

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, FEBRUARY 20, 2019

SESSION OF 2019

203D OF THE GENERAL ASSEMBLY

No. 11

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

HON. JOSEPH C. HOHENSTEIN, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Today I am going to invite you to join me in praying in the manner of friends. I am a Quaker, a member of the Religious Society of Friends, which is frankly the religion that founded Pennsylvania. And we worship in silence every Sunday. We call it First Day. And we sit for about an hour. I am not going to make you guys sit for an hour in silence. But what we will do is what we normally do in what we call meetings for business, we sit in prayerful silence.

And one of the tricks that we have – and Quakers do have tricks – is, for me, I recognize that there is that of God in everyone. Everyone has the truth or the light of God in them. And so one of the tricks that I do when I am sitting in my worship before a business meeting is to think of the voice of each of the people that I am in the meeting with and think of them and hold them, what we call, in the light.

So right now what I am going to do I will sit down, I will invite all of you to sit down. We will do this for about a minute. It will get a little awkward and uncomfortable but not too much. And at the close, I will come up and shake the Speaker's hand and that is the signal for everyone to close prayer, and then we will move forward from there. So thank you.

PLEDGE OF ALLEGIANCE

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

The SPEAKER. Representative Hohenstein, thank you so much.

COMMUNICATION FROM INDEPENDENT FISCAL OFFICE

The SPEAKER. The Speaker acknowledges receipt of a letter from the Independent Fiscal Office regarding amendments 64, 67, 69, 75, 82, and 83 to HB 60, PN 64.

(Copy of communication is on file with the Journal clerk.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, February 19, 2019, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 425 By Representatives MACKENZIE, BERNSTINE, FEE, FREEMAN, KAUFER, KAUFFMAN, KEEFER, LONGIETTI, McNEILL, MENTZER, MILLARD, OWLETT, ROTHMAN, RYAN, SCHLOSSBERG, SOLOMON, STAATS, ZIMMERMAN, GOODMAN, ECKER and HEFFLEY

An Act providing for school-to-work programs; establishing the CareerBound program; and imposing powers and duties on the Department of Labor and Industry.

Referred to Committee on LABOR AND INDUSTRY, February 20, 2019.

No. 549 By Representatives DIAMOND, JAMES, CALTAGIRONE, DeLUCA, GOODMAN, KORTZ, MULLERY, MURT, ORTITAY and ROTHMAN

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for prohibition on Sunday hunting and providing for regulation of Sunday hunting by the Pennsylvania Game Commission.

Referred to Committee on GAME AND FISHERIES, February 20, 2019.

No. 550 By Representatives ZIMMERMAN, BARRAR, GROVE, IRVIN, DEASY, OWLETT, KEEFER, HERSHEY, PICKETT, FEE, FRITZ, MOUL, BERNSTINE and GILLEN

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

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 20, 2019.

No. 552 By Representatives DOWLING, RYAN, DUNBAR, SAYLOR, GROVE, COX, STRUZZI, BARRAR, WARNER, BURNS, WALSH and PUSKARIC

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for work requirements.

Referred to Committee on HEALTH, February 20, 2019.

No. 553 By Representatives KAUFFMAN and GABLER

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in nomination of candidates, further providing for casting of lots for position of names upon the primary ballots or ballot labels and notice to candidates.

Referred to Committee on STATE GOVERNMENT, February 20, 2019.

No. 554 By Representatives KAUFFMAN, METCALFE, BARRAR, RYAN, PICKETT, MILLARD, DUNBAR, ZIMMERMAN, BERNSTINE, MENTZER, MASSER, JAMES, KEEFER, SAYLOR, SCHWEYER and SIMMONS

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for Assistance Recipient Identification Program and for administration of assistance and related functions.

Referred to Committee on HEALTH, February 20, 2019.

No. 555 By Representatives KAUFFMAN, LEWIS, METCALFE, BARRAR, RYAN, ZIMMERMAN, B. MILLER, BERNSTINE, READSHAW, STAATS, SAYLOR, COX, HERSHEY and JONES

An Act providing for voluntary student expression of religious viewpoints in public schools; requiring public school districts to allow religious expression in class assignments, to provide students with the freedom to organize religious groups and activities and to provide a limited public forum for student speakers at nongraduation and graduation events; and providing for a model policy for voluntary religious expression in public schools.

Referred to Committee on JUDICIARY, February 20, 2019.

No. 556 By Representatives KAUFFMAN, RYAN, MARSHALL, FEE, GREINER, MURT, MACKENZIE, MILLARD, STRUZZI, ZIMMERMAN, B. MILLER, BERNSTINE, MENTZER, FREEMAN, NEILSON, SAYLOR, PASHINSKI, ECKER, HERSHEY and MATZIE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for special farmland preservation registration plate and for the use of a portion of the fee for the plate.

Referred to Committee on TRANSPORTATION, February 20, 2019.

No. 557 By Representatives KAUFFMAN, RYAN, READSHAW, COX, PICKETT, BOBACK, MILLARD, LONGIETTI, BROWN, B. MILLER, NEILSON, MURT, MENTZER and SAYLOR

An Act amending the act of July 7, 2006 (P.L.608, No.93), known as American, Commonwealth and Military Flag Act, further providing for definitions; and providing for the Honor and Remember Flag.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, February 20, 2019.

No. 558 By Representatives KAUFFMAN, RYAN, MILLARD, B. MILLER, MASSER, ZIMMERMAN and IRVIN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, providing for a statute of repose.

Referred to Committee on JUDICIARY, February 20, 2019.

