floor. Take your seats.

At this time we are going to bring up a championship team. If you could bring the team up here on my left, come right down the side, and I think we can get everybody up here on the rostrum.

LEAVE OF ABSENCE CANCELED

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

First, if you could please take your seats. All members, come onto the House floor. We will open the doors for another few seconds.

I would ask everybody to please take your seats. These young men traveled 4 hours to be with us today. Sergeants at Arms, can you just ask everybody to please take their seats.

VINCENTIAN ACADEMY BASEBALL TEAM PRESENTED

The SPEAKER. We have with us here – my good friend and colleague, the majority leader, was kind enough to cite their victory the other day on the House floor; very appreciative of that – with us here is the Vincentian Academy Boys Baseball Team. They won the Class A PIAA Championship up at Penn State last Friday, and this is the team.

I would ask everybody if you could take your seats. Sergeants at Arms, if you could have everybody take their seats. If everybody could please take their seats. Thank you.

As I said, we have with us today the Vincentian Boys PIAA Class A Baseball Championship Team, and in their playoff run they had a bye and then they had three wins, including the WPIAL Championship game out west, and that was held at the Washington Wild Things stadium, and then they began their State run and they had four straight wins. In those seven games they outscored their opponents 55 to 4, and really, everybody contributed to each of those wins.

First and foremost, I want to introduce Coach Brad Bestic, who is the coach of this PIAA State Championship team. Brad, if you could raise your hand. Their run included a 7-0 win against Cornell, 6-0 win against Jeannette, 6-1 win over Union, and the WPIAL Championship game, 10-0 win against Jamestown, 10-0 win against Oswayo, 11-0 win against Greensburg Central Catholic, and then in the PIAA Championship game up at Penn State, they beat Southern Fulton 5-3, going into the final inning 5-1.

Just some of the statistics with respect to this team – it is a young team and they are great friends, like all the championship teams seem to be – but between them, Aidan Thomson went 3 and 0 in the playoffs and Stephen Turzai went 4 and 0 in the playoffs. If you could both raise your hands. A couple of our teammates could not be here today, given jobs and other responsibilities, but amongst them catcher Mark Yakim had a .418 batting average; third baseman Danny Morgano – Danny, raise your hand – a .419 batting average, and also a great pitcher. He pitched a number of innings in relief during the playoffs. Shortstop Kyler Fedko, who is going to the University of Connecticut on a scholarship, had a .661 batting average, 8 home runs, and 40 RBIs (runs batted in); second baseman Jacob Stotsky, .333 batting average; and Sam Basso, who also played some second base, a .483 batting average; first baseman Nate Christian had a .400 batting average and also won four games during the year; right fielder Nate Stover had two wins and was a great contributor. Center fielder Aidan Thomson, I talked to you about his wins in the playoffs; he had a .403 batting average and just had an outstanding hitting and pitching run during the playoffs. Aidan, raise your hand. Left fielder Jared Katz started many games. Stephen Turzai started left field when he was not pitching, and our DH (designated hitter) Sean McGrail had 15 RBIs and contributed consistently in the playoffs. Josh Musher – raise your hand – fastest guy on the team, .400 batting average. James Lutz had an injury and is coming back next year to be one of the captains, I am sure. He is the second fastest guy on the team. We also have David Kelly, Matt Soller, and Eric Ford, who will also be contributing. I know Matt is here – raise your hand – and is David here? I do not think David is here. We are really so honored.

Stephen ended up finishing the season 9-0 with a 1.04 ERA (earned run average) and 64 strikeouts. Aidan, 3-2, but he was injured at the beginning of the year. He just had an outstanding playoff run. Nate Christian, 4-0; Danny Morgano, 2-1; and Nate Stover, 2-1.

We are so honored by these young men, and in that final game against Southern Fulton, in the bottom of the first, in the bottom of the first inning, that is when the first score was. Kyler Fedko walked and Danny Morgano hit a triple to bring him home. In the bottom of the third, Mark Yakim tripled, Jake Stotsky scored him with a grounder, and Aidan Thomson then singled Stotsky home; and in the fifth inning, Mark Yakim singled, stole second; Fedko tripled him home; and Danny Morgano got his second RBI to take the lead with five runs, and they held it all the way through. Stephen Turzai went six and a third, giving up three hits and one earned run and struck out five.

We are so proud of these kids. I know them like family. So I am very, very appreciative that you would take the time to hear about their second State championship in 3 years.

We also have Coach Cortese – where is Coach Cortese? Please raise your hands – these two young men – and Coach Alex Valadja, who are just great mentors for young men, and to all the coaches all across Pennsylvania who mentor our kids, boys and girls, thank you to them, because they are making a big difference in these kids' lives.

Congratulations, Vincentian Academy Team, on the PIAA Class A Baseball Championship. Thank you.

At this time I think we have committee announcements.

INSURANCE COMMITTEE MEETING

The SPEAKER. Representative Tina Pickett.

Ms. PICKETT. Thank you, Mr. Speaker.

I would like to announce a voting meeting of the House Insurance Committee off the floor in room B-31, and I think we are going to have Appropriations meetings, Mr. Speaker. Is that true? Do I need to go after Appropriations?

The SPEAKER. Yes, if you could.

Thank you, Chairman Pickett. Thank you.

Ms. PICKETT. Okay. So I will say that this Insurance meeting will be at 11 o'clock in B-31. We will be meeting to consider the vote on SB 257 and SB 373. Again, we will be in room B-31. We will be there at 11 o'clock.

Thank you, Mr. Speaker.

The SPEAKER. There will be an Insurance Committee meeting in room B-31 at 11 o'clock.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

The SPEAKER. Chairman Steve Barrar, for a committee announcement, sir.

Mr. BARRAR. Thank you, Mr. Speaker.

At the break the Veterans Affairs and Emergency Preparedness Committee will meet in room 60, East Wing, to consider HR 1002. Thank you.

The SPEAKER. Thank you, sir.

At the break the Veterans Affairs and Emergency Preparedness Committee will meet in room 60, East Wing.

LABOR AND INDUSTRY COMMITTEE MEETING

The SPEAKER. Chairman Rob Kauffman, for a committee announcement, Labor and Industry.

Mr. KAUFFMAN. Thank you, Mr. Speaker.

We will be having a meeting of the House Labor and Industry Committee, and hearing the gentlelady who is chair of the Insurance Committee talk about Appropriations, we are going to make that at 11 o'clock as well. L&I, 11 o'clock, G-50.

The SPEAKER. Thank you.

The Labor and Industry Committee will meet at 11 o'clock in G-50.

So Labor and Industry, Insurance, and Emergency Preparedness and Veterans Affairs – please open the doors of the House – and then I think now we have Appropriations and Rules.

RULES COMMITTEE MEETING

The SPEAKER. I am going to call on the leader for those announcements.

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

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

The SPEAKER. There will be an immediate meeting of the House Rules Committee in the Appropriations Conference room.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Representative Saylor, sir, the Appropriations chair.

Mr. SAYLOR. The Appropriations Committee will meet at 10:46 in the majority caucus room.

Thank you, Mr. Speaker.

The SPEAKER. The Appropriations Committee is meeting at 10:46 a.m. in the majority caucus room.

So the Appropriations Committee is going to meet in just a few minutes in the majority caucus room, and we know the other committees. Are we going to do caucus announcements?

REPUBLICAN CAUCUS

The SPEAKER. The majority caucus chair, Marcy Toepel, for a caucus announcement.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus at 11:30. We would be prepared to return to the floor at 12:30.

The SPEAKER. Thank you, Madam Chair.

DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 11:30. Democrats will caucus at 11:30.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 399, PN 1898

Referred to Committee on RULES, June 21, 2018.

RECESS

The SPEAKER. So at this time the House will stand in recess until 12:30. We are going to stand in recess until 12:30.

RECESS EXTENDED

The time of recess was extended until 1:15 p.m.; further extended until 1:45 p.m.; further extended until 2:15 p.m.; further extended until 2:30 p.m.; further extended until 2:45 p.m.; further 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. Chairman GODSHALL has requested to be placed on leave. Without objection, that will be granted.

BILLS REREPORTED FROM COMMITTEES

HB 1745, PN 3744 By Rep. REED

An Act providing for a tuition and fee waiver program for youth who are or have been in substitute care.

RULES.

HB 2060, PN 3754 By Rep. REED

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms and providing for relinquishment of firearms and firearm licenses by convicted persons and for abandonment of firearms, weapons or ammunition; and, in protection from abuse, further providing for definitions, for commencement of proceedings, for hearings, for relief, for return of relinquished firearms, other weapons and ammunition and additional relief, for relinquishment for consignment sale, lawful transfer or safekeeping and for relinquishment to third party for safekeeping and providing for order to seal record from public view.

RULES.

HB 2211, PN 3665 By Rep. REED

An Act providing for consumer prescription drug pricing disclosure.

RULES.

HB 2488, PN 3709 By Rep. REED

An Act providing for the annual designation and holiday observance June 19 as "Juneteenth National Freedom Day" in this Commonwealth.

RULES.

HB 2489, PN 3691 By Rep. REED

An Act authorizing the release of Project 70 restrictions on certain lands owned by the Borough of Topton, Berks County, in exchange for the imposition of Project 70 restrictions on other lands to be acquired by the Borough of Topton, Berks County.

RULES.

SB 530, PN 1899 By Rep. SAYLOR

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for definitions, for qualifications for license, for reciprocity, for restriction on the use of title "licensed clinical social worker," for restrictions on the use of title "Licensed Professional Counselor," for penalties and for unlawful practice; and repealing provisions related to appropriation.

APPROPRIATIONS.

SB 801, PN 1012

By Rep. SAYLOR

An Act amending Titles 8 (Boroughs and Incorporated Towns) and 11 (Cities) of the Pennsylvania Consolidated Statutes, in contracts, further providing for regulation of contracts; and, in contracts, further providing for contracts or purchases not requiring advertising or bidding.

APPROPRIATIONS.

SB 802, PN 1013

By Rep. SAYLOR

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, in contracts, further providing for general regulations concerning contracts.

APPROPRIATIONS.

SB 803, PN 1014

By Rep. SAYLOR

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

APPROPRIATIONS.

SB 804, PN 1015

By Rep. SAYLOR

An Act amending the act of May 27, 1953 (P.L.244, No.34), entitled "An act relating to and regulating the contracts of incorporated towns and providing penalties," further providing for regulation of contracts.

APPROPRIATIONS.

SB 934, PN 1826

By Rep. SAYLOR

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of Labor and Industry, its departmental administrative and advisory boards and departmental administrative officers, further providing for fees and for Industrial Board and establishing the Elevator Safety Board.

APPROPRIATIONS.

SB 1037, PN 1781

By Rep. SAYLOR

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, consolidating the Civil Service Act; providing for civil service reform in the areas of merit-based hiring, civil service applications, certification, examinations and promotions; and making related repeals.

APPROPRIATIONS.

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 17, PN 2003

By Rep. REED

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, further providing for confidentiality of records and for consent of minor.

RULES.

LEAVE OF ABSENCE CANCELED

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

PROFESSIONAL LICENSURE COMMITTEE MEETING

The SPEAKER. And Representative Mark Mustio is recognized on unanimous consent. This will be a committee announcement.

Mr. MUSTIO. Thank you, Mr. Speaker.

Tomorrow morning at 9 o'clock there will be a Professional Licensure Committee Meeting in the majority caucus room, 140 Main Capitol. There will be an informational meeting as it relates to the licensure boards. We are having the Commissioner come over just to address and talk to us about some of the issues that we have been having with some of our constituents getting licenses issued in a timely fashion. Thank you.

The SPEAKER. Tomorrow morning at 9 o'clock there will be a Professional Licensure Committee meeting in the majority caucus room, 140 Main Capitol.

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

HB 2071, PN 3799 (Amended) By Rep. KAUFFMAN

An Act providing for implementation of workplace violence policies and workplace violence prevention measures by employers and for preemption.

LABOR AND INDUSTRY.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 257, PN 1907 (Amended) By Rep. PICKETT

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for quality eye care for insured Pennsylvanians.

INSURANCE.

SB 373, PN 1908 (Amended) By Rep. PICKETT

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in uniform health insurance claim form, further providing for forms for health insurance claims.

INSURANCE.

RESOLUTIONS REPORTED FROM COMMITTEES

HR 1002, PN 3787 By Rep. BARRAR

A Resolution endorsing and encouraging participation in the Valley Forge Military College Legislative Appointment Initiative Program.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

SR 399, PN 1898

By Rep. REED

A Concurrent Resolution honoring the life and service of Carl L. Mease.

RULES.

HOUSE BILL INTRODUCED AND REFERRED

No. 2526 By Representative MURT

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in sexual offenses, providing for the offense of female mutilation.

Referred to Committee on HEALTH, June 21, 2018.

LEAVE OF ABSENCE CANCELED

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

LEAVE OF ABSENCE

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

SUPPLEMENTAL CALENDAR B**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 934, PN 1826**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of Labor and Industry, its departmental administrative and advisory boards and departmental administrative officers, further providing for fees and for Industrial Board and establishing the Elevator Safety Board.

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 Mullery is recognized on the bill.

Members, please take your seats. Thank you.

Mr. MULLERY. Thank you, Mr. Speaker.

I rise in support of SB 934.

As I discussed yesterday when I rose in opposition to the amendments, the impetus for this bill is the death of a Luzerne County corrections officer by the name of Kristopher Moules,

who back in July 2016 while attempting to diffuse a situation at the Luzerne County Correctional Facility, he and the inmate came up against the elevator door, it was caused to give out, and they both fell to their deaths.

The bill that we have before us has been diligently worked on by our partners in the Senate. They have incorporated help from the Department of Labor and Industry and the elevator industry, and they have crafted a great bill that will provide for monthly review of issues related to elevator construction maintenance inspection. In short, this legislation gives Labor and Industry the opportunity to ensure that a tragedy like the one that befell Mr. Moules does not happen again.

So I would ask all of my colleagues to support SB 934 and pass this legislation on to the Governor's desk. Thank you, Mr. Speaker.

The SPEAKER. Representative Aaron Kaufer. Sir, just suspend for a moment. I apologize.

Members, I would ask you to please take your seats. We have a long day ahead of us still with respect to legislation, and I would like to give Representative Kaufer the attention he deserves. So if everybody could take their seats, we would certainly appreciate it. All members, please take your seats. Sergeants at Arms, if you could, give members about a minute to get onto the floor and then let us close the doors of the House temporarily. Members, if you could come onto the floor, we would appreciate it. Thank you very much. Sergeants at Arms, go ahead and close the doors of the House temporarily.

Representative Kaufer, the floor is yours, sir.

Mr. KAUFER. Thank you, Mr. Speaker.

I rise today to speak in support, in favor of SB 934 known as Kristopher's Law, which was named after the loss of Luzerne County Corrections Officer Kristopher D. Moules. Kris and an inmate died following an altercation and subsequent fall down an elevator shaft at Luzerne County Prison in 2016.

As somebody who went to high school with Kris, knows his entire family, both his parents were teachers of mine at Wyoming Valley West. Actually, his brother and I were often mistaken for one another all throughout our years in high school as well. I want to personally ask for everybody's support here in favor of this legislation, which seeks to establish a new elevator safety review board to replace the current Elevator Advisory Board, which is currently a subcommittee of the Industrial Board under the Department of Labor and Industry.

A lot of time has gone into this legislation over a number of years, and the new board will conduct monthly reviews, would have regulatory authority, would consist of members who have elevator safety expertise. Throughout the Commonwealth there have been a number of disturbing elevator accidents all throughout our State that have resulted in the loss of life or serious injury, and this public safety issue we are finally going to address here in the Commonwealth, and I could not think of a bill to be more aptly named than after somebody that I have known for so many years and today we are going to hopefully pass this bill, and I just want to say that his death will not go in vain. And as a good friend, I just want to honor and remember him and thank him for his service.

Thank you, Mr. Speaker.

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—173

Barbin	Emrick	Kortz	Reed
Barrar	English	Krueger	Reese
Benninghoff	Evankovich	Kulik	Roe
Bernstine	Evans	Lawrence	Roebuck
Bizzarro	Everett	Lewis	Rozzi
Boback	Farry	Longietti	Ryan
Boyle	Fee	Mackenzie	Sainato
Bradford	Fitzgerald	Madden	Samuelson
Briggs	Flynn	Mako	Sankey
Brown, R.	Frankel	Maloney	Santora
Brown, V.	Freeman	Markosek	Saylor
Bullock	Fritz	Marshall	Schemel
Burns	Gainey	Marsico	Schlossberg
Caltagirone	Galloway	Masser	Schweyer
Carroll	Gillen	Matzie	Simmons
Cephas	Gillespie	McCarter	Sims
Charlton	Goodman	McClinton	Snyder
Christiana	Greiner	McNeill	Solomon
Comitta	Haggerty	Mehaffie	Sonney
Conklin	Hahn	Mentzer	Staats
Cook	Hanna	Millard	Stephens
Corbin	Harkins	Miller, B.	Sturla
Costa, D.	Harper	Miller, D.	Tai
Costa, P.	Harris, A.	Moul	Tallman
Cox	Harris, J.	Mullery	Taylor
Cruz	Heffley	Murt	Thomas
Culver	Helm	Mustio	Tobash
Cutler	Hennessey	Neilson	Toepel
Daley	Hickernell	Nelson	Toohil
Davidson	Irvin	Nesbit	Topper
Davis, A.	James	O'Neill	Vazquez
Davis, T.	Jozwiak	Ortitay	Vitali
Dawkins	Kampf	Owlett	Walsh
Day	Kaufer	Pashinski	Warren
Deasy	Kauffman	Peifer	Watson
DeLissio	Kavulich	Petrarca	Wheatley
DeLozier	Keller, F.	Pickett	Wheeland
DeLuca	Keller, M.K.	Quigley	White
Dermody	Keller, W.	Quinn, C.	Youngblood
DiGirolamo	Kim	Quinn, M.	Zimmerman
Donatucci	Kinsey	Rabb	
Dowling	Kirkland	Rader	Turzai,
Driscoll	Klunk	Ravenstahl	Speaker
Dunbar	Knowles	Readshaw	

NAYS—22

Bloom	Grove	O'Neal	Rothman
Causer	Hill	Oberlander	Saccone
Corr	Keefer	Pyle	Ward
Diamond	McGinnis	Rapp	Warner
Dush	Metcalfe	Roae	Wentling
Ellis	Metzgar		

NOT VOTING—0

EXCUSED—8

Dean	Gabler	Maher	Milne
Fabrizio	Godshall	Miccarelli	O'Brien

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 1037, PN 1781**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, consolidating the Civil Service Act; providing for civil service reform in the areas of merit-based hiring, civil service applications, certification, examinations and promotions; and making related repeals.