No. 559 By Representatives GLEIM, ROTHMAN, GREINER, OWLETT, ZIMMERMAN, GROVE, STRUZZI, JAMES, HICKERNELL, METCALFE, KEEFER, DELOZIER, B. MILLER, KLUNK, F. KELLER, M. K. KELLER, MENTZER, FEE, DeLUCA, COOK, IRVIN, BERNSTINE and RAPP

An Act amending the act of July 14, 1961 (P.L.604, No.304), known as The Apprenticeship and Training Act, further providing for powers and duties; providing for supervision; and abrogating a regulation.

Referred to Committee on LABOR AND INDUSTRY, February 20, 2019.

No. 560 By Representatives GLEIM, ROTHMAN, KAUFFMAN, RYAN, MILLARD, MACKENZIE, KEEFER, SAYLOR, PYLE, ZIMMERMAN, DELOZIER, B. MILLER, MENTZER, WHEELAND, HERSHEY, STRUZZI, COX and JONES

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

Referred to Committee on LABOR AND INDUSTRY, February 20, 2019.

No. 561 By Representatives DELOZIER, PYLE, M. K. KELLER, KINSEY, JAMES, LONGIETTI and MILLARD

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

Referred to Committee on LIQUOR CONTROL, February 20, 2019.

No. 562 By Representatives BULLOCK, MURT, GALLOWAY, SCHLOSSBERG, ULLMAN, FREEMAN, KINSEY, HILL-EVANS, T. DAVIS, DAWKINS, BURGOS, HARRIS, SCHWEYER, FRANKEL, SOLOMON, WARREN, DALEY and KENYATTA

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for payment of court costs, restitution and fines, for fine and for failure to pay fine; in licensing of drivers, further providing for suspension of operating privilege for failure to respond to citation; and, in penalties and disposition of fines, further providing for inability to pay fine and costs.

Referred to Committee on JUDICIARY, February 20, 2019.

No. 563 By Representatives BULLOCK, INNAMORATO, FIEDLER, DONATUCCI, SIMS, SCHLOSSBERG, RABB, KIRKLAND, MILLARD, KENYATTA, HILL-EVANS, CALTAGIRONE, A. DAVIS, BERNSTINE, FREEMAN, NEILSON, KINSEY, DALEY, CIRESI, OTTEN, WARREN, DAWKINS and DeLUCA

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

Referred to Committee on LABOR AND INDUSTRY, February 20, 2019.

LEAVES OF ABSENCE

The SPEAKER. The majority whip, Representative Kerry Benninghoff, requests leaves of absence for the following members: Representative Kate KLUNK of York County for the day, Representative David HICKERNELL of Lancaster County for the day, Representative Jeff WHEELAND of Lycoming County for the day, Representative Mindy FEE of Lancaster County for the day, Representative Jim COX of Berks County for the day, and Representative Tedd NESBIT of Mercer County for the remainder of the week.

The minority whip, Representative Jordan Harris, requests leaves of absence for the following members: Representative Angel CRUZ of Philadelphia County for the day, Representative Tina DAVIS of Bucks County for the day, Representative Mike SCHLOSSBERG of Lehigh County for the day, Representative Maureen MADDEN of Monroe County for the day, Representative Carolyn COMITTA of Chester County for the day, Representative Isabella FITZGERALD of Philadelphia County for the day, Representative Danielle FRIEL OTTEN of Chester County for the day, Representative Mike STURLA of Lancaster County for the day, and Representative Malcolm KENYATTA of Philadelphia County for the day. Without objection, those will be granted. And Representative Carol HILL-EVANS has requested to be placed on leave for the day. Without objection, that will be granted.

MASTER ROLL CALL

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

MASTER ROLL CALL CONTINUED

The following roll call was recorded:

PRESENT—179

| | | | |
|-------------|--------------|------------|------------|
| Barrar | Freeman | Mackenzie | Reese |
| Benninghoff | Fritz | Mako | Rigby |
| Bernstine | Gabler | Malagari | Roae |
| Bizzarro | Galloway | Maloney | Roebuck |
| Boback | Gaydos | Markosek | Rothman |
| Borowicz | Gillen | Marshall | Ryan |
| Boyle | Gillespie | Masser | Sainato |
| Bradford | Gleim | Matzie | Samuelson |
| Briggs | Goodman | McCarter | Sanchez |
| Brooks | Gregory | McClinton | Sankey |
| Brown | Greiner | McNeill | Sappay |
| Bullock | Grove | Mehaffie | Saylor |
| Burgos | Hahn | Mentzer | Schemel |
| Caltagirone | Hanbidge | Merski | Schmitt |
| Carroll | Harkins | Metcalfe | Schroeder |
| Causar | Harris | Metzgar | Schweyer |
| Cephas | Heffley | Mihalek | Shusterman |
| Ciresi | Helm | Millard | Simmons |
| Conklin | Hennessey | Miller, B. | Sims |
| Cook | Hershey | Miller, D. | Snyder |
| Culver | Hohenstein | Mizgorski | Solomon |
| Cutler | Howard | Moul | Sonney |
| Daley | Innamorato | Mullery | Staats |
| Davidson | Irvin | Mullins | Stephens |
| Davis, A. | Isaacson | Murt | Struzzi |
| Dawkins | James | Neilson | Thomas |
| Day | Jones | Nelson | Tobash |
| Deasy | Jozwiak | O'Mara | Toepel |
| DeLissio | Kail | O'Neal | Toohil |
| Delloso | Kaufner | Oberlander | Topper |
| Delozier | Kauffman | Ortitay | Ullman |
| Dermody | Keefer | Owlett | Vitali |
| Diamond | Keller, F. | Pashinski | Walsh |
| DiGirolamo | Keller, M.K. | Peifer | Warner |
| Donatucci | Kim | Petrarca | Warren |
| Dowling | Kinsey | Pickett | Webster |
| Driscoll | Kirkland | Polinchock | Wentling |
| Dunbar | Knowles | Puskaric | Wheatley |
| Dush | Kortz | Pyle | White |
| Ecker | Krueger | Quinn | Williams |
| Emrick | Kulik | Rabb | Zabel |
| Everett | Lawrence | Rader | Zimmerman |
| Farry | Lee | Rapp | |
| Fiedler | Lewis | Ravenstahl | Turzai, |
| Flynn | Longietti | Readshaw | Speaker |
| Frankel | | | |