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—195

Barbin	Emrick	Kulik	Reed
Barrar	English	Lawrence	Reese
Benninghoff	Evankovich	Lewis	Roae
Bernstine	Evans	Longietti	Roe
Bizzarro	Everett	Mackenzie	Roebuck
Bloom	Farry	Madden	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	Gainey	Matzie	Santora
Burns	Galloway	McCarter	Saylor
Caltagirone	Gillen	McClinton	Schemel
Carroll	Gillespie	McGinnis	Schlossberg
Causser	Goodman	McNeill	Schweyer
Cephas	Greiner	Mehaffie	Simmons
Charlton	Grove	Mentzer	Sims
Christiana	Haggerty	Metcalfe	Snyder
Comitta	Hahn	Metzgar	Solomon
Conklin	Hanna	Millard	Sonney
Cook	Harkins	Miller, B.	Staats
Corbin	Harper	Miller, D.	Stephens
Corr	Harris, A.	Moul	Sturla
Costa, D.	Harris, J.	Mullery	Tai
Costa, P.	Heffley	Murt	Tallman
Cox	Helm	Mustio	Taylor
Cruz	Hennessey	Neilson	Thomas
Culver	Hickernell	Nelson	Tobash
Cutler	Hill	Nesbit	Toepel
Daley	Irvin	O'Neal	Toohil
Davidson	James	O'Neill	Topper
Davis, A.	Jozwiak	Oberlander	Vazquez
Davis, T.	Kampf	Ortitay	Vitali
Dawkins	Kaufner	Owlett	Walsh
Day	Kauffman	Pashinski	Ward
Deasy	Kavulich	Peifer	Warner
DeLissio	Keefer	Petrarca	Warren
Delozier	Keller, F.	Pickett	Watson
DeLuca	Keller, M.K.	Pyle	Wentling
Dermody	Keller, W.	Quigley	Wheatley
Diamond	Kim	Quinn, C.	Wheeland

DiGirolamo	Kinsey	Quinn, M.	White
Donatucci	Kirkland	Rabb	Youngblood
Dowling	Klunk	Rader	Zimmerman
Driscoll	Knowles	Rapp	
Dunbar	Kortz	Ravenstahl	Turzai,
Dush	Krueger	Readshaw	Speaker
Ellis			

NAYS—0

NOT VOTING—0

EXCUSED—8

Dean	Gabler	Maher	Milne
Fabrizio	Godshall	Miccarelli	O'Brien

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

The **SPEAKER**. The Sergeants at Arms will open the doors of the House.

GUESTS INTRODUCED

The **SPEAKER**. To the left of the rostrum, we welcome Hannah Reddecliff, the daughter of our Chief Clerk, Dave Reddecliff. Please stand, Hannah; this lovely lady, great lady. Dave, she definitely takes after Carole, whom we all know. We know Carole well. Carole Reddecliff worked for the House for many, many years. And she is with her friend, Emma Trudgon. Am I saying that right? Trudgon? Emma, please stand. Thank you for being here today. Hannah attends Duquesne University in the great city of Pittsburgh, and Emma just graduated from Duquesne University. Congratulations.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1037, PN 1201**, entitled:

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, in medical professional liability, further providing for punitive damages.

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

The **SPEAKER**. The bill actually provides for a cap. It is a cap on punitive damages in the area of nursing homes, Medical Care Availability and Reduction of Error in the nursing home context. We do have amendments.

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

Mr. **KAMPF** offered the following amendment No. **A07533**:

Amend Bill, page 2, lines 6 through 8, by striking out "Except in cases where the trier of fact finds that" in line 6, all of line 7 and "(i) or (ii) acted with intent to harm, punitive" in line 8 and inserting

Punitive

Amend Bill, page 2, by inserting between lines 21 and 22

(3) Paragraph (2) shall not apply if the trier of fact finds that an officer, employee or agent of an entity under paragraph (2)(i) or (ii):

(i) acted with intent to harm;

(ii) falsified medical records relating to the cause of action; or

(iii) is convicted of or enters into a diversionary program for a crime arising out of the same conduct that caused the harm.

Amend Bill, page 2, line 22, by striking out "(3)" and inserting (4)

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. Members, we are just going to briefly go over – just stay right there, Representative Kampf. We are just going to go over temporarily because we have to do two housekeeping bills with respect to the budget and I just need to get to those. So we will be right back to HB 1037.

* * *

The House proceeded to second consideration of **SB 1142**, **PN 1828**, entitled:

An Act establishing the Safe2Say Program; and providing methods of anonymous reporting concerning unsafe activities in schools.

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

* * *

The House proceeded to second consideration of **SB 817**, **PN 1249**, entitled:

An Act authorizing the Department of General Services to extend the term of a certain lease of real property, being a portion of the Southeastern Pennsylvania Veterans' Center in East Vincent Township, Chester County.

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

BILLS RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 817 and SB 1142 be recommitted to the Committee on Appropriations.

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

* * *

The House proceeded to second consideration of **HB 1840**, **PN 3595**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in liability and compensation, further providing for schedule of compensation and for physical examination or expert interview.

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

The SPEAKER. The first amendment we have is Representative Kauffman. This is Representative Kauffman's bill. The first amendment is his 7541. Oh, that is withdrawn. Okay; 7541 is withdrawn.

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

Mr. **KAUFFMAN** offered the following amendment No. **A07879**:

Amend Bill, page 1, line 7, by inserting after "compensation" where it occurs the second time
, for computation of benefits

Amend Bill, page 5, line 3, by striking out "fifty" and inserting thirty-five

Amend Bill, page 5, line 9, by striking out "fifty" and inserting thirty-five

Amend Bill, page 5, line 27, by striking out "fifty" and inserting thirty-five

Amend Bill, page 6, line 4, by striking out "fifty" and inserting thirty-five

Amend Bill, page 6, line 21, by striking out "fifty" and inserting thirty-five

Amend Bill, page 7, line 11, by striking out all of said line and inserting

Section 2. Sections 307(7) and 314(b) of the act are amended to read:

Section 307. In case of death, compensation shall be computed on the following basis, and distributed to the following persons: Provided, That in no case shall the wages of the deceased be taken to be less than fifty per centum of the Statewide average weekly wage for purposes of this section:

* * *

(7) Whether or not there be dependents as aforesaid, the reasonable expense of burial, not exceeding [three thousand dollars (\$3,000)] seven thousand dollars (\$7,000), which shall be paid by the employer or insurer directly to the undertaker (without deduction of any amounts theretofore paid for compensation or for medical expenses).

* * *

Amend Bill, page 8, by inserting between lines 8 and 9

(3) Within 90 days following the effective date of the addition of section 306(a.3) of the act, the Pennsylvania Compensation Rating Bureau shall calculate the savings achieved through the implementation of that subsection. Immediately following this calculation, the amount of savings

shall be used to provide an immediate reduction in rates, equal to the savings, applicable to employers' workers' compensation policies.

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

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

Mr. KAUFFMAN. Thank you, Mr. Speaker.

This is a compromise amendment that I have been working with many folks, stakeholders, folks on the other side of the aisle, and last night working with the administration, and they have agreed that this is a sufficient compromise and have agreed that if it gets to the Governor's desk, that he would sign it.

So I would encourage all folks to come together and support this compromise amendment on this very critical issue to Pennsylvania.

The SPEAKER. On the amendment, does anybody else wish to be recognized?

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

The following roll call was recorded:

YEAS—116

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

NAYS—79

Barbin	Dawkins	Keller, W.	Ravenstahl
Bizzarro	Deasy	Kim	Readshaw
Boyle	DeLissio	Kinsey	Roebuck
Bradford	DeLuca	Kirkland	Rozzi
Briggs	Dermody	Kortz	Sainato
Brown, V.	Donatucci	Krueger	Samuelson
Bullock	Driscoll	Kulik	Schlossberg
Burns	Evans	Longiatti	Schweyer
Caltagirone	Fitzgerald	Madden	Sims

Carroll	Flynn	Markosek	Snyder
Cephas	Frankel	Matzie	Solomon
Comitta	Freeman	McCarter	Sturla
Conklin	Gainey	McClinton	Tai
Costa, D.	Galloway	McNeill	Thomas
Costa, P.	Goodman	Miller, D.	Vazquez
Cruz	Haggerty	Mullery	Vitali
Daley	Hanna	Neilson	Warren
Davidson	Harkins	Pashinski	Wheatley
Davis, A.	Harris, J.	Petrarca	Youngblood
Davis, T.	Kavulich	Rabb	

NOT VOTING—0

EXCUSED—8

Dean	Gabler	Maher	Milne
Fabrizio	Godshall	Miccarelli	O'Brien

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

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

The SPEAKER. Representative Mullery, 7508 withdrawn? And 7510 withdrawn? Thank you, sir.

Representative Evankovich had two amendments; they are out of order: amendments 7558 and 7570. They are ruled out of order.

Representative Mullery, there is also 7474. That is withdrawn?

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

CONSIDERATION OF HB 1037 CONTINUED

The SPEAKER. Now we are returning to HB 1037. It is on second consideration, page 6 of today's House calendar. As we indicated, HB 1037, PN 1201, is dealing with the Medical Care Availability and Reduction of Error Act with respect to medical professional liability. It is providing for a 250-percent cap on punitive damages with respect to nursing homes.

The amendment we have in front of us is 7533. The clerk will read that amendment one more time for us, and then we will call on Representative Kampf.

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

The clerk read amendment No. **A07533**:

Amend Bill, page 2, lines 6 through 8, by striking out "Except in cases where the trier of fact finds that" in line 6, all of line 7 and "(i) or (ii) acted with intent to harm, punitive" in line 8 and inserting
Punitive
Amend Bill, page 2, by inserting between lines 21 and 22
(3) Paragraph (2) shall not apply if the trier of fact finds that an officer, employee or agent of an entity under paragraph

(2)(i) or (ii):

- (i) acted with intent to harm;
- (ii) falsified medical records relating to the cause of action; or
- (iii) is convicted of or enters into a diversionary program for a crime arising out of the same conduct that caused the harm.

Amend Bill, page 2, line 22, by striking out "(3)" and inserting (4)

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

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

Mr. KAMPF. Thank you, Mr. Speaker.

Mr. Speaker, in order to explain the amendment, although it is fairly simple, let me just describe for the members the bill itself. So the bill says that for nursing homes, personal care homes, and assisted living homes, except in cases of intentional conduct, there will be a cap on punitive damages, or a ratio, a limit on punitive damages of 2 1/2 times compensatory damages, so 2 1/2 times pain and suffering, 2 1/2 times pain and suffering plus medical expenses.

Reading through the amendments that have been filed to the bill and thinking about this issue, while the bill as is makes sense, I do think this amendment will improve the bill. What it does is in addition to cases where there is intentional conduct, if someone falsifies records of the nursing home or the assisted living facility and that falsification is related to the case, related to the allegations, that in those cases this 2 1/2 times ratio will not apply. It will be as if there is no such limit. And it adds another exception. So this is where someone in the nursing home or the assisted living home has been charged with a crime and convicted which is related to the allegations of the complaint.

So now the bill will say that for situations where there is intentional conduct, where there is falsification of records related to the claims, and where there is a conviction for a crime which was charged as a result of the incident, the limits in the bill will not apply. That is what the amendment does, Mr. Speaker, and I would urge the members to vote for the amendment.

The SPEAKER. Representative Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment.

The SPEAKER. He will so stand.

Mr. BARBIN. Thank you, Mr. Speaker.

I have reviewed this amendment, and the question I have for you is, did you submit this amendment to either the Pennsylvania Rules of Civil Procedure Board or the Appellate Rules Board for their view as to whether this is consistent with rule No. 4007.1 on punitive damages?

Mr. KAMPF. I did not.

Mr. BARBIN. Okay. Mr. Speaker, on the bill?

I rise in opposition to this rule. We have a three-part government: Number one, we have the Governor; number two, we have the legislature; number three, we have the judiciary. All three branches are supposed to be equal. Our State Constitution says that the Pennsylvania Supreme Court, which establishes these rules committees is the ultimate authority with regard to the conduct of how a court case should be run.

Section 11 says, "All courts shall be open; and every man for an injury done...in his lands, goods, person or reputation shall have remedy by due course of law, and right and justice administered without...denial or delay." The only exception in that section is for sovereign immunity. There is a provision of the Pennsylvania Constitution as it relates to the Supreme Court that says, section 2, that the Supreme judicial power of the Commonwealth shall be in the Supreme Court. Section 10(c) says, "The Supreme Court shall have the power to prescribe...rules...governing practice, procedure and the conduct of all courts...if such rules are consistent with this Constitution and neither abridge, enlarge nor modify the substantive rights of any litigant, nor affect the right of the...Assembly to determine the jurisdiction..." They are allowed. This does not fit in that category.

It is up to the Pennsylvania Supreme Court to decide if there is going to be a cap on the punitive damages, and the only exception is when that punitive damage cap is in the Constitution itself. There is no provision in the Constitution to cap punitive damages. This bill is without constitutional authority. I object to the amendment.

LEAVES OF ABSENCE

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

Representative Todd STEPHENS has requested to be placed on leave. Without objection, that will be granted.

CONSIDERATION OF HB 1037 CONTINUED

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

Mr. KAMPF. Thank you, Mr. Speaker.

Mr. Speaker, we already have as far back as 2002 this essentially identical provision that is for doctors. There is a limit of two times compensatory damages. There have been a number of cases in the courts which have said that our limited tort system is constitutional even though it has an impact on damages. There is nothing in the rules of court, nothing in the Constitution that says we are not permitted to govern the laws of our courts when it comes to damages. In fact, "punitive damages" is defined by statute in Pennsylvania and several of the amendments that have been offered in opposition to this bill seek to change that definition. I absolutely oppose the – I support my amendment and I reject the remarks of my learned colleague.

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

The following roll call was recorded:

YEAS—113

Benninghoff	Gillen	Marsico	Ryan
Bernstine	Gillespie	Masser	Saccone
Bloom	Greiner	McGinnis	Sainato
Boback	Grove	Mehaffie	Sankey
Brown, R.	Hahn	Mentzer	Santora
Burns	Harris, A.	Metcalfe	Saylor

Causer	Heffley	Millard	Schemel
Christiana	Helm	Miller, B.	Simmons
Cook	Hennessey	Mustio	Snyder
Corbin	Hickernell	Nelson	Solomon
Corr	Hill	Nesbit	Sonney
Cox	Irvin	O'Neal	Staats
Culver	James	O'Neill	Tallman
Cutler	Jozwiak	Oberlander	Taylor
Day	Kampf	Ortitay	Tobash
DeLissio	Kaufer	Owlett	Toepel
Delozier	Kauffman	Peifer	Toohil
Diamond	Keefer	Petrarca	Topper
Dowling	Keller, F.	Pickett	Walsh
Dunbar	Keller, M.K.	Pyle	Ward
Dush	Klunk	Quigley	Warner
Ellis	Knowles	Quinn, M.	Watson
Emrick	Lawrence	Rader	Wentling
English	Lewis	Rapp	Wheeland
Evankovich	Longietti	Reed	Zimmerman
Everett	Mackenzie	Reese	
Farry	Mako	Roae	Turzai,
Fee	Maloney	Roe	Speaker
Fritz	Marshall	Rothman	

NAYS—78

Barbin	Davis, T.	Kavulich	Quinn, C.
Barrar	Dawkins	Kim	Rabb
Bizzarro	Deasy	Kinsey	Ravenstahl
Boyle	DeLuca	Kirkland	Readshaw
Bradford	Dermody	Kortz	Roebuck
Briggs	DiGirolamo	Krueger	Rozzi
Brown, V.	Driscoll	Kulik	Samuelson
Bullock	Evans	Madden	Schlossberg
Caltagirone	Fitzgerald	Markosek	Schweyer
Carroll	Flynn	Matzie	Sims
Cephas	Frankel	McCarter	Sturla
Charlton	Freeman	McClinton	Tai
Comitta	Gainey	McNeill	Thomas
Conklin	Galloway	Metzgar	Vazquez
Costa, D.	Goodman	Miller, D.	Vitali
Costa, P.	Haggerty	Mullery	Warren
Cruz	Hanna	Murt	Wheatley
Daley	Harkins	Neilson	White
Davidson	Harper	Pashinski	Youngblood
Davis, A.	Harris, J.		

NOT VOTING—2

Donatucci	Keller, W.
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EXCUSED—10

Dean	Godshall	Milne	O'Brien
Fabrizio	Maher	Moul	Stephens
Gabler	Miccarelli		

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

On the question,

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

Mr. **MUSTIO** offered the following amendment No. **A02622**:

Amend Bill, page 2, line 8, by inserting after "harm"
or when the tort occurred under the influence of alcohol
or a nonprescribed controlled substance

Amend Bill, page 2, by inserting between lines 24 and 25

(4) Three years after the effective date of this paragraph,
the Legislative Budget and Finance Committee shall conduct a

study measuring the impact of paragraph (2) on the number of lawsuits filed against nursing homes, personal care homes and assisted living residences, including awards from both settlements and trials. The study shall document the trend in the awarding of compensatory damages and punitive damages and the percentage of cases involving alleged sexual abuse, sexual assault and rape, as well as the percentage of cases involving patients who have been diagnosed with Alzheimer's disease or dementia.

On the question,

Will the House agree to the amendment?

The SPEAKER. Representative Mustio.

Mr. MUSTIO. Thank you, Mr. Speaker.