ADDITIONS—0

NOT VOTING—0

EXCUSED—22

| | | | |
|-----------|------------|----------|-------------|
| Burns | Ellis | Kenyatta | Rozzi |
| Comitta | Evans | Klunk | Schlossberg |
| Cox | Fee | Madden | Sturla |
| Cruz | Fitzgerald | Nesbit | Wheeland |
| Davis, T. | Gainey | Otten | Youngblood |
| DeLuca | Hickernell | | |

LEAVES ADDED—5

| | | | |
|--------|----------|----------|---------|
| Boback | Galloway | Kauffman | Metzgar |
| Daley | | | |

The SPEAKER. We have 179 members here. We have a quorum.

LEAVE OF ABSENCE

The SPEAKER. Representative Carl METZGAR has requested to be placed on leave for the remainder of the day. Without objection, that will be granted.

UNCONTESTED CALENDAR**RESOLUTIONS PURSUANT TO RULE 35**

Mr. STEPHENS called up **HR 56, PN 221**, entitled:

A Resolution designating February 22, 2019, as "Keith Valley Challenge Day" in Pennsylvania.

* * *

Mr. CAUSER called up **HR 84, PN 402**, entitled:

A Resolution designating the week of March 11 through 17, 2019, as "Maple Producers Week" in Pennsylvania.

* * *

Ms. McCLINTON called up **HR 85, PN 459**, entitled:

A Resolution designating the month of February 2019 as "Teen Dating Violence Awareness and Prevention Month" in Pennsylvania.

* * *

Mr. ROTHMAN called up **HR 86, PN 499**, entitled:

A Resolution recognizing the immense value of robotics and STEM education; and applauding the efforts of Cumberland County's FIRST Tech Challenge team, The Javengers, for their outreach to the underserved community to advance interest in robotics and STEM education.

* * *

Mr. SONNEY called up **HR 88, PN 501**, entitled:

A Resolution designating the month of February 2019 as "Career and Technical Education Month" in Pennsylvania.

* * *

Mr. MATZIE called up **HR 92, PN 505**, entitled:

A Resolution recognizing the week of March 10 through 16, 2019, as "Multiple Sclerosis Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

LEAVE OF ABSENCE

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

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

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. Representative BOBACK is on medical leave and should be taken off 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—176

| | | | |
|-------------|--------------|------------|------------|
| Barrar | Fritz | Mako | Rigby |
| Benninghoff | Gabler | Malagari | Roae |
| Bernstine | Galloway | Maloney | Roebuck |
| Bizzarro | Gaydos | Markosek | Rothman |
| Borowicz | Gillen | Marshall | Ryan |
| Boyle | Gillespie | Masser | Sainato |
| Bradford | Gleim | Matzie | Samuelson |
| Briggs | Goodman | McCarter | Sanchez |
| Brooks | Gregory | McClinton | Sankey |
| Brown | Greiner | McNeill | Sappey |
| Bullock | Grove | Mehaffie | Saylor |
| Burgos | Hahn | Mentzer | Schemel |
| Caltagirone | Hanbidge | Merski | Schmitt |
| Carroll | Harkins | Metcalfe | Schroeder |
| Causer | Harris | Mihalek | Schweyer |
| Cephas | Heffley | Millard | Shusterman |
| Ciresi | Helm | Miller, B. | Simmons |
| Conklin | Hennessey | Miller, D. | Sims |
| Cook | Hershey | Mizgorski | Snyder |
| Culver | Hohenstein | Moul | Solomon |
| Cutler | Howard | Mullery | Sonney |
| Davidson | Innamorato | Mullins | Staats |
| Davis, A. | Irvin | Murt | Stephens |
| Dawkins | Isaacson | Neilson | Struzzi |
| Day | James | Nelson | Thomas |
| Deasy | Jones | O'Mara | Tobash |
| DeLissio | Jozwiak | O'Neal | Toepel |
| Delloso | Kail | Oberlander | Toohil |
| Delozier | Kaufer | Ortitay | Topper |
| Dermody | Kauffman | Owlett | Ullman |
| Diamond | Keefer | Pashinski | Vitali |
| DiGirolamo | Keller, F. | Peifer | Walsh |
| Donatucci | Keller, M.K. | Petrarca | Warner |
| Dowling | Kim | Pickett | Warren |
| Driscoll | Kinsey | Polinchock | Webster |
| Dunbar | Kirkland | Puskaric | Wentling |
| Dush | Knowles | Pyle | Wheatley |
| Ecker | Kortz | Quinn | White |
| Emrick | Krueger | Rabb | Williams |
| Everett | Kulik | Rader | Zabel |
| Farry | Lawrence | Rapp | Zimmerman |
| Fiedler | Lee | Ravenstahl | |
| Flynn | Lewis | Readshaw | Turzai, |
| Frankel | Longietti | Reese | Speaker |
| Freeman | Mackenzie | | |

NAYS—0

NOT VOTING—0

EXCUSED—25

| | | | |
|-----------|------------|------------|-------------|
| Boback | DeLuca | Hickernell | Otten |
| Burns | Ellis | Kenyatta | Rozzi |
| Comitta | Evans | Klunk | Schlossberg |
| Cox | Fee | Madden | Sturla |
| Cruz | Fitzgerald | Metzgar | Wheeland |
| Daley | Gainey | Nesbit | Youngblood |
| Davis, T. | | | |

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The chair of the Appropriations Committee, I believe, has an Appropriations Committee announcement.