I just want to give the members some thoughts on my logic for this amendment. Under the workers' compensation law in Pennsylvania, if an employee is injured and it is found that they are intoxicated or were on drugs and that had caused their injury and the accident, that the employer or the employer's insurance company can use that as a defense and not compensate the injured employee for his wage loss or his injuries.

My thoughts on this are that if an assisted living home employee, for example, was on drugs or intoxicated and injured themselves but in that same incident injured one of the facility's residents, that the nursing home or their insurance company would have a defense in not having to pay the injured worker. But I do not think that we should be in a position where the employer, whether they drug tested or not, had an employee that was under the influence and caused an injury to a resident. I do not think that that should be something that we are limiting. So since in Pennsylvania law we are giving defense to the employer, I think we should also have fair field here for the injured, whether it is a resident or other third party.

So I would ask for an affirmative vote. And the amendment also then requests 3 years after the effective date, that there also be a study done by the Legislative Budget and Finance Committee measuring the impact of this legislation on lawsuits, and the types of information are listed in the amendment.

I would appreciate an affirmative vote. Thank you.

The SPEAKER. Representative Kampf, on the amendment.

Mr. KAMPF. Mr. Speaker, respectfully, I would ask the members to support the Representative's amendment. This change regarding unprescribed controlled substances and alcohol makes sense to me as the maker of the bill, and studying its impact, the legislation's impact, sometime in the future also makes sense.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—193

Barbin	Ellis	Krueger	Reed
Barrar	Emrick	Kulik	Reese
Benninghoff	English	Lawrence	Roae
Bernstine	Evankovich	Lewis	Roe
Bizzarro	Evans	Longietti	Roebuck
Bloom	Everett	Mackenzie	Rothman
Boback	Farry	Madden	Rozzi
Boyle	Fee	Mako	Ryan

Bradford	Fitzgerald	Maloney	Saccone
Briggs	Flynn	Markosek	Sainato
Brown, R.	Frankel	Marshall	Samuelson
Brown, V.	Freeman	Marsico	Sankey
Bullock	Fritz	Masser	Santora
Burns	Gainey	Matzie	Saylor
Caltagirone	Galloway	McCarter	Schemel
Carroll	Gillen	McClinton	Schlossberg
Causar	Gillespie	McGinnis	Schweyer
Cephas	Goodman	McNeill	Simmons
Charlton	Greiner	Mehaffie	Sims
Christiania	Grove	Mentzer	Snyder
Comitta	Haggerty	Metcalfe	Solomon
Conklin	Hahn	Metzgar	Sonney
Cook	Hanna	Millard	Staats
Corbin	Harkins	Miller, B.	Sturla
Corr	Harper	Miller, D.	Tai
Costa, D.	Harris, A.	Mullery	Tallman
Costa, P.	Harris, J.	Murt	Taylor
Cox	Heffley	Mustio	Thomas
Cruz	Helm	Neilson	Tobash
Culver	Hennessey	Nelson	Toepel
Cutler	Hickernell	Nesbit	Toohil
Daley	Hill	O'Neal	Topper
Davidson	Irvin	O'Neill	Vazquez
Davis, A.	James	Oberlander	Vitali
Davis, T.	Jozwiak	Ortitay	Walsh
Dawkins	Kampf	Owlett	Ward
Day	Kaufner	Pashinski	Warner
Deasy	Kauffman	Peifer	Warren
DeLissio	Kavulich	Petrarca	Watson
Delozier	Keefer	Pickett	Wentling
DeLuca	Keller, F.	Pyle	Wheatley
Dermody	Keller, M.K.	Quigley	Wheeland
Diamond	Keller, W.	Quinn, C.	White
DiGirolamo	Kim	Quinn, M.	Youngblood
Donatucci	Kinsey	Rabb	Zimmerman
Dowling	Kirkland	Rader	
Driscoll	Klunk	Rapp	Turzai,
Dunbar	Knowles	Ravenstahl	Speaker
Dush	Kortz	Readshaw	

NAYS—0

NOT VOTING—0

EXCUSED—10

Dean	Godshall	Milne	O'Brien
Fabrizio	Maher	Moul	Stephens
Gabler	Miccarelli		

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

On the question recurring,

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

The SPEAKER. We have quite a few amendments. Do any members wish to withdraw their amendments at this time? Do any members wish to withdraw their amendments at this time? Representative Hal English is going to withdraw an amendment. Representative English, will you please state for the record which amendment is being withdrawn, sir?

Mr. ENGLISH. Thank you, Mr. Speaker.

With regards to amendment A07568, my amendment would seek to eliminate filial responsibility. That is where children are fiscally responsible for the care of their indigent parents. I look forward to continuing to work with Chairman DeLuca on this

very important issue in the future so that children can certainly privately contract but not be mandated. We want to reverse that. But since this bill, I withdraw that amendment at this time. Thank you.

On the question recurring,

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

Mr. BIZZARRO offered the following amendment No. A02604:

Amend Bill, page 1, line 16, by inserting after "damages" and providing for reporting by certain licensees

Amend Bill, page 2, by inserting between lines 25 and 26

Section 2. The act is amended by adding a section to read:

Section 517. Reporting by certain licensees.

A personal care home or an assisted living community licensed by the Department of Human Services under the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, shall report to the department and the department shall post on the department's publicly accessible Internet website the following information:

(1) Findings of negligence in any civil actions that involved the care of patients or residents.

(2) If the facility is part of a business entity that has facilities located outside of this Commonwealth, it shall report all out-of-State violations of Federal law or regulation as well as any state law or regulation in a state where the entity does business.

(3) All information concerning an officer, employee or agent that involves arrest or prosecution for the following:

(i) 18 Pa.C.S. Ch. 25 (relating to criminal homicide).

(ii) 18 Pa.C.S. § 2702 (relating to aggravated assault).

(iii) 18 Pa.C.S. Ch. 31 (relating to sexual offenses).

(iv) A violation of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act.

Amend Bill, page 2, line 26, by striking out "2" and inserting 3

On the question,

Will the House agree to the amendment?

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

Mr. BIZZARRO. Thank you, Mr. Speaker.

Simply put, this amendment would provide public disclosure. I ask the members for their affirmative vote on it.

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

Mr. KAMPF. Thank you, Mr. Speaker.

Respectfully, I would ask the members to oppose the amendment. This deals with personal care homes and assisted living communities. The Department of Health has the power by regulation to do this. They have not seen fit to do it at this point. It is not related to the purpose of the legislation, which is as to punitive damages, and I would ask the members to oppose it. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—87

Barbin	DeLissio	Keller, W.	Ravenstahl
Bizzarro	DeLuca	Kim	Readshaw
Boyle	Dermody	Kinsey	Roebuck
Bradford	DiGirolamo	Kirkland	Rozzi
Briggs	Donatucci	Kortz	Saccone
Brown, V.	Driscoll	Krueger	Sainato
Bullock	Ellis	Kulik	Samuelson
Burns	Evans	Longiotti	Schlossberg
Caltagirone	Fitzgerald	Madden	Schweyer
Carroll	Flynn	Markosek	Sims
Cephas	Frankel	Matzie	Snyder
Comitta	Freeman	McCarter	Solomon
Conklin	Gainey	McClinton	Sturla
Costa, D.	Galloway	McNeill	Tai
Costa, P.	Goodman	Metzgar	Thomas
Cruz	Haggerty	Miller, D.	Vazquez
Daley	Hanna	Mullery	Vitali
Davidson	Harkins	Murt	Warren
Davis, A.	Harris, J.	Neilson	Wheatley
Davis, T.	Hennessey	Pashinski	White
Dawkins	Kaufner	Petrarca	Youngblood
Deasy	Kavulich	Rabb	

NAYS—105

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

NOT VOTING—1

Dush

EXCUSED—10

Dean	Godshall	Milne	O'Brien
Fabrizio	Maher	Moul	Stephens
Gabler	Miccarelli		

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

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

Mrs. **SNYDER** offered the following amendment
No. **A02605**:

Amend Bill, page 2, by inserting between lines 24 and 25
(4) A punitive damage award shall not be reduced as provided under paragraphs (1) and (2) if the plaintiff suffered battery or sexual or physical abuse.

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

The **SPEAKER**. On the amendment, Representative Pam Snyder.

Mrs. **SNYDER**. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is very simple but extremely important. If your loved one has suffered sexual or physical abuse, the punitive damages would not apply. I would ask all my colleagues to please vote "yes."

The **SPEAKER**. Representative Kampf, on the amendment, please.

Mr. **KAMPF**. Mr. Speaker, on this amendment I respectfully would ask the members to oppose the amendment. First of all, with respect to battery, sexual or physical abuse, these are allegations of crimes, and if an individual is convicted under the Kampf amendment, which is now in the bill, this amendment is duplicative. We have already gotten that into the bill. And in addition to that, this amendment does not just affect the bill, it also alters the current Mcare (Medical Care Availability and Reduction of Error) law with respect to our physicians who have had that law in place since 2002. Thank you.

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

The following roll call was recorded:

YEAS—110

Barbin	Dermody	Kirkland	Readshaw
Barrar	DiGirolamo	Kortz	Roe
Bernstine	Donatucci	Krueger	Roebuck
Bizzarro	Dowling	Kulik	Rozzi
Boyle	Driscoll	Lawrence	Saccone
Bradford	Ellis	Longiotti	Sainato
Briggs	Evans	Madden	Samuelson
Brown, V.	Farry	Markosek	Sankey
Bullock	Fitzgerald	Marshall	Schlossberg
Burns	Flynn	Matzie	Schweyer
Caltagirone	Frankel	McCarter	Simmons
Carroll	Freeman	McClinton	Sims
Cephas	Gainey	McNeill	Snyder
Charlton	Galloway	Mehaffie	Solomon
Christiana	Gillen	Metzgar	Staats
Comitta	Goodman	Miller, D.	Sturla
Conklin	Haggerty	Mullery	Tai
Costa, D.	Hanna	Murt	Thomas
Costa, P.	Harkins	Neilson	Toohil
Cruz	Harper	O'Neill	Vazquez
Daley	Harris, J.	Pashinski	Vitali
Davidson	Hennessey	Petrarca	Walsh

Davis, A.	Irvin	Quigley	Warner
Davis, T.	Kaufer	Quinn, C.	Warren
Dawkins	Kavulich	Quinn, M.	Wheatley
Deasy	Keller, W.	Rabb	White
DeLissio	Kim	Ravenstahl	Youngblood
DeLuca	Kinsey		

NAYS—83

Benninghoff	Gillespie	Maloney	Reese
Bloom	Greiner	Marsico	Roae
Boback	Grove	Masser	Rothman
Brown, R.	Hahn	McGinnis	Ryan
Causar	Harris, A.	Mentzer	Santora
Cook	Heffley	Metcalfe	Saylor
Corbin	Helm	Millard	Schemel
Corr	Hickernell	Miller, B.	Sonney
Cox	Hill	Mustio	Tallman
Culver	James	Nelson	Taylor
Cutler	Jozwiak	Nesbit	Tobash
Day	Kampf	O'Neal	Toepel
DeLozier	Kauffman	Oberlander	Topper
Diamond	Keefer	Ortitay	Ward
Dunbar	Keller, F.	Owlett	Watson
Dush	Keller, M.K.	Peifer	Wentling
Emrick	Klunk	Pickett	Wheeland
English	Knowles	Pyle	Zimmerman
Evankovich	Lewis	Rader	
Everett	Mackenzie	Rapp	Turzai,
Fee	Mako	Reed	Speaker
Fritz			

NOT VOTING—0

EXCUSED—10

Dean	Godshall	Milne	O'Brien
Fabrizio	Maher	Moul	Stephens
Gabler	Miccarelli		

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

On the question recurring,

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

Mr. **MULLERY** offered the following amendment No. **A02607**:

Amend Bill, page 2, line 3, by inserting after "misconduct"
or when the facility falsified medical records

Amend Bill, page 2, line 8, by inserting after "harm"
or when the facility falsified medical records

On the question,

Will the House agree to the amendment?

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

Mr. MULLERY. Thank you, Mr. Speaker.

Another very simple but important record. This amendment would exempt from the punitive damages cap in any case where the medical records have been falsified or altered. Your medical records are legal documents, thus being protected from redaction, falsification, or altering. If cases of that matter occur, the punitive damages cap should be lifted.

I ask for an affirmative vote.

The SPEAKER. Representative Kampf, on the amendment.
Mr. KAMPF. Thank you, Mr. Speaker.

So going back to the first amendment that went into the bill, in the bill now is that if someone falsified medical records relating to the cause of action, so relating to the claim in this case, so if somebody falsifies records for that case right after something bad happens, this bill does not apply. The Representative's amendment, however, says that when the facility falsifies medical records at any time, it does not have to be related to the case, it could be at any time, 20 years before, 30 years after if the case is still going on, and this affects current law with respect to the physicians. So it is a substantive change to not only nursing home and assisted living law but also for our doctors, and it is not limited to the negligence in that case.

I urge the members to oppose the amendment.

The SPEAKER. Representative Mullery.

Mr. MULLERY. Thank you, Mr. Speaker.

The good gentleman outlined why my amendment is so important. We are not limiting it strictly to the one incident that occurred that may have given rise to the cause of action. What about the day before? Three days before? A week before? A series of document falsification to establish a case. This amendment is vitally important to protect our seniors living in these adult-care facilities. For that reason I would ask for your support.

VOTE CORRECTION

The SPEAKER. Representative Dush.

Mr. DUSH. Mr. Speaker, I just rise to correct the record. The button was malfunctioning. There was no record of my vote. I am a "no" vote on A02604 for this bill. I would like to be cast as a "no" vote.

The SPEAKER. Yes, sir.

Mr. DUSH. Thank you.

CONSIDERATION OF HB 1037 CONTINUED

The SPEAKER. Representative Kampf, on the amendment.

Mr. KAMPF. So the reason that — one of the main reasons—

The SPEAKER. Sir, please suspend just for a second. Representative Sturla wants to speak on the amendment. You will go last on the amendment.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, will the maker of the amendment rise for brief interrogation?

The SPEAKER. Representative Mullery.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, the maker of the bill said that, you know, if in fact the records — if somebody is convicted of falsifying records, that then these damages would not apply. But that would require that as it relates to this particular case, they actually find that those records were falsified. If as you pointed out, I believe, earlier that if there is a pattern of falsification of records, just because you cannot find the falsified records on this particular case, there is still a pattern of falsified records. Is that what you are trying to get at here?

Mr. MULLERY. Thank you, Mr. Speaker.

You hit the nail on the head.

Mr. STURLA. Okay. Thank you, Mr. Speaker.

I rise in support of the amendment.

The SPEAKER. Representative Kampf, on the amendment.
 Mr. KAMPF. But it does not say that. It says falsification one time 30 years ago, 10 years ago, 5 years ago. The substance of this legislation is about trying to restrain runaway damages in certain cases so that we can get as much resources as we possibly can to the care of our individuals in these places. If a falsification of some kind happened 30 years ago, why does that mean that the cap for this situation does not apply? It does not make any sense. It flouts the rules of evidence of court, and I really urge, really urge the members to oppose the amendment.

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

The following roll call was recorded:

YEAS—86

Barbin	DeLissio	Kim	Rabb
Bizzarro	DeLuca	Kinsey	Ravenstahl
Boyle	Dermody	Kirkland	Readshaw
Bradford	DiGirolamo	Kortz	Roebuck
Briggs	Donatucci	Krueger	Rozzi
Brown, V.	Driscoll	Kulik	Saccone
Bullock	Evans	Longiotti	Sainato
Burns	Fitzgerald	Madden	Samuelson
Caltagirone	Flynn	Markosek	Schlossberg
Carroll	Frankel	Matzie	Schweyer
Cephas	Freeman	McCarter	Sims
Comitta	Gainey	McClinton	Snyder
Conklin	Galloway	McNeill	Solomon
Costa, D.	Goodman	Metzgar	Sturla
Costa, P.	Haggerty	Miller, D.	Tai
Cruz	Hanna	Mullery	Thomas
Daley	Harkins	Murt	Vazquez
Davidson	Harper	Neilson	Vitali
Davis, A.	Harris, J.	Nelson	Warren
Davis, T.	Kaufer	Pashinski	Wheatley
Dawkins	Kavulich	Petrarca	Youngblood
Deasy	Keller, W.		

NAYS—106

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

NOT VOTING—1

Christiana

EXCUSED—10

Dean	Godshall	Milne	O'Brien
Fabrizio	Maher	Moul	Stephens
Gabler	Miccarelli		

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

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

Mr. MULLERY offered the following amendment
 No. A02608:

Amend Bill, page 2, line 3, by inserting after "misconduct"
or violation of Federal or State law or regulation

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

The SPEAKER. Representative Mullery, on the amendment.
 Mr. MULLERY. Thank you, Mr. Speaker.

Again a very simple amendment. It would exempt the punitive damages cap when a physician violates Federal or State law or regulation.

The SPEAKER. Representative Kampf, on the amendment.
 Mr. KAMPF. So, Mr. Speaker, somewhat similar, although even broader than the last amendment by the good gentleman. This says that the bill will not apply if there is a violation of Federal or State law or regulation, and it does not qualify that at all. This is one of the most heavily regulated industries in the country. In fact, many of the firms that are bringing claims against these institutions of care are advertising in your local newspaper deficiencies of various kinds, which I am sure violate one of the thousands of regulations or laws that apply, but there is a time to correct. If you did some research on this, you might find some examples where you scratch your head and say, "Why was that something that was published in the newspaper?" It was immediately corrected. The temperature of the food was only 1 degree off, whatever that is. But under the gentleman's amendment, if at any time during the existence of this defendant of this nursing home or assisted living facility there was some violation of some rule or regulation, that would mean that the bill does not apply. I think that is an absurd result, and I would ask you to vote "no" on the amendment.

The SPEAKER. Representative Mullery, for the second time, sir.

Mr. MULLERY. Thank you, Mr. Speaker.

What the good gentleman from Chester County just said is patently untrue. My amendment is very specific and states that in cases alleging potential misconduct, then the amendment comes in. The last thing we want to do is reward a physician with a punitive-damage cap who violates the law. This amendment would protect us from that.

Thank you, Mr. Speaker.

The SPEAKER. Representative Kampf.

Mr. KAMPF. So if I take this amendment and I put it into the bill at line 3, page 2, it says, "Except as..." in "...paragraph (2) and in cases alleging intentional misconduct or violation of Federal or State law or regulation." It does not in any way limit that in time. It does not refer it to whether this is competent evidence that goes into court. So I stand by the statement that this could be a violation of some specific rule or regulation at any time that the plaintiff in their allegation says, "Well, that is something I want the court or the jury to know." That is not fair to these institutions, these employers, and these caregivers. It would mean that this legislation will not apply in almost any case. So I would urge the members to oppose the amendment.

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

The following roll call was recorded:

YEAS—84

Barbin	Deasy	Kavulich	Petrarca
Bizzarro	DeLuca	Keller, W.	Rabb
Boyle	Dermody	Kim	Ravenstahl
Bradford	DiGirolamo	Kinsey	Readshaw
Briggs	Donatucci	Kirkland	Roebuck
Brown, V.	Driscoll	Kortz	Rozzi
Bullock	Evans	Krueger	Sainato
Burns	Farry	Kulik	Samuelson
Caltagirone	Fitzgerald	Longietti	Schlossberg
Carroll	Flynn	Madden	Schweyer
Cephas	Frankel	Markosek	Sims
Comitta	Freeman	Matzie	Snyder
Conklin	Gainey	McCarter	Solomon
Costa, D.	Galloway	McClinton	Sturla
Costa, P.	Goodman	McNeill	Tai
Cruz	Haggerty	Metzgar	Vazquez
Daley	Hanna	Miller, D.	Vitali
Davidson	Harkins	Mullery	Warren
Davis, A.	Harper	Murt	Wheatley
Davis, T.	Harris, J.	Neilson	White
Dawkins	Kaufer	Pashinski	Youngblood

NAYS—108

Barrar	Fritz	Marsico	Roe
Benninghoff	Gillen	Masser	Rothman
Bernstine	Gillespie	McGinnis	Ryan
Bloom	Greiner	Mehaffie	Saccone
Boback	Grove	Mentzer	Sankey
Brown, R.	Hahn	Metcalfe	Santora
Causar	Harris, A.	Millard	Saylor
Charlton	Heffley	Miller, B.	Schemel
Christiana	Helm	Mustio	Simmons
Cook	Hennessey	Nelson	Sonney
Corbin	Hickernell	Nesbit	Staats
Corr	Hill	O'Neal	Tallman
Cox	Irvin	O'Neill	Taylor
Culver	James	Oberlander	Tobash
Cutler	Jozwiak	Ortitay	Toepel
Day	Kampf	Owlett	Toohil
DeLissio	Kauffman	Peifer	Topper
Delozier	Keefer	Pickett	Walsh
Diamond	Keller, F.	Pyle	Ward
Dowling	Keller, M.K.	Quigley	Warner
Dunbar	Klunk	Quinn, C.	Watson
Dush	Knowles	Quinn, M.	Wentling
Ellis	Lawrence	Rader	Wheeland
Emrick	Lewis	Rapp	Zimmerman
English	Mackenzie	Reed	

Evankovich	Mako	Reese	Turzai,
Everett	Maloney	Roae	Speaker
Fee	Marshall		

NOT VOTING—1

Thomas

EXCUSED—10

Dean	Godshall	Milne	O'Brien
Fabrizio	Maher	Moul	Stephens
Gabler	Miccarelli		

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

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

Mr. MULLERY offered the following amendment
No. A02609:

Amend Bill, page 2, line 21, by inserting after "employment."
This subparagraph does not apply to an independent contractor employed by the facility or when a facility negligently hires an independent contractor.

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

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

Mr. MULLERY. Thank you, Mr. Speaker.

This amendment simply exempts an independent contractor of a facility from the punitive damages cap. I would ask for an affirmative vote.

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

Mr. KAMPF. Mr. Speaker, the amendment does two things: One, it says that an independent contractor cannot have the benefit of this limit in the bill. Many of our facilities like this, whether they are hospitals or nursing homes or assisted living homes, do have independent contractors providing these services, whether it is physical rehab, occupational rehab, so this is a part of the way business is done. So at least with respect to that part of the amendment, I think that we are not recognizing how the business is done and we would essentially be creating a very significant exception to the purpose of the underlying bill. In addition to that, the lawyers who bring these claims I understand often sue the officers and employees and agents in addition to suing the nursing home or the assisted living care home, so there are multiple defendants. Individuals even are sued. The second part of this amendment says that the protection of the bill is not going to apply if that nursing home was simply negligent in making a hiring of the independent contractor. So further, the amendment is saying that negligence standards somehow are going to avoid this cap, or this limit, when they do not apply in the first place. I think this is too far and it also does not make sense under the reading of the bill. I would ask for a negative vote.

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

The following roll call was recorded:

YEAS—85

Barbin	DeLuca	Keller, W.	Rabb
Bizzarro	Dermoddy	Kim	Ravenstahl
Boyle	DiGirolamo	Kinsey	Readshaw
Bradford	Donatucci	Kirkland	Roebuck
Briggs	Evans	Kortz	Rozzi
Brown, V.	Farry	Krueger	Sainato
Bullock	Fitzgerald	Kulik	Samuelson
Burns	Flynn	Longiatti	Schlossberg
Caltagirone	Frankel	Madden	Schweyer
Carroll	Freeman	Markosek	Sims
Cephas	Gainey	Matzie	Snyder
Comitta	Galloway	McCarter	Solomon
Conklin	Goodman	McClinton	Sturla
Costa, D.	Haggerty	McNeill	Tai
Costa, P.	Hanna	Metzgar	Thomas
Cruz	Harkins	Miller, D.	Vazquez
Daley	Harper	Mullery	Vitali
Davidson	Harris, J.	Murt	Warren
Davis, A.	Hennessey	Neilson	Wheatley
Davis, T.	Kaufer	Pashinski	White
Dawkins	Kavulich	Petrarca	Youngblood
Deasy			

NAYS—108

Barrar	Fee	Marsico	Roe
Benninghoff	Fritz	Masser	Rothman
Bernstine	Gillen	McGinnis	Ryan
Bloom	Gillespie	Mehaffie	Saccone
Boback	Greiner	Mentzer	Sankey
Brown, R.	Grove	Metcalfe	Santora
Causser	Hahn	Millard	Saylor
Charlton	Harris, A.	Miller, B.	Schemel
Christiana	Heffley	Mustio	Simmons
Cook	Helm	Nelson	Sonney
Corbin	Hickernell	Nesbit	Staats
Corr	Hill	O'Neal	Tallman
Cox	Irvin	O'Neill	Taylor
Culver	James	Oberlander	Tobash
Cutler	Jozwiak	Ortitay	Toepel
Day	Kampf	Owlett	Toohil
DeLissio	Kauffman	Peifer	Topper
Delozier	Keefer	Pickett	Walsh
Diamond	Keller, F.	Pyle	Ward
Dowling	Keller, M.K.	Quigley	Warner
Driscoll	Klunk	Quinn, C.	Watson
Dunbar	Knowles	Quinn, M.	Wentling
Dush	Lawrence	Rader	Wheeland
Ellis	Lewis	Rapp	Zimmerman
Emrick	Mackenzie	Reed	
English	Mako	Reese	Turzai,
Evankovich	Maloney	Roae	Speaker
Everett	Marshall		

NOT VOTING—0

EXCUSED—10

Dean	Godshall	Milne	O'Brien
Fabrizio	Maher	Moul	Stephens
Gabler	Miccarelli		

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

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

The SPEAKER. In consultation with the Parliamentarian, amendment 2611 offered by Representative Dean, who I do not think is here, is substantially similar to amendment 2608, which has been defeated, so by virtue of it being substantially similar, it is out of order.

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

Mr. PASHINSKI offered the following amendment No. A02616:

Amend Bill, page 1, line 16, by inserting after "damages" and providing for reporting of surveys

Amend Bill, page 2, by inserting between lines 25 and 26 Section 517. Reporting of surveys.

The Department of Health shall have available for public inspection on its publicly accessible Internet website all surveys conducted of personal care homes or assisted living communities licensed under the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code.

Amend Bill, page 2, line 26, by striking out "2" and inserting 3

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

AMENDMENT WITHDRAWN

The SPEAKER. Representative Pashinski, you may proceed. Mr. PASHINSKI. Thank you very much, Mr. Speaker. We are going to pull that amendment. Thank you. The SPEAKER. Thank you, sir.

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

Mr. BIZZARRO offered the following amendment No. A02619:

Amend Bill, page 2, by inserting between lines 21 and 22

(3) If any officer, employee or agent of the entities under paragraph (2)(i) or (ii) makes a good faith report of neglect or abuse of a patient to law enforcement, the Department of Human Services, the department or a family member or individual associated with the patient's care, the report shall not be grounds for termination of employment from the entity, and no retaliatory action may be taken by the entity against the officer, employee or agent making the report.

Amend Bill, page 2, line 22, by striking out "(3)" and inserting (4)

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

The SPEAKER. Representative Bizzarro, on the amendment.
Mr. BIZZARRO. Thank you, Mr. Speaker.

This amendment is simple and important. If an employee sees that a resident is suffering and makes a good-faith report to bring it to the attention of law enforcement, the Department of Human Services, the Department of Health, or a family member of a resident, they should not fear their job. Similarly to when a reporting of a child abuse allegation happens, a teacher does not lose their job. So this amendment, A02619, is a whistleblower protection for anyone who makes a good-faith effort to report neglect or abuse, and I would appreciate the members' support. Thank you.

The SPEAKER. Representative Kampf, on the amendment.
Mr. KAMPF. Thank you, Mr. Speaker.

Mr. Speaker, while this concept makes perfect sense to me generally, I do not believe that it belongs in this legislation. It is a general rule. It is not related to a claim, a lawsuit, and there may already be protections particularly with respect to where State funds or Federal funds are being used. I would be happy to work with the maker on legislation separate to this, but it is a general rule on reporting and I do not think it belongs in this legislation. I would ask everybody to oppose the amendment.

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

The following roll call was recorded:

YEAS—92

Barbin	DeLuca	Keller, W.	Rabb
Bizzarro	Dermody	Kim	Ravenstahl
Boyle	DiGirolamo	Kinsey	Readshaw
Bradford	Donatucci	Kirkland	Roe
Briggs	Driscoll	Kortz	Rozzi
Brown, V.	Ellis	Krueger	Saccone
Bullock	Evans	Kulik	Sainato
Burns	Farry	Longietti	Samuelson
Caltagirone	Fitzgerald	Madden	Sankey
Carroll	Flynn	Markosek	Schlossberg
Cephas	Frankel	Matzie	Schweyer
Comitta	Freeman	McCarter	Sims
Conklin	Gainey	McClinton	Snyder
Costa, D.	Galloway	McNeill	Solomon
Costa, P.	Goodman	Metzgar	Sturla
Cruz	Haggerty	Miller, D.	Tai
Daley	Hanna	Mullery	Thomas
Davidson	Harkins	Murt	Vazquez
Davis, A.	Harper	Neilson	Vitali
Davis, T.	Harris, J.	O'Neill	Warren
Dawkins	Hennessey	Pashinski	Wheatley
Deasy	Kaufer	Petrarca	White
DeLissio	Kavulich	Quinn, M.	Youngblood

NAYS—99

Barrar	Fritz	Maloney	Roae
Benninghoff	Gillen	Marshall	Rothman
Bernstine	Gillespie	Marsico	Ryan
Bloom	Greiner	Masser	Santora
Boback	Grove	McGinnis	Saylor
Brown, R.	Hahn	Mehaffie	Schemel
Causar	Harris, A.	Mentzer	Simmons
Charlton	Heffley	Metcalfe	Sonney
Christiana	Helm	Millard	Staats
Cook	Hickernell	Miller, B.	Tallman
Corbin	Hill	Mustio	Taylor
Corr	Irvin	Nelson	Tobash
Cox	James	Nesbit	Toepel

Culver	Jozwiak	O'Neal	Toohil
Cutler	Kampf	Oberlander	Topper
Day	Kauffman	Ortitay	Walsh
Delozier	Keefer	Owlett	Ward
Diamond	Keller, F.	Peifer	Warner
Dowling	Keller, M.K.	Pickett	Watson
Dunbar	Klunk	Pyle	Wentling
Dush	Knowles	Quigley	Wheeland
Emrick	Lawrence	Rader	Zimmerman
English	Lewis	Rapp	
Evankovich	Mackenzie	Reed	Turzai,
Everett	Mako	Reese	Speaker
Fee			

NOT VOTING—2

Quinn, C.	Roebuck
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EXCUSED—10

Dean	Godshall	Milne	O'Brien
Fabrizio	Maher	Moul	Stephens
Gabler	Miccarelli		

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

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

The SPEAKER. Representative Pashinski offers amendment 2621. He withdraws – amendment 2621 is withdrawn.

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

Mr. SCHWEYER offered the following amendment No. **A02623**:

Amend Bill, page 1, lines 19 through 22, by striking out all of said lines and inserting

Section 1. Section 505(a) and (d) of the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, are amended to read:
Section 505. Punitive damages.

(a) Award.—Punitive damages may be awarded for conduct that is the result of the health care provider's [willful or] wanton conduct or reckless indifference to the rights of others. In assessing punitive damages, the trier of fact can properly consider the character of the health care provider's act, the nature and extent of the harm to the patient that the health care provider caused or intended to cause and the wealth of the health care provider.

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

The SPEAKER. Representative Schweyer, on the amendment.

Mr. SCHWEYER. Thank you, Mr. Speaker.

This amendment is very simple. It takes out the word "willful" and makes it easier for those folks who are victims of elder abuse in these homes to seek the damages to which they are entitled. Thank you, sir.

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

Mr. KAMPF. Yes, Mr. Speaker.

Mr. Speaker, I oppose the amendment. This appears to be an effort to change I think at least 150 years of common law now in the statute on what punitive damages are by removing the word "willful." It would be a wholesale change and it would affect all manner of people under the Mcare Act, so all health-care providers. I ask that the members oppose the amendment. I really think you should oppose this amendment.

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

The following roll call was recorded:

YEAS—81

Barbin	Deasy	Kim	Ravenstahl
Bizzarro	DeLuca	Kinsey	Readshaw
Boyle	Dermody	Kirkland	Roebuck
Bradford	DiGirolamo	Kortz	Rozzi
Briggs	Donatucci	Krueger	Sainato
Brown, V.	Evans	Kulik	Samuelson
Bullock	Fitzgerald	Longiatti	Schlossberg
Burns	Flynn	Madden	Schweyer
Caltagirone	Frankel	Markosek	Sims
Carroll	Freeman	Matzie	Snyder
Cephas	Gainey	McCarter	Solomon
Comitta	Galloway	McClinton	Sturla
Conklin	Goodman	McNeill	Tai
Costa, D.	Haggerty	Miller, D.	Thomas
Costa, P.	Hanna	Mullery	Vazquez
Cruz	Harkins	Murt	Vitali
Daley	Harper	Neilson	Warren
Davidson	Harris, J.	Pashinski	Wheatley
Davis, A.	Kavulich	Petrarca	White
Davis, T.	Keller, W.	Rabb	Youngblood
Dawkins			

NAYS—112

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

NOT VOTING—0

EXCUSED—10

Dean	Godshall	Milne	O'Brien
Fabrizio	Maher	Moul	Stephens
Gabler	Miccarelli		

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

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

Mr. **DAWKINS** offered the following amendment No. **A02638**:

Amend Bill, page 1, lines 15 and 16, by striking out "in medical professional liability, further providing for punitive damages" and inserting

providing for punitive damages study
Amend Bill, page 1, lines 19 through 23; page 2, lines 1 through 26; by striking out all of said lines on said pages and inserting

Section 1. The act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, is amended by adding a chapter to read:

CHAPTER 13
PUNITIVE DAMAGES STUDY

Section 1301. Duty of commissioner.

The commissioner shall study the amount of punitive damages reported to Mcare as being paid by health care providers since March 20, 2005.

Section 1302. Completion of study and updates.

The commissioner must complete the study one year after this chapter takes effect.

Section 1303. Submission.

The study must be submitted to the following:

(1) The chairman and minority chairman of the Banking and Insurance Committee of the Senate.

(2) The chairman and minority chairman of the Insurance Committee of the House of Representatives.

Section 2. This act shall take effect immediately.

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

The SPEAKER. On the amendment, Representative Dawkins. Mr. DAWKINS. Thank you, Mr. Speaker.

So I rise today in support and ask for support of 02638. Essentially what this bill will do, given the fact that over the years there have been many issues around our nursing homes and these lawsuits, which is why we are here today, for me it is pretty simple. If we want to manage a problem or manage how we fix a problem, we first need to measure what that problem is. So I am asking for support for us to have a punitive damage study to kind of look at exactly where we can do better and to ensure that we are taking all these allocations seriously and making sure we are putting it into a study, because for us as a legislative body, we want to have the facts before we go out there and make a decision.

So I would ask all of my colleagues for their affirmative vote on this very, very important amendment, and I really would like your support – I mean, really.

The SPEAKER. Representative Dermody, on the amendment.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, just a few days ago we voted for studies to make sure we are doing the right thing when we do not have all the facts in front of us, whether we are talking about sexual harassment in the Commonwealth or in the legislature. Today we have a piece of legislation that wants to take a step back and see if we can study and make sure we get it right when we are talking about taking away rights from vulnerable senior citizens. It only makes sense that we should make sure before we start taking away their rights and allowing wrongdoers to have damages capped, we ought to make sure we have all the facts. We know what the issues are. We know what the damages have been. We know how punitive damages, whether or not they have even been awarded. This amendment makes sense for us to understand if there is really a problem and we ought to vote "yes."

Thank you, Mr. Speaker.

The SPEAKER. Representative Kampf, on the amendment.

Mr. KAMPF. I have the results from Mcare itself, 2010 until the present; that was 2016, so that is 6 years. There have been only six punitive damages verdicts reported to Mcare. That is all this study is asking for. Six punitive damages verdicts reported to Mcare. Three of them, only three of them were actually paid. The other three were settled out of court after the verdict. We have the results. We do not need the study.