Mr. SAYLOR. Mr. Speaker, the Appropriations Committee will meet immediately in the majority Appropriations conference room. Again, the Appropriations Committee will meet in the majority Appropriations conference room immediately.

The SPEAKER. Thank you, Mr. Chair.

The Appropriations Committee will meet immediately in the majority Appropriations conference room.

AGRICULTURE AND RURAL AFFAIRS COMMITTEE MEETING

The SPEAKER. Representative Marty Causer, the chair of the Agriculture Committee. And, Mr. Chair, for a committee announcement.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, the House Agriculture and Rural Affairs Committee will have a voting meeting immediately at the break in room 60, East Wing; voting meeting, Agriculture and Rural Affairs Committee.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Mr. Chair.

The Agriculture and Rural Affairs Committee will meet immediately in room 60, East Wing.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes Representative Garth Everett, the majority chair of the State Government Committee, for an announcement.

Mr. EVERETT. Thank you, Mr. Speaker.

The meeting of the State Government Committee will be at the end of session today, not at the break, at the end of session, in room in 205. Thank you.

The SPEAKER. Thank you. State Government will be meeting at the end of session in room 205.

REPUBLICAN CAUCUS

The SPEAKER. The Chair is going to recognize the caucus chairs.

And, Representative Marcy Toepel, the majority caucus chair, for an announcement.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus at 11:35. Republicans will caucus at 11:35. We would be prepared to return to the floor at 12:35. Thank you.

The SPEAKER. Thank you, Madam Chair.

DEMOCRATIC CAUCUS

The SPEAKER. The Democratic chair, Representative McClinton, for a caucus announcement.

Ms. McCLINTON. Thanks, Mr. Speaker.

The Democrats will caucus at 11:45. We will be prepared to return to the House floor at 12:30.

The SPEAKER. Thank you.

RECESS

The SPEAKER. The House will be back in session at 12:30.

RECESS EXTENDED

The time of recess was extended until 12:45 p.m.; further extended until 1 p.m.

AFTER RECESS

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

LEAVE OF ABSENCE

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

BILLS REREPORTED FROM COMMITTEE**HB 26, PN 41**

By Rep. SAYLOR

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for definitions, for manufacturer's duty for refund or replacement and for presumption of a reasonable number of attempts.

APPROPRIATIONS.**HB 318, PN 544**

By Rep. SAYLOR

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, further providing for definitions, for unlawful acts and penalties, for blocking of caller identification and other telemarketing screening products or services prohibited and for unwanted telephone solicitation calls prohibited.

APPROPRIATIONS.

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

HB 370, PN 360 By Rep. CAUSER

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

AGRICULTURE AND RURAL AFFAIRS.

HB 404, PN 380 By Rep. CAUSER

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in controlled plants and noxious weeds, further providing for noxious weed list.

AGRICULTURE AND RURAL AFFAIRS.

HB 441, PN 427 By Rep. CAUSER

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

AGRICULTURE AND RURAL AFFAIRS.

LEAVE OF ABSENCE

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

All members, please report to the House floor. All members, please report to the House floor. All members, please take your seats. We are going to turn to third consideration bills on supplemental A House calendar.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 26, PN 41**, entitled:

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for definitions, for manufacturer's duty for refund or replacement and for presumption of a reasonable number of attempts.

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?

Does anybody wish to be recognized on HB 26?

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—168

| | | | |
|-------------|--------------|------------|------------|
| Barrar | Gabler | Markosek | Roae |
| Benninghoff | Gillen | Marshall | Roebuck |
| Bernstine | Gillespie | Masser | Rothman |
| Bizzarro | Gleim | Matzie | Ryan |
| Borowicz | Goodman | McCarter | Sainato |
| Boyle | Gregory | McClinton | Samuelson |
| Bradford | Greiner | McNeill | Sanchez |
| Briggs | Grove | Mehaffie | Sankey |
| Brown | Hahn | Mentzer | Sappay |
| Bullock | Hanbidge | Merski | Saylor |
| Burgos | Harkins | Metcalfe | Schemel |
| Caltagirone | Harris | Mihalek | Schmitt |
| Carroll | Heffley | Millard | Schroeder |
| Causer | Helm | Miller, B. | Schweyer |
| Cephas | Hennessey | Miller, D. | Shusterman |
| Ciresi | Hershey | Mizgorski | Simmons |
| Conklin | Hohenstein | Moul | Sims |
| Cook | Howard | Mullery | Snyder |
| Culver | Innamorato | Mullins | Solomon |
| Cutler | Irvin | Murt | Sonney |
| Davidson | Isaacson | Neilson | Staats |
| Davis, A. | James | Nelson | Stephens |
| Dawkins | Jones | O'Mara | Struzzi |
| Day | Kail | O'Neal | Thomas |
| Deasy | Kaufer | Oberlander | Toepel |
| DeLissio | Keefer | Ortitay | Toohil |
| Delloso | Keller, F. | Owlett | Topper |
| Delozier | Keller, M.K. | Pashinski | Ullman |
| Dermody | Kim | Peifer | Vitali |
| DiGirolamo | Kinsey | Petrarca | Walsh |
| Donatucci | Kirkland | Pickett | Warner |
| Dowling | Knowles | Polinchock | Warren |
| Driscoll | Kortz | Puskaric | Webster |
| Dunbar | Krueger | Pyle | Wentling |
| Dush | Kulik | Quinn | Wheatley |
| Ecker | Lawrence | Rabb | White |
| Emrick | Lee | Rader | Williams |
| Everett | Lewis | Rapp | Zabel |
| Fiedler | Longietti | Ravenstahl | Zimmerman |
| Flynn | Mackenzie | Readshaw | |
| Frankel | Mako | Reese | Turzai, |
| Freeman | Malagari | Rigby | Speaker |
| Fritz | Maloney | | |

NAYS—6

| | | | |
|---------|--------|---------|--------|
| Brooks | Farry | Jozwiak | Tobash |
| Diamond | Gaydos | | |

NOT VOTING—0

EXCUSED—27

| | | | |
|-----------|------------|------------|-------------|
| Boback | DeLuca | Hickernell | Otten |
| Burns | Ellis | Kauffman | Rozzi |
| Comitta | Evans | Kenyatta | Schlossberg |
| Cox | Fee | Klunk | Sturla |
| Cruz | Fitzgerald | Madden | Wheeland |
| Daley | Gainey | Metzgar | Youngblood |
| Davis, T. | Galloway | Nesbit | |

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

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

* * *

The House proceeded to third consideration of **HB 318, PN 544**, entitled:

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, further providing for definitions, for unlawful acts and penalties, for blocking of caller identification and other telemarketing screening products or services prohibited and for unwanted telephone solicitation calls prohibited.

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?

Does anybody wish to be recognized at this time on HB 318?

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—174

| | | | |
|-------------|--------------|------------|------------|
| Barrar | Freeman | Mako | Rigby |
| Benninghoff | Fritz | Malagari | Roae |
| Bernstine | Gabler | Maloney | Roebuck |
| Bizzarro | Gaydos | Markosek | Rothman |
| Borowicz | Gillen | Marshall | Ryan |
| Boyle | Gillespie | Masser | Sainato |
| Bradford | Gleim | Matzie | Samuelson |
| Briggs | Goodman | McCarter | Sanchez |
| Brooks | Gregory | McClinton | Sankey |
| Brown | Greiner | McNeill | Sappey |
| Bullock | Grove | Mehaffie | Saylor |
| Burgos | Hahn | Mentzer | Schemel |
| Caltagirone | Hanbidge | Merski | Schmitt |
| Carroll | Harkins | Metcalfe | Schroeder |
| Causar | Harris | Mihalek | Schweyer |
| Cephas | Heffley | Millard | Shusterman |
| Ciresi | Helm | Miller, B. | Simmons |
| Conklin | Hennessey | Miller, D. | Sims |
| Cook | Hershey | Mizgorski | Snyder |
| Culver | Hohenstein | Moul | Solomon |
| Cutler | Howard | Mullery | Sonney |
| Davidson | Innamorato | Mullins | Staats |
| Davis, A. | Irvin | Murt | Stephens |
| Dawkins | Isaacson | Neilson | Struzzi |
| Day | James | Nelson | Thomas |
| Deasy | Jones | O'Mara | Tobash |
| DeLissio | Jozwiak | O'Neal | Toepel |
| Delloso | Kail | Oberlander | Toohil |
| Delozier | Kaufner | Ortitay | Topper |
| Dermody | Keefer | Owlett | Ullman |
| Diamond | Keller, F. | Pashinski | Vitali |
| DiGirolamo | Keller, M.K. | Peifer | Walsh |
| Donatucci | Kim | Petrarca | Warner |
| Dowling | Kinsey | Pickett | Warren |
| Driscoll | Kirkland | Polinchock | Webster |
| Dunbar | Knowles | Puskaric | Wentling |
| Dush | Kortz | Pyle | Wheatley |

| | | | |
|---------|-----------|------------|-----------|
| Ecker | Krueger | Quinn | White |
| Emrick | Kulik | Rabb | Williams |
| Everett | Lawrence | Rader | Zabel |
| Farry | Lee | Rapp | Zimmerman |
| Fiedler | Lewis | Ravenstahl | |
| Flynn | Longietti | Readshaw | Turzai, |
| Frankel | Mackenzie | Reese | Speaker |

NAYS—0

NOT VOTING—0

EXCUSED—27

| | | | |
|-----------|------------|------------|-------------|
| Boback | DeLuca | Hickernell | Otten |
| Burns | Ellis | Kauffman | Rozzi |
| Comitta | Evans | Kenyatta | Schlossberg |
| Cox | Fee | Klunk | Sturla |
| Cruz | Fitzgerald | Madden | Wheeland |
| Daley | Gainey | Metzgar | Youngblood |
| Davis, T. | Galloway | Nesbit | |

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

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

STATEMENT BY MRS. MIZGORSKI

The SPEAKER. Representative Lori Mizgorski is recognized on unanimous consent.

Mrs. MIZGORSKI. Good afternoon. Thank you, Mr. Speaker. The SPEAKER. And please just suspend for a moment.

Would all the members please be seated. Members, please be seated; take your seats. Thank you. If you could just take a seat. All members, if you could please be seated. If members could please take their seats.

You may proceed. Thank you, Representative Mizgorski.

Mrs. MIZGORSKI. Thank you, Mr. Speaker.

HB 318 is based on HB 105 of last session and its three predecessors, all of which passed unanimously in this House. My bill amends the Telemarketer Registration Act by adding two provisions that currently exist in Federal law to our do-not-call list by requiring the numbers registered on the list to be maintained permanently, rather than requiring customers and consumers to reregister every 5 years, and by requiring telemarketing by robocalls provide consumers a method of opting out of future calls.