In addition to that, the whole reason for the legislation is that with punitive damages uncapped, the people who are caring for our elderly in these places when there is any allegation are faced with the choice of a runaway verdict on punitive damages. And what do they do? They all settle. That is why we only have six, and we do not know how many of the six were from nursing homes because that is six to Mcare itself, which means it includes physicians. One hundred percent or 99 percent of these cases settle.

We need the reform in order to get dollars back into those rooms, back into those places, and if we need other studies, I have got some here. I have got the one from the New England Journal of Medicine that says that there is no correlation between care in these places around the country and the number of claims brought by lawyers against them. If we need another study, I have got a study here that is nationwide and shows that the cost of these claims are going up 5 percent a year and every one of them is 200 grand in Pennsylvania. The reason that we are paying a premium on this, that more money is going to this than to food in some of these institutions is because of the existence of no limit or cap on punitive damages. You would not want to go into court under those circumstances.

We do not need a study. We already have it. I have got it right here. I will show it to anybody who wants to see it. We need to find out what this legislation will do. When the good Representative from Allegheny County – I hope I got that right – from Allegheny County has his study in a few years, we will know that this legislation has worked. That study makes sense. This one does not.

The SPEAKER. Representative Sturla, on the amendment.

Mr. STURLA. Will the maker of the amendment rise for brief interrogation?

The SPEAKER. Yes. He is right there and he said yes.

Mr. STURLA. Mr. Speaker, does your amendment just pertain to Mcare?

Mr. DAWKINS. No.

Mr. STURLA. So the study that the maker of the bill has is not what you are asking for. Is that correct?

Mr. DAWKINS. That is correct. And in addition, our study is an action from 2005.

Mr. STURLA. Thank you, Mr. Speaker.

The SPEAKER. Representative Kampf.

Mr. KAMPF. Mr. Speaker, we are on 2638, right? Yes. "The commissioner shall study the amount of punitive damages reported to Mcare...." This amendment is about Mcare and Mcare only.

Please oppose the legislation.

The SPEAKER. Representative Dawkins.

Mr. DAWKINS. Just for clarity – we are going to go over that amendment – but just so the good gentleman knows, it is Philadelphia County and it is the home of the champions and which I am from, just so you know.

The SPEAKER. Wait, amendment 2638 is being withdrawn?

Mr. DAWKINS. No; no. One moment, Mr. Speaker.

The SPEAKER. Yes, sir. You may proceed.

Mr. DAWKINS. Yeah. So, Mr. Speaker, our study is an action from 2005. If I am not mistaken, the gentleman mentioned that his study goes 6 years back, which would be 2012. Is that correct? Just so we have clarity.

The SPEAKER. Representative Kampf has said he will stand for interrogation.

Mr. KAMPF. So it goes back to 2010. I will spot you the 5 years and give you another three verdicts.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—88

Barbin	Dawkins	Kaufer	Ravenstahl
Barrar	Deasy	Kavulich	Readshaw
Bizzarro	DeLissio	Keller, W.	Roebuck
Boyle	DeLuca	Kim	Rozzi
Bradford	Dermody	Kinsey	Sainato
Briggs	DiGirolamo	Kirkland	Samuelson
Brown, V.	Donatucci	Kortz	Schlossberg
Bullock	Driscoll	Krueger	Schweyer
Burns	Evans	Kulik	Simmons
Caltagirone	Farry	Longietti	Sims
Carroll	Fitzgerald	Madden	Snyder
Cephas	Flynn	Markosek	Solomon
Christiana	Frankel	Matzie	Sturla
Comitta	Freeman	McCarter	Tai
Conklin	Gainey	McClinton	Thomas
Costa, D.	Galloway	McNeill	Toohil
Costa, P.	Goodman	Miller, D.	Vazquez
Cruz	Haggerty	Mullery	Vitali
Daley	Hanna	Neilson	Warren
Davidson	Harkins	Pashinski	Wheatley
Davis, A.	Harris, J.	Petrarca	White
Davis, T.	Hennessey	Rabb	Youngblood

NAYS—105

Benninghoff	Gillespie	Masser	Roae
Bernstine	Greiner	McGinnis	Roe
Bloom	Grove	Mehaffie	Rothman
Boback	Hahn	Mentzer	Ryan
Brown, R.	Harper	Metcalfe	Saccone
Causar	Harris, A.	Metzgar	Sankey
Charlton	Heffley	Millard	Santora

Cook	Helm	Miller, B.	Saylor
Corbin	Hickernell	Murt	Schemel
Corr	Hill	Mustio	Sonney
Cox	Irvin	Nelson	Staats
Culver	James	Nesbit	Tallman
Cutler	Jozwiak	O'Neal	Taylor
Day	Kampf	O'Neill	Tobash
Delozier	Kauffman	Oberlander	Toepel
Diamond	Keefer	Ortitay	Topper
Dowling	Keller, F.	Owlett	Walsh
Dunbar	Keller, M.K.	Peifer	Ward
Dush	Klunk	Pickett	Warner
Ellis	Knowles	Pyle	Watson
Emrick	Lawrence	Quigley	Wentling
English	Lewis	Quinn, C.	Wheeland
Evankovich	Mackenzie	Quinn, M.	Zimmerman
Everett	Mako	Rader	
Fee	Maloney	Rapp	Turzai,
Fritz	Marshall	Reed	Speaker
Gillen	Marsico	Reese	

NOT VOTING—0

EXCUSED—10

Dean	Godshall	Milne	O'Brien
Fabrizio	Maher	Moul	Stephens
Gabler	Miccarelli		

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

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

The SPEAKER. Amendment 2625 has been withdrawn. Amendment 2625 is withdrawn.

AMENDMENT A02605 RECONSIDERED

The SPEAKER. There is a motion for reconsideration in front of us, Representatives Reed and Cutler. Representatives Reed and Cutler move that the vote by which amendment A02605 to HB 1037, PN 1201, was passed today be reconsidered.

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

The SPEAKER. On the motion, Representative Cutler, on the motion to reconsider.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I believe there was some important information that was left out during the debate, and we would like the opportunity to revote this amendment. I would urge all the members to please support the motion to reconsider.

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

The following roll call was recorded:

YEAS—108

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

NAYS—85

Barbin	Deasy	Harris, J.	Rabb
Barrar	DeLissio	Kavulich	Ravenstahl
Bizzarro	DeLuca	Keller, W.	Readshaw
Boyle	Dermody	Kim	Roebuck
Bradford	DiGirolamo	Kinsey	Rozzi
Briggs	Donatucci	Kirkland	Sainato
Brown, V.	Driscoll	Kortz	Samuelson
Bullock	Evans	Krueger	Schlossberg
Burns	Farry	Kulik	Schweyer
Caltagirone	Fitzgerald	Longietti	Sims
Carroll	Flynn	Madden	Snyder
Cephas	Frankel	Markosek	Solomon
Comitta	Freeman	Matzie	Sturla
Conklin	Gainey	McCartier	Tai
Costa, D.	Galloway	McClinton	Thomas
Costa, P.	Gillen	McNeill	Vazquez
Cruz	Goodman	Miller, D.	Vitali
Daley	Haggerty	Mullery	Walsh
Davidson	Hanna	Neilson	Warren
Davis, A.	Harkins	Pashinski	Wheatley
Davis, T.	Harper	Petrarca	Youngblood
Dawkins			

NOT VOTING—0

EXCUSED—10

Dean	Godshall	Milne	O'Brien
Fabrizio	Maher	Moul	Stephens
Gabler	Miccarelli		

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

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

AMENDMENT PASSED OVER

The SPEAKER. Amendment 2605 is passed over for the day.

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

Mr. **BIZZARRO** offered the following amendment No. **A02644**:

Amend Bill, page 2, line 23, by inserting a bracket before "\$100,000"

Amend Bill, page 2, line 23, by inserting after "\$100,000"
] \$250,000

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

The SPEAKER. On the amendment, Representative Bizzarro.

Mr. **BIZZARRO**. Again, simply put, it increases the minimum punitive damages available from \$100,000 to \$250,000. I would appreciate an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. Representative Kampf, on the amendment.

Mr. **KAMPF**. Mr. Speaker, this amendment changes the amount in the Mcare law for a punitive damages award from the current \$100,000 to \$250,000. That would affect both physicians, which this bill does not seek to change, and also would change the minimum amount for nursing homes. The cap is – or I am sorry – the floor is really quite unusual, I do not think there is any such situation anywhere, and a jury could conceivably say, you know, it will be \$75,000 or it will be \$50,000 in punitive damages. But you would be guaranteeing, against all doctors and against all assisted living facilities, if there is any punitive damages award it has to be \$250,000.

I urge the members to oppose the amendment.

The SPEAKER. Representative Bizzarro.

Mr. **BIZZARRO**. Thank you, Mr. Speaker.

Given the increase in cost of medical care, this has not been looked at or adjusted in over 15 years. Again I respectfully ask for your consideration on amendment 2644.

The SPEAKER. Representative Kampf.

Mr. **KAMPF**. Mr. Speaker, again this is guaranteeing in all settings where there is a doctor, regardless of if you are in an assisted living facility or if you have got an assisted living facility, a nursing home, that the minimum award will be \$250,000. We already have a limit of \$100,000. That is a lot of money. They can go higher; they can go up to 2 1/2 times. So if somebody gets a \$4 million verdict, they can go to \$10 million in punitive damages under this bill. I do not see why we need to have the minimum raised to \$250,000.

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 1037 CONTINUED

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

The following roll call was recorded:

YEAS—81

Barbin	Dawkins	Keller, W.	Rabb
Barrar	Deasy	Kim	Ravenstahl
Bizzarro	DeLuca	Kinsey	Readshaw
Boyle	Dermody	Kirkland	Rozzi
Bradford	DiGirolamo	Kortz	Saccone
Briggs	Donatucci	Krueger	Sainato
Brown, V.	Driscoll	Kulik	Samuelson
Bullock	Evans	Longietti	Schweyer
Burns	Fitzgerald	Madden	Sims
Caltagirone	Flynn	Markosek	Snyder
Carroll	Frankel	Matzie	Solomon
Cephas	Freeman	McCarter	Sturla
Comitta	Galloway	McClinton	Tai
Conklin	Goodman	McNeill	Thomas
Costa, D.	Haggerty	Miller, D.	Vazquez
Costa, P.	Hanna	Mullery	Vitali
Cruz	Harkins	Murt	Warren
Daley	Harris, J.	Neilson	Wheatley
Davidson	Hennessey	Pashinski	White
Davis, A.	Kavulich	Petrarca	Youngblood
Davis, T.			

NAYS—107

Benninghoff	Fritz	Marshall	Roae
Bernstine	Gillen	Marsico	Roe
Bloom	Gillespie	Masser	Rothman
Boback	Greiner	McGinnis	Ryan
Brown, R.	Grove	Mehaffie	Sankey
Causer	Hahn	Mentzer	Santora
Charlton	Harris, A.	Metcalfe	Saylor
Christiana	Heffley	Metzgar	Schemel
Cook	Helm	Millard	Simmons
Corbin	Hickernell	Miller, B.	Sonney
Corr	Hill	Mustio	Staats
Cox	Irvin	Nelson	Tallman
Culver	James	Nesbit	Taylor
Cutler	Jozwiak	O'Neal	Tobash
Day	Kampf	O'Neill	Toepel
DeLissio	Kaufner	Oberlander	Toohil
DeLozier	Kauffman	Ortitay	Topper
Diamond	Keefer	Owlett	Walsh
Dowling	Keller, F.	Peifer	Ward
Dunbar	Keller, M.K.	Pickett	Warner
Dush	Klunk	Pyle	Watson
Ellis	Knowles	Quigley	Wentling
Emrick	Lawrence	Quinn, C.	Wheeland
English	Lewis	Rader	Zimmerman
Evankovich	Mackenzie	Rapp	
Everett	Mako	Reed	Turzai,
Farry	Maloney	Reese	Speaker
Fee			

NOT VOTING—4

Gainey	Harper	Roebuck	Schlossberg
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EXCUSED—11

Dean	Godshall	Milne	Quinn, M.
Fabrizio	Maier	Moul	Stephens
Gabler	Miccarelli	O'Brien	

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

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 1037 CONTINUED

On the question recurring,

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. Members, we have to do some Appropriations bills and we are going to break for an Appropriations Committee meeting at this time. So we are going to temporarily go over the bill and the amendments. We will be right back to it after we do our meeting.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. So the Chair is calling on the majority leader for a committee announcement.

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

There will be an immediate meeting of the House Appropriations Committee in the majority caucus room; an immediate meeting of the House Appropriations Committee in the House majority caucus room. Thank you.

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

HEALTH COMMITTEE MEETING

The SPEAKER. Representative Kathy Rapp, for a committee announcement.

Ms. RAPP. Thank you, Mr. Speaker.

Tomorrow at the call of the Chair, the Health Committee will meet in room 205, Ryan Building, to consider HB 2526 and HB 562.

Thank you, Mr. Speaker.

The SPEAKER. The Health Committee will meet tomorrow at the call of the Chair in room 205, Ryan Building.

AGING AND OLDER ADULT SERVICES COMMITTEE MEETING

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

Mr. HENNESSEY. Thank you, Mr. Speaker.

To meet the requirements of the Sunshine Act, I would like to announce and I would ask for the special attention of the members of the House Aging and Older Adult Services Committee. We will have a voting meeting tomorrow, Friday, June 22, in room G-50 of the Irvis Office Building to consider HB 2291 and amendment 7764 to that bill, and any other business which is properly brought before the committee. The meeting will be held at the call of the Chair. Thank you.

The SPEAKER. The Aging and Older Adult Services Committee will meet tomorrow at the call of the Chair in G-50 of the Irvis Office Building.

FINANCE COMMITTEE MEETING

The SPEAKER. Representative Bernie O'Neill, for a committee announcement, please.

Mr. O'NEILL. Thank you, Mr. Speaker.

This is just a reminder for the members of the House Finance Committee. We will be having a voting meeting tomorrow, Friday, the 22d, for the purpose of reporting HB 1511, and that meeting will be in 205 Ryan Building at 9:30. Thank you very much.

The SPEAKER. The Finance Committee will meet tomorrow at 9:30 in 205 Ryan Building.

VOTE CORRECTION

The SPEAKER. Representative Maria Donatucci, for an announcement.

Ms. DONATUCCI. No, I do not have an announcement. I would like to correct the record. Thank you.

The SPEAKER. Please do so.

Ms. DONATUCCI. On HB 1037, amendment 7533, my vote did not register and I would like to be recorded as a "no." Thank you.

The SPEAKER. We will stand at ease until the committee returns.

The House will come to order.

BILLS REREPORTED FROM COMMITTEE

SB 817, PN 1910 (Amended)

By Rep. SAYLOR

An Act authorizing the Department of General Services to extend the term of a certain lease of real property, being a portion of the Southeastern Pennsylvania Veterans' Center in East Vincent Township, Chester County; authorizing the Department of Conservation and Natural Resources, with the approval of the Governor, to grant and convey to Robbie S. Cohen-Millstein certain lands situate in Nockamixon Township, Bucks County, in exchange for Robbie S. Cohen-Millstein granting and conveying certain lands to the Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, to be added to those existing lands at Delaware Canal State Park; authorizing the Department of General Services, with the concurrence of the Department of Environmental Protection, to lease to Pier 35 1/2 LLC, or its nominee, land within the bed of the Delaware River in the City of Philadelphia; authorizing the Department of General Services, with the concurrence of the Department of Environmental Protection, to lease to Penn Treaty Views LLC, or its nominee, land within the bed of the Delaware River in the City of Philadelphia; and

authorizing the Department of General Services, with the concurrence of the Department of Environmental Protection, to lease to K4 Philadelphia, LLC, or its nominee, land within the bed of the Delaware River in the City of Philadelphia.

APPROPRIATIONS.

SB 1142, PN 1911 (Amended) By Rep. SAYLOR

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school finances, further providing for intergovernmental agreements for school security and safety; in grounds and buildings, further providing for school police officers; in safe schools, further providing for the Office for Safe Schools; providing for school safety and security and for school police officers and school resource officers; establishing the School Safety and Security Fund; establishing the Safe2Say Program; and providing for methods of anonymous reporting concerning unsafe activities in schools.

APPROPRIATIONS.

CONSIDERATION OF HB 1037 CONTINUED

On the question recurring,

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

Mr. **CHRISTIANA** offered the following amendment No. **A02628**:

Amend Bill, page 2, lines 6 through 21, by striking out all of said lines and inserting

(2) (i) Except in cases where the trier of fact finds that an officer, employee or agent of an entity under clause (A) or (B) acted with intent to harm, punitive damages against any of the following shall not exceed the limits set in subparagraph (ii):

(A) A personal care home or an assisted living residence, licensed by the Department of Human Services under the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code.

(B) A long-term care nursing facility licensed by the Department of Health under the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

(C) An officer, employee or agent of an entity under clause (A) or (B), while acting in the course and scope of employment.

(ii) Punitive damages awarded under this paragraph may not exceed the following percentages of compensatory damages:

(A) If the patient is between 65 and 69 years of age, 700%.

(B) If the patient is between 70 and 74 years of age, 600%.

(C) If the patient is between 75 and 79 years of age, 500%.

(D) If the patient is 80 years of age or older, 400%.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. Representative Christiana, will you be removing that amendment? Withdrawing that amendment? Yes. And then amendment 2629? Representative Christiana, amendment 2629? Withdrawn? Both are withdrawn? Okay. Amendment 2628 is withdrawn.

VOTE CORRECTIONS

The SPEAKER. Representative Roebuck wishes to be recognized on unanimous consent. You may proceed, sir. Representative Roebuck, go ahead, sir.

Mr. ROEBUCK. Thank you, Mr. Speaker.

Mr. Speaker, I would like to correct the record. On amendment 2644 to HB 1037 I was not recorded as voting. I wish to be recorded as a "yes" vote.

The SPEAKER. Thank you, sir.

Representative Ed Gainey, on unanimous consent.

Mr. GAINNEY. Thank you, Mr. Speaker.

I just want to correct the record. The last vote I wanted to be – 2644 – I want to be recorded as a "yes." I want to be recorded as a "yes." Thank you.

CONSIDERATION OF HB 1037 CONTINUED

On the question recurring,

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

The SPEAKER. Representative Frank Farry – amendment 2680 – has withdrawn his amendment. Amendment 2680 is withdrawn.

On the question recurring,

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

Mr. **MATZIE** offered the following amendment No. **A06313**:

Amend Bill, page 1, line 21, by inserting after "amended" and the section is amended by adding a subsection
Amend Bill, page 2, by inserting between lines 25 and 26
(f) Nondisclosure agreements.—A nondisclosure agreement involving a claim under this act shall be invalid and unenforceable unless the plaintiff or legal representative of the plaintiff has agreed to nondisclosure.

On the question,

Will the House agree to the amendment?

The SPEAKER. Representative Matzie.

Mr. MATZIE. Thank you, Mr. Speaker.

I think this is a very simple but important amendment to this piece of legislation that exempts individuals – or check that – nondisclosure agreements are invalid unless the plaintiff or their attorney has agreed to nondisclosure. Really, nondisclosure agreements have become something of a conversation in the last few months about a variety of different cases, and I think it is very important to add this into this piece of legislation.

Thank you, Mr. Speaker.

The SPEAKER. Representative Kampf, on the amendment.
 Mr. KAMPF. Mr. Speaker, this amendment applies, again, to both physicians and then also to nursing homes, assisted living, and personal care homes and their employees. My experience in the law in litigation is that nondisclosure agreements, essentially a confidentiality agreement on a settlement, are a necessary tool of settling cases, and there could be any number of reasons for paying money in this setting. I think this is a wholesale change in the medical liability world totally that we should not engage in. I know there are, you know, there are certainly issues on nondisclosure agreements in the news, but we are talking about in typical personal injury litigation across the health-care landscape, that there could be no nondisclosure agreement unless the plaintiff agreed to it. That is unfair. It is plaintiff-focused only.

I urge the members to oppose the amendment.

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

The following roll call was recorded:

YEAS—83

Barbin	Dawkins	Kavulich	Rabb
Bizzarro	Deasy	Keller, W.	Ravenstahl
Boyle	DeLuca	Kim	Readshaw
Bradford	Dermodoy	Kinsey	Roebuck
Briggs	DiGirolamo	Kirkland	Rozzi
Brown, V.	Donatucci	Kortz	Sainato
Bullock	Driscoll	Krueger	Samuelson
Burns	Evans	Kulik	Schlossberg
Caltagirone	Farry	Longietti	Schweyer
Carroll	Fitzgerald	Madden	Sims
Cephas	Flynn	Markosek	Snyder
Christiana	Frankel	Matzie	Solomon
Comitta	Freeman	McCarter	Sturla
Conklin	Gainey	McClinton	Tai
Costa, D.	Galloway	McNeill	Thomas
Costa, P.	Goodman	Metzgar	Vazquez
Cruz	Haggerty	Miller, D.	Vitali
Daley	Hanna	Mullery	Warren
Davidson	Harkins	Neilson	Wheatley
Davis, A.	Harris, J.	Pashinski	Youngblood
Davis, T.	Kaufer	Petrarca	

NAYS—107

Barrar	Gillen	Marshall	Roae
Benninghoff	Gillespie	Marsico	Roe
Bernstine	Greiner	Masser	Rothman
Bloom	Grove	McGinnis	Ryan
Boback	Hahn	Mehaffie	Sankey
Brown, R.	Harper	Mentzer	Saylor
Causar	Harris, A.	Metcalfe	Schemel
Charlton	Heffley	Millard	Simmons
Cook	Helm	Miller, B.	Sonney
Corbin	Hennessey	Murt	Staats
Corr	Hickernell	Mustio	Tallman
Cox	Hill	Nelson	Taylor
Culver	Irvin	Nesbit	Tobash
Cutler	James	O'Neal	Toepel
Day	Jozwiak	O'Neill	Toohil
DeLissio	Kampf	Oberlander	Topper
Delozier	Kauffman	Ortitay	Walsh
Diamond	Keefer	Owlett	Ward
Dowling	Keller, F.	Peifer	Warner
Dunbar	Keller, M.K.	Pickett	Watson

Dush	Klunk	Pyle	Wentling
Ellis	Knowles	Quigley	Wheeland
Emrick	Lawrence	Quinn, C.	White
English	Lewis	Rader	Zimmerman
Evankovich	Mackenzie	Rapp	
Everett	Mako	Reed	Turzai,
Fee	Maloney	Reese	Speaker
Fritz			

NOT VOTING—1

Santora

EXCUSED—12

Dean	Godshall	Milne	Quinn, M.
Fabrizio	Maher	Moul	Saccone
Gabler	Miccarelli	O'Brien	Stephens

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

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

Mr. MATZIE offered the following amendment No. A06314:

Amend Bill, page 1, line 21, by inserting after "amended" and the section is amended by adding a subsection
 Amend Bill, page 2, by inserting between lines 25 and 26
(f) Terms of settlement.—The terms of settlement of a claim under this act shall be subject to disclosure unless the plaintiff or legal representative of the plaintiff has agreed to nondisclosure.

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

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

Mr. MATZIE. Thank you, Mr. Speaker.

This is an amendment, another important amendment in my judgment, that any settlement shall be subject to disclosure unless plaintiff or legal rep has agreed otherwise. Mr. Speaker, put yourself in a situation in your office if this does not go through and this bill eventually becomes law, and a constituent comes to your office and is complaining about the fact that this language was not inserted. Based on the argument for defeating the last amendment by the maker of the underlying bill in referring to the plaintiff, the plaintiff is the consumer, and quite frankly, Mr. Speaker, I am on the side of the consumer. I urge a "yes" vote.

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

Mr. KAMPF. So having practiced in personal injury litigation, sometimes, actually, the plaintiff's lawyers want nondisclosure or confidentiality because they like to talk about how great the outcome was when perhaps the outcome was not that great. It is a piece of the marketing and adversarial world that lawyers like myself operate in. On the other side, there are times when defendants rather than face some sort of liability will pay dollars

but they would like a nondisclosure. The fact of the claim, however, the fact of the claim is a matter of public record and must be disclosed through the Department of Health. So it is not a question of whether this information about this incident is going to get out. It is the payout, the dollar amount that could be protected for any number of reasons.

I urge the members – again, this applies across the health-care provider landscape, not just to nursing homes – to oppose the amendment.

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 1037 CONTINUED

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

The following roll call was recorded:

YEAS—86

Barbin	Deasy	Keller, W.	Ravenstahl
Bizzarro	DeLuca	Kim	Readshaw
Boyle	Dermody	Kinsey	Roebuck
Bradford	DiGirolamo	Kirkland	Rozzi
Briggs	Donatucci	Kortz	Sainato
Brown, V.	Driscoll	Krueger	Samuelson
Bullock	Evans	Kulik	Schlossberg
Burns	Farry	Longiotti	Schweyer
Caltagirone	Fitzgerald	Madden	Sims
Carroll	Flynn	Markosek	Snyder
Cephas	Frankel	Matzie	Solomon
Christiana	Freeman	McCarter	Sturla
Comitta	Gainey	McClinton	Tai
Conklin	Galloway	McNeill	Thomas
Costa, D.	Goodman	Miller, D.	Toohil
Costa, P.	Haggerty	Mullery	Vazquez
Cruz	Hanna	Murt	Vitali
Daley	Harkins	Neilson	Warren
Davidson	Harris, J.	Pashinski	Wheatley
Davis, A.	Hennessey	Petrarca	White
Davis, T.	Kaufer	Rabb	Youngblood
Dean	Kavulich		

NAYS—104

Barrar	Fritz	Marsico	Roae
Benninghoff	Gillen	Masser	Roe
Bernstine	Gillespie	McGinnis	Rothman
Bloom	Greiner	Mehaffie	Ryan
Boback	Grove	Mentzer	Sankey
Brown, R.	Hahn	Metcalfe	Santora
Causar	Harper	Metzgar	Saylor
Charlton	Harris, A.	Millard	Schemel
Cook	Heffley	Miller, B.	Simmons
Corbin	Helm	Mustio	Sonney
Corr	Hickernell	Nelson	Staats
Cox	Hill	Nesbit	Tallman
Culver	Irvin	O'Neal	Taylor
Cutler	James	O'Neill	Tobash
Day	Jozwiak	Oberlander	Toepel
DeLissio	Kampf	Ortitay	Topper
Delozier	Kauffman	Owlett	Walsh
Diamond	Keefer	Peifer	Ward
Dowling	Keller, M.K.	Pickett	Warner
Dunbar	Klunk	Pyle	Watson
Dush	Knowles	Quigley	Wentling

Ellis	Lawrence	Quinn, C.	Wheeland
Emrick	Lewis	Rader	Zimmerman
English	Mackenzie	Rapp	
Evankovich	Mako	Reed	Turzai,
Everett	Maloney	Reese	Speaker
Fee	Marshall		

NOT VOTING—2

Dawkins	Keller, F.
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EXCUSED—11

Fabrizio	Maher	Moul	Saccone
Gabler	Miccarelli	O'Brien	Stephens
Godshall	Milne	Quinn, M.	

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

VOTE CORRECTION

The SPEAKER. Representative Santora, sir.
Mr. SANTORA. Mr. Speaker, my vote was not recorded on A6313 and I would like to be recorded in the negative.
The SPEAKER. Yes, sir.

CONSIDERATION OF HB 1037 CONTINUED

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

Mr. CHRISTIANA offered the following amendment
No. **A02629**:

Amend Bill, page 2, lines 6 through 21, by striking out all of said lines and inserting

(2) (i) Except in cases where the trier of fact finds that an officer, employee or agent of an entity under clause (A) or (B) acted with intent to harm, punitive damages against any of the following shall not exceed the limits set in subparagraph (ii):

(A) A personal care home or an assisted living residence, licensed by the Department of Human Services under the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code.

(B) A long-term care nursing facility licensed by the Department of Health under the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

(C) An officer, employee or agent of an entity under clause (A) or (B), while acting in the course and scope of employment.

(ii) Punitive damages awarded under this paragraph may not exceed the following percentages of the compensatory damages:

(A) If the patient is between 65 and 69 years of age, 400%.

(B) If the patient is between 70 and 74 years of age, 500%.

(C) If the patient is between 75 and 79 years of age, 600%.

(D) If the patient is 80 years of age or older, 700%.

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

AMENDMENT WITHDRAWN

The SPEAKER. Withdrawn? Representative Christiana, the amendment is withdrawn?

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. At this time we are going to go over the bill. We will come back to it shortly.

SUPPLEMENTAL CALENDAR C

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1745**, **PN 3744**, entitled:

An Act providing for a tuition and fee waiver program for youth who are or have been in substitute care.

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

* * *

The House proceeded to second consideration of **HB 2211**, **PN 3665**, entitled:

An Act providing for consumer prescription drug pricing disclosure.

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

* * *

The House proceeded to second consideration of **HB 2489**, **PN 3691**, entitled:

An Act authorizing the release of Project 70 restrictions on certain lands owned by the Borough of Topton, Berks County, in exchange for the imposition of Project 70 restrictions on other lands to be acquired by the Borough of Topton, Berks County.

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

VOTE CORRECTION

The SPEAKER. Representative Fred Keller is recognized, I believe, on unanimous consent.

Mr. F. KELLER. Thank you, Mr. Speaker.

I would like to correct the record. On HB 1037, amendment A06314, my button failed to record my vote. I would like to be recorded in the negative.

The SPEAKER. Yes, sir.

Mr. F. KELLER. Thank you.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2488**, **PN 3709**, entitled:

An Act providing for the annual designation and holiday observance June 19 as "Juneteenth National Freedom Day" in this Commonwealth.

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

VOTE CORRECTION

The SPEAKER. Representative Chris Quinn, on unanimous consent, sir.

Mr. QUINN. Mr. Speaker, on the last House bill, 1037, my button malfunctioned on amendment A2619. I would like to be recorded in the negative.

The SPEAKER. Yes, sir.

CALENDAR CONTINUED

RESOLUTION

Mr. CAUSER called up **HR 948**, **PN 3586**, entitled:

A Resolution requesting the Auditor General to conduct a financial audit of nonpoint source program projects approved by the Pennsylvania Infrastructure Investment Authority.

On the question,
Will the House adopt the resolution?

The SPEAKER. Representative Causer, on the resolution, sir. I apologize.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, HR 948 requests the Auditor General conduct an audit of PENNVEST's (Pennsylvania Infrastructure Investment Authority) nonpoint source projects. There have been approximately 118 of these projects approved. The projects specifically involve the Clean Water Revolving Loan Fund.

The reason that this has come to my attention is two transactions that were approved by the PENNVEST Board late last year and early this year that amount to just over a \$50 million loan at 1-percent interest to a New Hampshire timber company to purchase just over 60,000 acres of private forest land. So it is a \$50 million loan to assist in financing the purchase of private timber land in north-central and northwestern Pennsylvania. In addition, there would be 9,400 acres placed into a forest conservation easement.

There have been a number of questions about these transactions. The House Agriculture and Rural Affairs Committee held a very lengthy public meeting back in March to look at the details of these transactions, whereby, quite honestly, Mr. Speaker, there were more questions coming out of the meeting than there were answers; questions that came to mind such as, are the transactions legal? We have a memo from PENNVEST stating that they are legal. We have a memo from the House Republican Caucus chief counsel expressing concerns and stating that the transactions are not legal.

Under the PENNVEST statute, a project has to be part of a system or facility to be a legitimate project. Well, Mr. Speaker, this is private timber land. There is a small acid mine drainage component to it, but there really is no system or facility, although the application to PENNVEST states that, yes, there is a system or facility. So when asked about that during the hearing, the applicant stated that they were directed to answer the question that way on the application, and I think there is a problem with that, Mr. Speaker.

Secondly, a question comes to mind, are the transactions appropriate? Now, looking around this chamber, looking at all the counties that you folks represent, we know that we have infrastructure issues in Pennsylvania. Every one of your communities has infrastructure issues. We are all faced with environmental regulations, with much-needed upgrades to water and sewer infrastructure, and we all know that PENNVEST has traditionally provided grants and loans for much-needed upgrades in all of our counties. So the question is, is it appropriate for PENNVEST to be loaning out \$50 million at a 1-percent interest rate to purchase, for a private company to purchase private forest land, private timber land? Is that the most appropriate use of this funding?

Mr. Speaker, I think that we need a detailed audit of these transactions, and I would appreciate the members' support for HR 948 asking the Auditor General to conduct this detailed audit.

DOCUMENTS SUBMITTED FOR THE RECORD

Mr. CAUSER. I would also like to submit some documents for the record.

Mr. CAUSER submitted documents for the Legislative Journal.

(For documents, see Appendix.)

The SPEAKER. Representative Lee James, on the resolution, sir.

Mr. JAMES. Thank you, Mr. Speaker.

I also rise at this time in support of Representative Causer's resolution in the hopes that we can get to the bottom of what may become a trend.

For 30 years, PENNVEST has served faithfully the roughly 2600 municipalities that we have here in the Commonwealth, and their primary mission was to support sewer and water projects. Well, now we have a miscellaneous category as well, which they call nonpoint source. That \$50 million loan amounted to approximately 50 percent of the total amount of nonpoint source loans over the last 30 years. And if we continue down that bend or that path, it will become very difficult for our municipalities to get the help they need. In point of fact, I live in Oil City, and

I know we have some serious water and sewer projects. I do not know that we have applied for help yet, but when the time comes, I would like the reassurance that dollars will be there.

I also am very disturbed about the very preferential loan rates that were offered. One-percent loan is a great rate; any company would love to have it. And if they had gone out, if the company had gone out in the open market, they would have probably been faced with about 4 1/2 percent.

So I think we are heading, again, we are heading down the wrong path, and I want to lend my support to Mr. Causer's efforts. Thank you very much.

The SPEAKER. Representative John Lawrence.

Mr. LAWRENCE. Thank you, Mr. Speaker.

I rise in favor of the good gentleman from McKean County's resolution, HR 948.

Mr. Speaker, the question here is not whether the underlying project is worthwhile. It may actually be very worthwhile. The question is – there are actually many questions that need to be addressed and need to be answered.

As the good gentleman pointed out, we are talking about a \$50 million loan at 1 percent to a private timber company. As part of the hearing that we had on this matter, we learned that part of the arrangement in this situation is that the public is required to have access, public access, but the term is not defined. The deal has been made, but this critical component of the deal, being public access, has not been carefully defined, and in essence, there may be very little if no public access to the property.

I do not commonly buy real estate in this neck of the woods, but certainly anyone who does will tell you the first thing that you need to establish when you are buying large tracts of real estate in this part of Pennsylvania is who owns the mineral rights. The value of the property can vary tremendously based off of who owns, whether you are going to be buying the mineral rights or whether someone else owns the mineral rights. Incredibly in our hearing we learned that DCNR (Department of Conservation and Natural Resources) and PENNVEST in approving this transaction had no knowledge of the status of the mineral rights or the potential development or lack thereof of the mineral rights.

Mr. Speaker, I would just encourage the members, particularly as we look at the fact that this is a 1-percent loan from a fund that is by law dedicated to water and sewer projects, this is something that really needs to be addressed and really needs to be looked at by the Auditor General. I encourage the members to vote in the affirmative.

Thank you, Mr. Speaker.