Additionally, this bill prohibits telemarketing on legal holidays and extends the ability to register on the do-not-call list to businesses. This bill does not affect existing exemptions for telemarketers or those who have existing business relationships with consumers. It also does not affect political calls or nonprofit organizations.

It was supported by the Office of Attorney General, and with the addition of Representative Farry's amendment, it is supported by the business community, including the National Federation of Independent Business.

I thank all of my colleagues for their support of HB 318, and thank you for your attention for my first time up here. Thank you.

CALENDAR

BILLS ON SECOND CONSIDERATION

BILL PASSED OVER

The SPEAKER. Representative Jim Rigby calls up HB 350, PN 276. That is on page 1 of today's— I am sorry; that bill is over. My apologies. That will be run tomorrow.

* * *

The House proceeded to second consideration of **HB 51, PN 357**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for medical assistance deemed eligibility program for home care, home health and older adult daily living services.

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

Mr. **FRANKEL** offered the following amendment No. **A00094**:

Amend Bill, page 1, line 14, by striking out "The" and inserting Subject to Federal approval, the

Amend Bill, page 3, lines 7 and 8, by striking out "If the individual provided fraudulent information under this section, the" and inserting

The
Amend Bill, page 3, line 8, by inserting after "may"

not
Amend Bill, page 5, line 7, by striking out "October 31, 2025." and inserting

upon Statewide implementation of the department's mandatory managed care program for Medical Assistance long-term services and supports.

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

The SPEAKER. The Chair recognizes Representative Dan Frankel on amendment 94.

Mr. FRANKEL. Thank you, Mr. Speaker.

Everyone I have spoken to supports the concept behind this bill, and I want to thank my colleague from western Pennsylvania for introducing it and for all the work that has been put in to ensure that older adults in need of home-care services can get them just as quickly as if they were entering a nursing home. Unfortunately, at this point the bill language does not do justice to the concept. We know that because the stakeholders who speak on behalf of our most vulnerable residents, organizations that speak on behalf of the very consumers we are hoping to help are asking us to show and slow down and fix serious problems with the bill. This amendment is one attempt to address those concerns. It tackles three main issues: protecting consumers from balance billing, protecting the Commonwealth from massive expenditures if the Federal government refuses to pay its part, and ensuring that we do not introduce a competing system to one that we have already set in place that is designed to provide just these services.

First, and perhaps most importantly, this amendment makes sure that consumers do not get balance-billed by agencies that provide home care if it turns out they are not eligible for Medicaid. The bill as is does not provide sufficient protection for consumers because it does not explicitly prevent agencies from balance billing. Instead, it explicitly permits agencies to balance-bill in cases of fraud without ever saying what they can or cannot do where fraud does not exist. Our legal system is already set up to deal with cases of fraud, and we should focus on protecting consumers. Almost 60 percent of people who currently apply for Medicaid long-term services and supports do not ultimately end up qualifying. Those are all our constituents who could suddenly end up being charged for services they were told they were not required to pay for.

Second, this amendment protects the Commonwealth from a potential fiscal crisis. The bill as written asks the administration to apply for a waiver for this program but does not say anything about what happens if that waiver is not approved. If the Federal government decides not to approve this waiver, it doubles the cost to the Commonwealth because we will bear the entire burden ourselves. At this point the cost is estimated to be up to \$88 million. This amendment makes the program contingent on Federal approval of the waiver.

And finally, the amendment sunsets this bill as soon as we have our Medicaid program set up across the State to provide the kind of hands-on consumer-directed care coordination that is the essence of this bill. Everyone agrees that we want consumers to be able to control their lives and decisionmaking as much as possible. The consumer HealthChoices program, which requires all patients who are eligible for both Medicaid and Medicare, the entirety of the population within this program, to be covered by a managed-care company providing care coordination, that program is designed to accomplish the same goal but more efficiently and with much less financial risk to the Commonwealth. It makes no sense to create a separate program with different entities accomplishing the same goal.

I ask my colleagues to consider supporting this amendment. I think it improves this bill moving forward to enhance the lives of all of our citizens who require these services, particularly our older Pennsylvanians.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Frankel.

My understanding is both the leader and Representative Bernstine wish to speak on the amendment. Representative Bernstine, do you want to go first?

Mr. BERNSTINE. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would basically gut the intent of this legislation. The sunset provision for January 1, 2020, is problematic. This legislation is there to help people. It is to help people stay in their homes. It is to help those that are most vulnerable among us. So I would encourage a "no" vote on this.

The SPEAKER. The majority leader, on the amendment.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, in addition to the gentleman's comments, I think it is worth noting that the sunset provision actually would work in such a manner as to make the bill ineffective, and if we all agree that this is a good idea and we should work toward it, I would urge a "no" vote on this amendment. Thank you.

The SPEAKER. Representative Frankel, do you wish to go again? Okay.

Anybody else wish to speak on the amendment?

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

The following roll call was recorded:

YEAS—76

| | | | |
|-------------|------------|------------|------------|
| Bizzarro | Donatucci | Kulik | Ravenstahl |
| Boyle | Driscoll | Lee | Readshaw |
| Bradford | Fiedler | Longiatti | Roebuck |
| Briggs | Flynn | Malagari | Sainato |
| Bullock | Frankel | Markosek | Samuelson |
| Burgos | Freeman | Matzie | Sanchez |
| Caltagirone | Goodman | McCarter | Sappery |
| Carroll | Hanbidge | McClinton | Schweyer |
| Cephas | Harkins | McNeill | Shusterman |
| Ciresi | Harris | Merski | Sims |
| Conklin | Hohenstein | Miller, D. | Snyder |
| Davidson | Howard | Mullery | Solomon |
| Davis, A. | Innamorato | Mullins | Ullman |
| Dawkins | Isaacson | Murt | Vitali |
| Deasy | Kim | Neilson | Warren |
| DeLissio | Kinsey | O'Mara | Webster |
| Delloso | Kirkland | Pashinski | Wheatley |
| Dermody | Kortz | Petrarca | Williams |
| DiGirolamo | Krueger | Rabb | Zabel |