On the question recurring,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

Barbin	Dush	Kortz	Readshaw
Barrar	Ellis	Krueger	Reed
Benninghoff	Emrick	Kulik	Reese
Bernstine	English	Lawrence	Roae
Bizzarro	Evankovich	Lewis	Roe
Bloom	Evans	Longietti	Roebuck
Boback	Everett	Mackenzie	Rothman
Boyle	Farry	Madden	Rozzi
Bradford	Fee	Mako	Ryan
Briggs	Fitzgerald	Maloney	Sainato
Brown, R.	Flynn	Markosek	Samuelson

Brown, V.	Frankel	Marshall	Sankey
Bullock	Freeman	Marsico	Santora
Burns	Fritz	Masser	Saylor
Caltagirone	Gainey	Matzie	Schemel
Carroll	Galloway	McCarter	Schlossberg
Causer	Gillen	McClinton	Schweyer
Cephas	Gillespie	McGinnis	Simmons
Charlton	Goodman	McNeill	Sims
Christiana	Greiner	Mehaffie	Snyder
Comitta	Grove	Mentzer	Solomon
Conklin	Haggerty	Metcalfe	Sonney
Cook	Hahn	Metzgar	Staats
Corbin	Hanna	Millard	Sturla
Corr	Harkins	Miller, B.	Tai
Costa, D.	Harper	Miller, D.	Tallman
Costa, P.	Harris, A.	Mullery	Taylor
Cox	Harris, J.	Murt	Thomas
Cruz	Heffley	Mustio	Tobash
Culver	Helm	Neilson	Toepel
Cutler	Hennessey	Nelson	Toohil
Daley	Hickernell	Nesbit	Topper
Davidson	Hill	O'Neal	Vazquez
Davis, A.	Irvin	O'Neill	Vitali
Davis, T.	James	Oberlander	Walsh
Dawkins	Jozwiak	Ortitay	Ward
Day	Kampf	Owlett	Warner
Dean	Kaufner	Pashinski	Warren
Deasy	Kauffman	Peifer	Watson
DeLissio	Kavulich	Petrarca	Wentling
Delozier	Keefer	Pickett	Wheatley
DeLuca	Keller, F.	Pyle	Wheeland
Dermody	Keller, M.K.	Quigley	White
Diamond	Keller, W.	Quinn, C.	Youngblood
DiGirolamo	Kim	Rabb	Zimmerman
Donatucci	Kinsey	Rader	
Dowling	Kirkland	Rapp	Turzai,
Driscoll	Klunk	Ravenstahl	Speaker
Dunbar	Knowles		

NAYS—0

NOT VOTING—0

EXCUSED—11

Fabrizio	Maher	Moul	Saccone
Gabler	Miccarelli	O'Brien	Stephens
Godshall	Milne	Quinn, M.	

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

SUPPLEMENTAL CALENDAR D

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 17, PN 2003**, entitled:

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, further providing for confidentiality of records and for consent of minor.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. So Representative Marcia Hahn is recognized on the question of will the House concur in the amendments inserted by the Senate. Representative Hahn moves the same.

Representative Hahn, can you tell us the underlying bill and the Senate amendments.

Ms. HAHN. Thank you, Mr. Speaker.

HB 17 is commonsense legislation that clarifies the intent of age of consent for a minor, including allowing the parents to have consent in cases of diagnosis or treating substance abuse.

The late Representative Dan McNeill and I introduced this bill early last year and it quickly drew cosponsors from both sides of the aisle. Through committee and floor votes, both in the House and Senate, HB 17 has not drawn one negative vote, making it a truly bipartisan piece of legislation.

This bill was amended in the Senate to clarify that treatment providers may only provide information to a parent or legal guardian relevant to reducing the threat or harm to the minor or other individual in accordance with Federal and State law.

HB 17 is before us today, and I ask my colleagues for an affirmative vote on concurrence.

Thank you, Mr. Speaker.

The SPEAKER. Does anybody else wish to speak on this?

On the question recurring,
Will the House concur in Senate amendments?

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

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

Davis, A.	Irvin	O'Neill	Vitali
Davis, T.	James	Oberlander	Walsh
Dawkins	Jozwiak	Ortitay	Ward
Day	Kampf	Owlett	Warner
Dean	Kaufer	Pashinski	Warren
Deasy	Kauffman	Peifer	Watson
DeLissio	Kavulich	Petrarca	Wentling
DeLozier	Keefer	Pickett	Wheatley
DeLuca	Keller, F.	Pyle	Wheeland
Dermody	Keller, M.K.	Quigley	White
Diamond	Keller, W.	Quinn, C.	Youngblood
DiGirolamo	Kim	Rabb	Zimmerman
Donatucci	Kinsey	Rader	
Dowling	Kirkland	Rapp	Turzai,
Driscoll	Klunk	Ravenstahl	Speaker
Dunbar	Knowles		

NAYS—0

NOT VOTING—0

EXCUSED—11

Fabrizio	Maher	Moul	Saccone
Gabler	Miccarelli	O'Brien	Stephens
Godshall	Milne	Quinn, M.	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 17, PN 2003

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, further providing for confidentiality of records and for consent of minor.

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

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 431, PN 1872**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in nuisances, further providing for the offense of scattering rubbish; in rules of the road in general, providing for duty of driver in litter enforcement corridors; and, in powers of department and local authorities, providing for designation of litter enforcement corridors and further providing for specific powers of department and local authorities.

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

* * *

The House proceeded to second consideration of **SB 564, PN 1873**, entitled:

An Act providing for installation of protective fencing on certain State-owned bridges and for powers and duties of the Department of Transportation.

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

* * *

The House proceeded to second consideration of **SB 1002, PN 1874**, entitled:

An Act designating a bridge on that portion of State Route 1041 over the Mahoning Creek in Grant Township and Canoe Township, Indiana County, as the Army SPC Christine L. Mayes Memorial Bridge; designating a bridge on that portion of State Route 286 over the South Branch Cush Creek River, Montgomery Township, Indiana County, as the Sgt. Edward John Parada Memorial Bridge; designating a bridge, identified as Bridge Key 19108, on that portion of Pennsylvania Route 286 over the Two Lick Creek, Borough of Clymer, Indiana County, as the Corporal Louis R. Tate Memorial Bridge; designating a bridge, identified as Bridge Key 19109, on that portion of Pennsylvania Route 286 over the Two Lick Creek, at the east end of the Borough of Clymer, Indiana County, as the Lance Corporal Joshua T. Twigg Memorial Bridge; designating the portion of State Route 2024 and State Route 1016, also known as Monument Orviston Road, from the intersection of State Route 2024 and Main Street in Beech Creek Borough, Clinton County, to the intersection of State Route 1016 and Kato Orviston Road in Curtin Township, Centre County, as the CPL Milford H. Wensel Memorial Highway.

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

Mr. CAUSER offered the following amendment No. **A07607**:

Amend Bill, page 1, line 14, by striking out "AND"
Amend Bill, page 1, line 20, by striking out the period after "HIGHWAY" and inserting
; and designating a portion of Pennsylvania Route 44 in Potter County as the Highway to the Stars.
Amend Bill, page 5, by inserting between lines 6 and 7
Section 6. Highway to the Stars.
(a) Findings.—The General Assembly finds and declares as follows:

(1) The International Dark Sky Preserve at Cherry Springs State Park is an attraction for professional and amateur astronomers and photographers, as well as others who have an interest in stargazing from one of the darkest places in the country.

(2) The visitor count to Cherry Springs State Park has been rising each year, and the ripple effect is being felt by regional businesses.

(3) Pennsylvania Route 44 passes directly through Cherry Springs State Park, taking travelers to a publicly accessible dark sky viewing field and amphitheater and a separate observation area for astronomers, professional photographers and others with specialized interests.

(b) Designation.—The section of Pennsylvania Route 44 in Potter County from U.S. Route 6 to the Lycoming County Line is designated the Highway to the Stars.

(c) Signs.—The Department of Transportation shall erect and maintain appropriate signs displaying the name of the highway to traffic in both directions on the highway.

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

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

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

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment adds a designation to the bill, designating a portion of State Route 44 in Potter County from U.S. Route 6 to the Lycoming County line as the Highway to the Stars. The road runs through the Cherry Springs State Park. It is the darkest skies on the east coast of the United States. It is at the request of county and local officials. I would appreciate your support.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—142

Barbin	Evankovich	Lewis	Reed
Barrar	Everett	Longiotti	Reese
Benninghoff	Farry	Mackenzie	Roae
Bernstine	Fee	Madden	Roe
Bloom	Fitzgerald	Mako	Rothman
Boback	Freeman	Maloney	Rozzi
Bradford	Fritz	Markosek	Ryan
Brown, R.	Gillen	Marshall	Sainato
Brown, V.	Gillespie	Marsico	Samuelson
Caltagirone	Greiner	Masser	Sankey
Causer	Grove	McClinton	Santora
Charlton	Haggerty	McGinnis	Saylor
Christiana	Hahn	Mehaffie	Schemel
Cook	Hanna	Mentzer	Simmons
Corbin	Harper	Metcalfe	Solomon
Corr	Harris, A.	Metzgar	Sonney
Costa, D.	Heffley	Millard	Staats
Cox	Helm	Miller, B.	Sturla
Culver	Hennessey	Murt	Tallman
Cutler	Hickernell	Mustio	Thomas
Davis, T.	Hill	Nelson	Tobash
Dawkins	Irvin	Nesbit	Toepel
Day	James	O'Neal	Toohil
Dean	Jozwiak	O'Neill	Topper
Deasy	Kampf	Oberlander	Vitali
Delozier	Kaufer	Ortitay	Walsh
DeLuca	Kauffman	Owlett	Ward
Diamond	Keefer	Peifer	Warner
DiGirolamo	Keller, F.	Petrarca	Watson
Dowling	Keller, M.K.	Pickett	Wentling
Driscoll	Kim	Pyle	Wheeland
Dunbar	Kinsey	Quigley	White
Dush	Klunk	Quinn, C.	Zimmerman
Ellis	Knowles	Rader	
Emrick	Kulik	Rapp	Turzai,
English	Lawrence	Ravenstahl	Speaker

NAYS—49

Bizzarro	Davis, A.	Kavulich	Readshaw
Boyle	DeLissio	Keller, W.	Roebuck
Briggs	Dermody	Kirkland	Schlossberg
Bullock	Donatucci	Kortz	Schweyer
Burns	Evans	Krueger	Sims
Carroll	Flynn	Matzie	Snyder
Cephas	Frankel	McCarter	Tai
Comitta	Gainey	McNeill	Taylor
Conklin	Galloway	Miller, D.	Vazquez

Costa, P.	Goodman	Mullery	Warren
Cruz	Harkins	Neilson	Wheatley
Daley	Harris, J.	Rabb	Youngblood
Davidson			

NOT VOTING—1

Pashinski

EXCUSED—11

Fabrizio	Maher	Moul	Saccone
Gabler	Miccarelli	O'Brien	Stephens
Godshall	Milne	Quinn, M.	

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

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **SB 1091, PN 1576**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for contributions for pediatric cancer research and establishing the Pediatric Cancer Research Fund.

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

* * *

The House proceeded to second consideration of **SB 1101, PN 1875**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in certificate of title and security interests, further providing for content and effect of certificate of title and for theft vehicles.

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

* * *

The House proceeded to second consideration of **SB 1056, PN 1657**, entitled:

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

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 764, PN 1829**, entitled:

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, providing for preliminary provisions, further providing for short title, for definitions, for State Board of Vehicle Manufacturers, Dealers and Salespersons, for powers and duties of board, for license to engage in business, for biennial renewal, for enforcement, for protest hearing decision within 120 days unless waived by the parties, for reimbursement for all parts and service required by the manufacturer or distributor and reimbursement audits, for damage disclosure, for mediation and arbitration, for unlawful acts by manufacturers or distributors, for area of responsibility, for termination of franchises, for industry reorganization, for succession to franchise ownership, for manufacturer right of first refusal, for manufacturer or distributor repurchase of inventory and equipment, for reimbursement of rental costs for dealer facility, for grounds for disciplinary proceedings, for administrative liability of employer, copartnership, association or corporation, for reinstatement, for application for license, for refusal of license, for change of salesperson's license to indicate new employer, for termination of employment or business, for exemption from licensure and registration, for limitations on establishing or relocating dealers, for licensing cost, for penalties, for civil actions for violations, for fees, for disposition of fees and fines, for vehicle shows, off-premise sales and exhibitions and for off-premise sales, shows, exhibitions or rallies on Sundays; providing for recreational vehicles and for miscellaneous provisions; further providing for savings provision, for repeals, expiration of terms of board members and for existing rules and regulations.

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

Barbin	Dush	Kortz	Readshaw
Barrar	Ellis	Krueger	Reed
Benninghoff	Emrick	Kulik	Reese
Bernstine	English	Lawrence	Roae
Bizzarro	Evankovich	Lewis	Roe
Bloom	Evans	Longietti	Roebuck
Boback	Everett	Mackenzie	Rothman
Boyle	Farry	Madden	Rozzi
Bradford	Fee	Mako	Ryan
Briggs	Fitzgerald	Maloney	Sainato
Brown, R.	Flynn	Markosek	Samuelson
Brown, V.	Frankel	Marshall	Sankey
Bullock	Freeman	Marsico	Santora
Burns	Fritz	Masser	Saylor
Caltagirone	Gainey	Matzie	Schemel
Carroll	Galloway	McCarter	Schlossberg
Causar	Gillen	McClinton	Schweyer
Cephas	Gillespie	McGinnis	Simmons
Charlton	Goodman	McNeill	Sims
Christiana	Greiner	Mehaffie	Snyder
Comitta	Grove	Mentzer	Solomon
Conklin	Haggerty	Metcalfe	Sonney
Cook	Hahn	Metzgar	Staats
Corbin	Hanna	Millard	Sturla

Corr	Harkins	Miller, B.	Tai
Costa, D.	Harper	Miller, D.	Tallman
Costa, P.	Harris, A.	Mullery	Taylor
Cox	Harris, J.	Murt	Thomas
Cruz	Heffley	Mustio	Tobash
Culver	Helm	Neilson	Toepel
Cutler	Hennessey	Nelson	Toohil
Daley	Hickernell	Nesbit	Topper
Davidson	Hill	O'Neal	Vazquez
Davis, A.	Irvin	O'Neill	Vitali
Davis, T.	James	Oberlander	Walsh
Dawkins	Jozwiak	Ortitay	Ward
Day	Kampf	Owlett	Warner
Dean	Kaufert	Pashinski	Warren
Deasy	Kauffman	Peifer	Watson
DeLissio	Kavulich	Petrarca	Wentling
DeLozier	Keefer	Pickett	Wheatley
DeLuca	Keller, F.	Pyle	Wheeland
Dermody	Keller, M.K.	Quigley	White
Diamond	Keller, W.	Quinn, C.	Youngblood
DiGirolamo	Kim	Rabb	Zimmerman
Donatucci	Kinsey	Rader	
Dowling	Kirkland	Rapp	Turzai,
Driscoll	Klunk	Ravenstahl	Speaker
Dunbar	Knowles		

NAYS—0

NOT VOTING—0

EXCUSED—11

Fabrizio	Maher	Moul	Saccone
Gabler	Miccarelli	O'Brien	Stephens
Godshall	Milne	Quinn, M.	

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

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

CONSIDERATION OF HB 1037 CONTINUED

The SPEAKER. We are returning to HB 1037.

Representative Evankovich is kind enough – he is right here – to withdraw amendment 7559. So that amendment will be withdrawn.

At this time we are going to rule amendment 2655, filed by Representative DiGirolamo, out of order. That is out of order.

On the question recurring,

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

Mr. **DiGIROLAMO** offered the following amendment **No. A02806**:

Amend Bill, page 2, line 6, by inserting after "Except" as set forth in paragraph (2.1) or

Amend Bill, page 2, by inserting between lines 21 and 22 (2.1) Paragraph (2) does not apply if staffing levels for an entity specified under paragraph (2) are below State requirements or if an entity that has staffing levels below State requirements does not have a written notice posted indicating that staffing levels are below State requirements.

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

PARLIAMENTARY INQUIRY

The SPEAKER. On the amendment, Representative DiGirolamo is recognized.

Mr. DiGIROLAMO. Mr. Speaker, point of parliamentary inquiry?

The SPEAKER. Yes, sir.

Mr. DiGIROLAMO. Mr. Speaker, could you explain to me why amendment 02655 is out of order?

The SPEAKER. Yes. It violates the single-subject and the— Yes, that is it.

We are on amendment 2806. Do you wish to speak on amendment 2806?

Mr. DiGIROLAMO. Mr. Speaker, further parliamentary inquiry?

The SPEAKER. No. We are on amendment 2806. You can speak on 2806. When we are done with the amendment, you can have a further parliamentary inquiry.

Mr. DiGIROLAMO. Point of order, Mr. Speaker?

The SPEAKER. No, sir. We are on amendment 2806. We are going to continue with 2806. We can do a point of order after amendment 2806.

Mr. DiGIROLAMO. On the amendment then, Mr. Speaker?

The SPEAKER. Yes, sir. You may proceed.

Mr. DiGIROLAMO. Mr. Speaker, the amendment would – the caps would not apply to nursing home staffing levels that are below State requirements or if the nursing home does not have a written notice posting its staffing levels are below State requirements.

I ask for an affirmative vote.

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

Mr. KAMPF. Mr. Speaker, I oppose the amendment for a couple of reasons. First of all, this would essentially require what in the law in trial work is called a trial within a trial. There would be an extensive proceeding before the jury on whether at any time, because there is no limitation like some of these other amendments on time here, at any time, 10 years ago, 20 years ago, were staffing levels sufficient? That could go on for a long time. It could confuse the jury.

In addition to that, there is a statement in there that if the one rule of not posting if you are below staffing levels, if you happen to violate that – although I do not know where that rule comes from, but they are heavily regulated, so I assume if you were found to have low staffing levels, you are required to post it. But the fact that you did not post it, that would eliminate the cap or the limit that is the substance of this bill.

It is not related to the fundamental question, which is whether in certain cases there should be a limit of 2 1/2 times compensatory damages, and it calls for a trial within a trial. I would urge the members to oppose the amendment.

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

The following roll call was recorded:

YEAS—95

Barbin	Deasy	Keller, W.	Ravenstahl
Barrar	DeLuca	Kim	Readshaw
Bizzarro	Dermody	Kinsey	Roebuck
Boyle	DiGirolamo	Kirkland	Rozzi
Bradford	Donatucci	Kortz	Sainato
Briggs	Driscoll	Krueger	Samuelson
Brown, V.	Dunbar	Kulik	Santora
Bullock	Ellis	Longietti	Schlossberg
Burns	Evans	Madden	Schweyer
Caltagirone	Farry	Markosek	Sims
Carroll	Fitzgerald	Matzie	Snyder
Cephas	Flynn	McCarter	Solomon
Charlton	Frankel	McClinton	Sturla
Comitta	Freeman	McNeill	Tai
Conklin	Gainey	Metzgar	Thomas
Costa, D.	Galloway	Miller, D.	Toohil
Costa, P.	Goodman	Mullery	Vazquez
Cruz	Haggerty	Murt	Vitali
Daley	Hanna	Neilson	Warren
Davidson	Harkins	O'Neill	Wheatley
Davis, A.	Harper	Pashinski	Wheeland
Davis, T.	Harris, J.	Petrarca	White
Dawkins	Kaufer	Quinn, C.	Youngblood
Dean	Kavulich	Rabb	

NAYS—97

Benninghoff	Gillen	Maloney	Roae
Bernstine	Gillespie	Marshall	Roe
Bloom	Greiner	Marsico	Rothman
Boback	Grove	Masser	Ryan
Brown, R.	Hahn	McGinnis	Sankey
Causar	Harris, A.	Mehaffie	Saylor
Christiana	Heffley	Mentzer	Schemel
Cook	Helm	Metcalfe	Simmons
Corbin	Hennessey	Millard	Sonney
Corr	Hickernell	Miller, B.	Staats
Cox	Hill	Mustio	Tallman
Culver	Irvin	Nelson	Taylor
Cutler	James	Nesbit	Tobash
Day	Jozwiak	O'Neal	Toepel
DeLissio	Kampf	Oberlander	Topper
Delozier	Kauffman	Ortitay	Walsh
Diamond	Keefer	Owlett	Ward
Dowling	Keller, F.	Peifer	Warner
Dush	Keller, M.K.	Pickett	Watson
Emrick	Klunk	Pyle	Wentling
English	Knowles	Quigley	Zimmerman
Evanovich	Lawrence	Rader	
Everett	Lewis	Rapp	Turzai,
Fee	Mackenzie	Reed	Speaker
Fritz	Mako	Reese	

NOT VOTING—0

EXCUSED—11

Fabrizio	Maher	Moul	Saccone
Gabler	Miccarelli	O'Brien	Stephens
Godshall	Milne	Quinn, M.	

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

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

Ms. **TOOHIL** offered the following amendment No. **A03547**:

Amend Bill, page 1, line 21, by inserting after "amended" and the section is amended by adding subsections
Amend Bill, page 2, by inserting between lines 25 and 26
(f) Report.—The following apply:

(1) An insurer shall file a report with the department on a form developed by the department not later than April 1 of each calendar year which sets forth the aggregate payment made by the insurer for the previous calendar year on claims made, in whole or in part, under this chapter against the following:

(i) A personal care home or assisted living residence licensed by the Department of Human Services under the Human Services Code.

(ii) A long-term care nursing facility licensed by the Department of Health under the Health Care Facilities Act.

(iii) An officer, employee or agent of any entity specified under subparagraph (i) or (ii).

(2) The report under paragraph (1) shall include all such claims which have been resolved through any alternative dispute resolution process, including, but not limited to, arbitration or mediation, and all claims filed in a court of this Commonwealth.

(g) Premium limits.—For a policy which provides coverage or includes a duty to defend a claim under this chapter and which has been issued by or on behalf of an insurer, the department may not approve any of the following:

(1) An increase in premiums on the policy which has not been specified in the report specified under subsection (f).

(2) An increase in premiums on the policy which exceeds any percentage increase for the preceding calendar year for all claims paid.

(3) Premiums on the policy which have not been reduced by the percentage decrease for premiums in the preceding calendar year for all claims paid if the aggregate payment by the insurer on all claims decreased for the preceding calendar year.

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

The SPEAKER. On the amendment, Representative Toohil.

Ms. **TOOHIL**. Thank you so much, Mr. Speaker.

This is a good compromise amendment. It is good for reducing insurance costs. It is good for consumers because it provides a public mechanism to see all of the resolved lawsuits and settlements that were filed against a particular nursing home. And it is very simple. It is just the fact that when you are putting your parents in a nursing home or a family member or maybe some of us, a lot of us someday when we go into a nursing home, that we will have the right to know before we sign up what kind of care we will be getting.

GERMANENESS QUESTIONED

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

Mr. **KAMPF**. Mr. Speaker, I would like to make a motion on this amendment.

The SPEAKER. Yes, you may.

Mr. **KAMPF**. I move that this amendment be declared unconstitutional, violating the single-subject rule.

The SPEAKER. Representative Kampf, you are recognized.

Mr. **KAMPF**. Yes, Mr. Speaker, if I might amend my motion to be a motion on germaneness under rule 27.

The SPEAKER. Yes, sir. You may proceed.

Mr. **KAMPF**. Thank you, Mr. Speaker.

So the bill is about imposing a limit in certain cases on punitive damages to 2 1/2 times the award for compensatory damages. This amendment is not germane to that underlying bill because it calls for a study of aggregate payments made by insurers for the previous calendar year for all claims made. It also calls for premium limitations, meaning that an insurance company could not provide or charge a certain level of premiums: (g)(1) is "An increase in premiums on the policy which has not been specified in the report..."; (g)(2) is "An increase in premiums on the policy which exceeds any percentage increase for the preceding calendar year..."; and (g)(3) says, "Premiums on the policy which have not been reduced by the percentage decrease for premiums in the preceding...year...." The underlying bill makes no mention of insurance policies or premiums, and so the amendment is not germane to the bill.

I urge the members to support my motion.

On the question,

Will the House sustain the germaneness of the amendment?

The SPEAKER. On the motion, please, for germaneness, Representative Toohil.

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

This is certainly germane to the bill, and it is a compromise amendment. It is something that the nursing homes should agree with, because if they are going to be good nursing homes, take care of their patients, if people are not going to be intentionally, recklessly, wantonly hurt, then they will not have these types of punitive damages cases and that will show and they will be able to then lower their premiums, which is the very thing that we are arguing. So this is extremely germane and it satiates a dual purpose and was not unconstitutional as the first argument was and it is germane.

Thank you, Mr. Speaker.

I would ask the members for an affirmative vote, or a negative vote on the— A negative— I would like— Okay. It is germane. I would like them to vote—

The SPEAKER. Yeah, Representative Toohil, you will be asking for a "yes" vote, because the way it will be, if it is germane, people will vote "yes"; if it is not germane, people will vote "no."

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

The SPEAKER. Representative Bryan Cutler is recognized on the motion for germaneness.

Representative Kampf's motion is that the amendment is not germane to the underlying bill. So anybody who will be voting that it is not— The motion is that it is not germane. Those who will be voting with Representative Kampf would be voting "no"; anybody that would be saying that it is germane would be voting "yes."

Representative Cutler, on the motion.

Mr. **CUTLER**. Mr. Speaker, the gentlelady's underlying amendment ultimately deals with insurance, and in talking to the prime sponsor of the bill and reviewing the plain language of that, it clearly states that it does not deal with premiums, and therefore, her amendment is out of order and I would support the gentleman's proposed motion that it is not germane.

The SPEAKER. Representative Dermody, you may proceed, sir.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, the amendment deals with claims filed, suits filed at a nursing home. It is germane and we should vote "yes" that the amendment is germane to the bill.

Thank you, Mr. Speaker.

The SPEAKER. All those who believe that the amendment is not germane to the bill will vote "no." If you believe that it is germane, you will vote "yes."

So if you believe that the amendment is not germane, you will vote "no"; if you believe the amendment is germane, you will vote "yes."

On the question recurring,

Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

YEAS-94

Barbin	Dean	Kaufner	Rabb
Barrar	Deasy	Kavulich	Ravenstahl
Bizzarro	DeLuca	Keller, W.	Readshaw
Boyle	Dermody	Kim	Roebuck
Bradford	DiGirolamo	Kinsey	Rozzi
Briggs	Donatucci	Kirkland	Sainato
Brown, V.	Driscoll	Kortz	Samuelson
Bullock	Ellis	Krueger	Sankey
Burns	Evankovich	Kulik	Schlossberg
Caltagirone	Evans	Longiotti	Schweyer
Carroll	Farry	Madden	Sims
Cephas	Fitzgerald	Markosek	Snyder
Christiana	Flynn	Matzie	Solomon
Comitta	Frankel	McCarter	Sturla
Conklin	Freeman	McClinton	Tai
Costa, D.	Gainey	McNeill	Thomas
Costa, P.	Galloway	Metzgar	Toohil
Cruz	Goodman	Miller, D.	Vazquez
Daley	Haggerty	Mullery	Vitali
Davidson	Hanna	Murt	Warren
Davis, A.	Harkins	Neilson	Wheatley
Davis, T.	Harper	Pashinski	White
Dawkins	Harris, J.	Petrarca	Youngblood
Day	Hennessey		

NAYS-96

Benninghoff	Greiner	McGinnis	Roe
Bernstine	Grove	Mehaffie	Rothman
Bloom	Hahn	Mentzer	Ryan
Brown, R.	Harris, A.	Metcalfe	Santora
Causar	Heffley	Millard	Saylor
Charlton	Helm	Miller, B.	Schemel
Cook	Hickernell	Mustio	Simmons
Corbin	Hill	Nelson	Sonney
Corr	Irvin	Nesbit	Staats
Cox	James	O'Neal	Tallman
Culver	Jozwiak	O'Neill	Taylor
Cutler	Kampf	Oberlander	Tobash
DeLissio	Kauffman	Ortitay	Toepel
Delozier	Keefer	Owlett	Topper
Diamond	Keller, F.	Peifer	Walsh
Dowling	Keller, M.K.	Pickett	Ward
Dunbar	Klunk	Pyle	Warner
Dush	Knowles	Quigley	Watson
Emrick	Lawrence	Quinn, C.	Wentling
English	Lewis	Rader	Wheeland

Everett	Mackenzie	Rapp	Zimmerman
Fee	Mako	Reed	
Fritz	Maloney	Reese	Turzai,
Gillen	Marshall	Roae	Speaker
Gillespie	Masser		

NOT VOTING-2

Boback	Marsico
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EXCUSED-11

Fabrizio	Maher	Moul	Saccone
Gabler	Miccarelli	O'Brien	Stephens
Godshall	Milne	Quinn, M.	

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 as amended?

BILL PASSED OVER TEMPORARILY

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

VOTE CORRECTIONS

The SPEAKER. Representative Dunbar.

Mr. DUNBAR. I would like to correct the record.

The SPEAKER. Yes, sir.

Mr. DUNBAR. On amendment A2806 I was recorded in the affirmative. I would like to be in the negative.

The SPEAKER. Yes. Thank you.

Mr. DUNBAR. Thank you, Mr. Speaker.

The SPEAKER. Representative Dawkins, sir.

Mr. DAWKINS. Thank you, Mr. Speaker.

I just want to correct the record as well while I still remember. On A06314 may I be voted in the affirmative. I think I missed that vote.

The SPEAKER. Yes, sir.

Representative Pashinski.

Mr. PASHINSKI. Thank you, Mr. Speaker.

I also had a conflict on my button. Amendment A07607 I need to be in the negative, sir.

Thank you, Mr. Speaker.

The SPEAKER. Yes, sir.

CONSIDERATION OF HB 1037 CONTINUED

The SPEAKER. My understanding is that all other amendments have been withdrawn. All amendments have been withdrawn.

Amendment 2682 has been ruled out of order. Amendment 2682 has been ruled out of order. That was filed by Representative Miccarelli. That has been ruled out of order. And Representative Miccarelli's 2684 has been ruled out of order. Amendments 2682 and 2684 have been ruled out of order.

Representative Barrar.

Mr. BARRAR. Thank you, Mr. Speaker.
I have an amendment filed to this that is A02660.
The SPEAKER. Amendment 2660?

Mr. BARRAR. Yes.

The SPEAKER. I am going to consult the Parliamentarian.
I am sorry; we did not see that.

All the amendments on the Democratic side have been withdrawn.

We will go through and see if there are any other remaining amendments.

I will look at 2660 right now.

Mr. BARRAR. Okay. Thank you, Mr. Speaker.

BILL PASSED OVER TEMPORARILY

The SPEAKER. We will go over the bill at the present time.

Representative White, please approach the rostrum.

LEAVE OF ABSENCE CANCELED

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

VOTE CORRECTION

The SPEAKER. Representative Karen Boback is recognized.
Ms. BOBACK. Thank you, Mr. Speaker.

I need to correct the record. On amendment A3547 I was not recorded. I should be recorded in the negative. Thank you.

CONSIDERATION OF HB 1037 CONTINUED

BILL PASSED OVER

The SPEAKER. HB 1037 is over for the day.

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 530, PN 1899**, entitled:

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for definitions, for qualifications for license, for reciprocity, for restriction on the use of title "licensed clinical social worker," for restrictions on the use of title "Licensed Professional Counselor," for penalties and for unlawful practice; and repealing provisions related to appropriation.

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

LEAVE OF ABSENCE

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

CONSIDERATION OF SB 530 CONTINUED

The SPEAKER. Representative Tallman, you are recognized.

Mr. TALLMAN. Thank you, Mr. Speaker.

I would like to just ask a clarifying question to the good gentleman from Lancaster County.

The SPEAKER. Sir, we do not have anything before the House.

Mr. TALLMAN. 530.

The SPEAKER. Just for a second. We have not read it. We have not done the summary yet.

I am sorry; I thought you wanted to correct the record.

So we have SB 530, PN 1899, page 2 of today's House calendar. It is a Senate bill.

On the question recurring,
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?

First of all, on the bill. Representative Cutler, on the bill, SB 530, PN 1899. Representative Cutler, on the bill.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, this is an update to the marriage and family counselor practice act and we unanimously adopted an amendment yesterday that provided that the legislative intent would be maintained throughout all portions of the bill. Section 1902 clearly pointed out when it was originally passed that the act did not apply to pastors. The amendment was consistent with that in regards to the penalties, and I believe that was going to be the gentleman's question from Adams County.

I would appreciate a "yes" vote on the underlying bill as it improves the act. Thank you.

The SPEAKER. Representative Tallman. Waives off.
Does anybody else wish to speak on this?

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—169

Barbin	Donatucci	Kinsey	Rapp
Barrar	Dowling	Kirkland	Ravenstahl
Benninghoff	Driscoll	Klunk	Readshaw
Bernstine	Dunbar	Kortz	Reed
Bizzarro	Ellis	Krueger	Reese
Boback	Emrick	Kulik	Roebuck
Boyle	English	Lawrence	Rozzi
Bradford	Evans	Lewis	Ryan
Briggs	Everett	Longietti	Sainato
Brown, R.	Farry	Mackenzie	Samuelson
Brown, V.	Fee	Madden	Santora
Bullock	Fitzgerald	Mako	Saylor

Burns	Flynn	Markosek	Schlossberg
Caltagirone	Frankel	Marshall	Schweyer
Carroll	Freeman	Marsico	Simmons
Causser	Fritz	Masser	Sims
Cephas	Gainey	Matzie	Snyder
Charlton	Galloway	McCarter	Solomon
Christiana	Gillespie	McClinton	Sonney
Comitta	Goodman	McNeill	Staats
Conklin	Greiner	Mehaffie	Sturla
Cook	Haggerty	Mentzer	Tai
Corbin	Hahn	Millard	Tallman
Corr	Hanna	Miller, B.	Taylor
Costa, D.	Harkins	Miller, D.	Thomas
Costa, P.	Harper	Mullery	Tobash
Cox	Harris, A.	Murt	Toepel
Cruz	Harris, J.	Mustio	Toohil
Culver	Heffley	Neilson	Topper
Cutler	Helm	Nesbit	Vazquez
Daley	Hennessey	O'Neal	Vitali
Davidson	Hickernell	O'Neill	Warren
Davis, A.	Irvin	Oberlander	Watson
Davis, T.	James	Owlett	Wentling
Dawkins	Jozwiak	Pashinski	Wheatley
Day	Kampf	Peifer	Wheeland
Dean	Kaufer	Petrarca	White
Deasy	Kauffman	Pickett	Youngblood
DeLissio	Kavulich	Pyle	Zimmerman
Delozier	Keller, F.	Quigley	
DeLuca	Keller, M.K.	Quinn, C.	Turzai,
Dermody	Keller, W.	Rabb	Speaker
DiGirolamo	Kim	Rader	

NAYS—23

Bloom	Keefer	Nelson	Sankey
Diamond	Knowles	Ortitay	Schemel
Dush	Maloney	Roe	Walsh
Gillen	McGinnis	Roe	Ward
Grove	Metcalf	Rothman	Warner
Hill	Metzgar	Saccone	

NOT VOTING—0

EXCUSED—11

Evankovich	Godshall	Milne	Quinn, M.
Fabrizio	Maher	Moul	Stephens
Gabler	Miccarelli	O'Brien	

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

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

LEAVE OF ABSENCE

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

Members, I do not see any further votes this evening. I do not see any further votes this evening.

At this time Representative Gary Day moves—

We are going to do some housekeeping first.
We will do some housekeeping, but there are no further votes.
I understand some members do want to speak on resolutions.
If you would just come up and tell me, I will make sure to call you. I think Representative Sturla does. I think Representative Sturla would like to speak on a resolution.

BILLS RECOMMITTED

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

- HB 1745;
- HB 1840;
- HB 2211;
- HB 2488;
- HB 2489;
- SB 431;
- SB 564;
- SB 1002;
- SB 1056;
- SB 1091; and
- SB 1101.

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 1684 be removed from the tabled calendar and placed on the active calendar.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1684 be removed from the active calendar and placed on the tabled calendar.

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1642, PN 3357**, entitled:

An Act providing for an inventory of State-owned assets for the development of mobile broadband services in unserved areas and underserved areas of this Commonwealth.

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 1642 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 1642 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.

RESOLUTION

Mr. REED called up **HR 83, PN 433**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to study vote-recording systems for the House of Representatives.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 83 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 83 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. As I said, Representative Gary Day moves that the House be adjourned until Friday, June 22, 2018, at 10 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 6:32 p.m., e.d.t., the House adjourned.