NAYS—98

| | | | |
|-------------|--------------|------------|-----------|
| Barrar | Gleim | Masser | Rothman |
| Benninghoff | Gregory | Mehaffie | Ryan |
| Bernstine | Greiner | Mentzer | Sankey |
| Borowicz | Grove | Metcalfe | Saylor |
| Brooks | Hahn | Mihalek | Schemel |
| Brown | Heffley | Millard | Schmitt |
| Causar | Helm | Miller, B. | Schroeder |
| Cook | Hennessey | Mizgorski | Simmons |
| Culver | Hershey | Moul | Sonney |
| Cutler | Irvin | Nelson | Staats |
| Day | James | O'Neal | Stephens |
| Delozier | Jones | Oberlander | Struzzi |
| Diamond | Jozwiak | Ortitay | Thomas |
| Dowling | Kail | Owlett | Tobash |
| Dunbar | Kaufer | Peifer | Toepel |
| Dush | Keefer | Pickett | Toohil |
| Ecker | Keller, F. | Polinchock | Topper |
| Emrick | Keller, M.K. | Puskaric | Walsh |
| Everett | Knowles | Pyle | Warner |
| Farry | Lawrence | Quinn | Wentling |
| Fritz | Lewis | Rader | White |
| Gabler | Mackenzie | Rapp | Zimmerman |
| Gaydos | Mako | Reese | |
| Gillen | Maloney | Rigby | Turzai, |
| Gillespie | Marshall | Roae | Speaker |

NOT VOTING—0

EXCUSED—27

| | | | |
|-----------|------------|------------|-------------|
| Boback | DeLuca | Hickernell | Otten |
| Burns | Ellis | Kauffman | Rozzi |
| Comitta | Evans | Kenyatta | Schlossberg |
| Cox | Fee | Klunk | Sturla |
| Cruz | Fitzgerald | Madden | Wheeland |
| Daley | Gainey | Metzgar | Youngblood |
| Davis, T. | Galloway | Nesbit | |

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?

Ms. **FIEDLER** offered the following amendment
No. **A00086**:

Amend Bill, page 5, by inserting between lines 7 and 8
(k) In order to participate in the program established by the department under subsection (a), a qualified entity must pay its direct care workers a minimum of \$15 per hour.

Amend Bill, page 5, line 8, by striking out "(k)" and inserting
(l)
Amend Bill, page 5, by inserting between lines 9 and 10
"Direct care worker." As defined in 4 Pa. Code § 7a.111 (relating to definitions).

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

AMENDMENT WITHDRAWN

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

Ms. FIEDLER. Thank you, Mr. Speaker.

My amendment would require a home-care agency that wishes to be a qualified entity under this bill to pay a minimum wage of at least \$15 to its direct-care workers. Pennsylvania's Medicare reimbursement rates for agency home-care services range from \$17.50 to \$19.50, yet typical direct-care workers are paid less than \$12 an hour. The remainder of the Medicaid dollars are taken off the top for agency overhead and profit. Pennsylvania taxpayers have a vested interest in making sure as many of our Medicaid dollars reach the workers who care for some of our State's most vulnerable residents as possible. I believe incentivizing home-care agencies to pay a responsible wage would improve our long-term-care system as well by supporting a stable and professional workforce.

I introduced this amendment because I believe Pennsylvania workers deserve to make a living wage. We need, with that said, I believe we also need a comprehensive plan to make sure all Pennsylvania workers make that living wage.

And with that, Mr. Speaker, I would like to withdraw my amendment. Thank you.

The SPEAKER. Thank you.

And the majority leader, Representative Bryan Cutler, on the amendment.

Oh, is it withdrawn? I apologize. The amendment is withdrawn at this time. Thank you, Representative Fiedler.

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

Ms. **INNAMORATO** offered the following amendment
No. **A00091**:

Amend Bill, page 5, by inserting between lines 9 and 10
"Direct care worker." An individual who provides participant-directed services in a participant's home under a home care service program.

Amend Bill, page 6, line 28, by inserting after "center"
, direct care worker

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

AMENDMENT WITHDRAWN

The SPEAKER. On the amendment, Representative Innamorato is recognized on amendment 91.

Ms. INNAMORATO. Thank you, Mr. Speaker.

I appreciate and agree with the intent of the bill introduced by my colleague, to strengthen our home-care system by allowing senior Pennsylvanians the ability to choose more cost-effective home-care services over institutional care. However, in its current iteration, HB 51 leaves out a valued and essential part of our home-care ecosystem, consumer-directed care. Roughly 20,000 Pennsylvanians, the majority of which are over 65, currently use our Medicaid consumer-directed home-care system. HB 51 in its current form does not provide equal access to this popular option of care for our seniors. It creates priority for agency institutions.

If we are going to look at this bill, we need to make sure that we protect the choice when it comes to seniors guiding their own care. We should work on creating a fair system for our consumers who seek the kind of care they want, whether that is agency care or consumer-directed care. Applying deemed eligibility to agency care and not consumer-directed care will erode our consumer-directed system by taking that option away from our constituents when they are the most vulnerable.

After speaking with stakeholders on this bill, liability of cost if someone does choose consumer-directed care would fall onto the worker, and because of that, I would like to withdraw my amendment.

The SPEAKER. Thank you. The amendment is withdrawn.

I do not see any other amendments. If I am mistaken, let me know. But I do not see any other amendments to HB 51 that a member still wishes to offer.

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

* * *

BILL PASSED OVER TEMPORARILY

The SPEAKER. Representative Rob Kauffman calls up HB 81, PN 358. That is on page 2 of today's House calendar.

We are going to go over that right now because right now it is not on the calendar and it needs to be on the calendar.

* * *

The House proceeded to second consideration of **HB 128, PN 359**, entitled:

An Act providing for the establishment of first-time home buyer savings accounts for first-time home buyers in this Commonwealth.

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

Mr. **B. MILLER** offered the following amendment
No. **A00084**:

Amend Bill, page 2, by inserting between lines 21 and 22 "Ineligible use." The sale or lease of a single-family residence within three years of the settlement date.

Amend Bill, page 2, by inserting between lines 24 and 25 "Settlement date." The date on which the seller in a real estate transaction executes a deed or signs a settlement statement, whichever occurs later, to convey title to the purchaser.

Amend Bill, page 3, line 3, by striking out the period after "community" and inserting

, and provided that the qualified beneficiary does not permit an ineligible use of the residence.

Amend Bill, page 7, lines 10 and 11, by striking out all of said lines and inserting

Section 7. Effect of improper withdrawals and ineligible uses.

(a) Purposes other than eligible costs.—Except as permitted under section 3(h), if an account holder

Amend Bill, page 7, by inserting between lines 27 and 28

(b) Ineligible uses.—If an account holder or beneficiary withdraws any amount from a first-time home buyer savings account and after the withdrawal an ineligible use occurs:

(1) The entire amount withdrawn shall be included in the account holder's taxable income as interest income under Article III of the Tax Reform Code of 1971 for the tax year the withdrawal was made.

(2) The account holder or beneficiary shall pay to the department a penalty equal to 10% of the amount withdrawn.

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

The SPEAKER. The Chair recognizes Representative Brett Miller of Lancaster County for amendment 84. Representative Miller.

Mr. B. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of amendment 84, which the overall goal of this bill is to strengthen home ownership in Pennsylvania and this amendment would simply make it such that the person who takes advantage of the home ownership tax credit would have to live in the house for at least 3 years and not be able to rent it out or sell it. So I would encourage a "yes" vote. This amendment was also drafted with the prime sponsor's help and input, so we appreciate an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. Does anybody else wish to be recognized? Yes, Representative Rosemary Brown, on amendment 84.

Mrs. BROWN. Thank you, Mr. Speaker.

Thank you. I just wanted to also reiterate that this is an agreed-to amendment. I think it does safeguard the intent of the legislation.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—172

| | | | |
|-------------|--------------|------------|------------|
| Barrar | Freeman | Malagari | Roae |
| Benninghoff | Fritz | Maloney | Roebuck |
| Bernstine | Gabler | Markosek | Rothman |
| Bizzarro | Gaydos | Marshall | Ryan |
| Borowicz | Gillen | Masser | Sainato |
| Boyle | Gillespie | Matzie | Samuelson |
| Bradford | Gleim | McCarter | Sanchez |
| Briggs | Goodman | McClinton | Sankey |
| Brooks | Gregory | McNeill | Sappey |
| Brown | Greiner | Mehaffie | Saylor |
| Bullock | Grove | Mentzer | Schemel |
| Burgos | Hahn | Merski | Schmitt |
| Caltagirone | Hanbidge | Metcalfe | Schroeder |
| Carroll | Harkins | Mihalek | Schweyer |
| Causar | Harris | Millard | Shusterman |
| Cephas | Heffley | Miller, B. | Simmons |
| Ciresi | Helm | Miller, D. | Sims |
| Conklin | Hennessey | Mizgorski | Snyder |
| Cook | Hershey | Moul | Solomon |
| Culver | Hohenstein | Mullery | Sonney |
| Cutler | Howard | Mullins | Staats |
| Davidson | Innamorato | Murt | Stephens |
| Davis, A. | Irvin | Neilson | Struzzi |
| Dawkins | Isaacson | Nelson | Thomas |
| Day | James | O'Mara | Tobash |
| Deasy | Jozwiak | O'Neal | Toepel |
| DeLissio | Kail | Oberlander | Toohil |
| Delloso | Kaufer | Owlett | Topper |
| Delozier | Keefer | Pashinski | Ullman |
| Dermody | Keller, F. | Peifer | Vitali |
| Diamond | Keller, M.K. | Petrarca | Walsh |
| DiGirolamo | Kim | Pickett | Warner |
| Donatucci | Kinsey | Polinchock | Warren |
| Dowling | Kirkland | Puskaric | Webster |
| Driscoll | Knowles | Pyle | Wentling |
| Dunbar | Kortz | Quinn | Wheatley |
| Dush | Krueger | Rabb | White |
| Ecker | Kulik | Rader | Williams |
| Emrick | Lawrence | Rapp | Zabel |
| Everett | Lee | Ravenstahl | Zimmerman |
| Farry | Lewis | Readshaw | |
| Fiedler | Longietti | Reese | Turzai, |
| Flynn | Mackenzie | Rigby | Speaker |
| Frankel | Mako | | |

NAYS—2

| | |
|-------|---------|
| Jones | Ortitay |
|-------|---------|

NOT VOTING—0

EXCUSED—27

| | | | |
|-----------|------------|------------|-------------|
| Boback | DeLuca | Hickernell | Otten |
| Burns | Ellis | Kauffman | Rozzi |
| Comitta | Evans | Kenyatta | Schlossberg |
| Cox | Fee | Klunk | Sturla |
| Cruz | Fitzgerald | Madden | Wheeland |
| Daley | Gainey | Metzgar | Youngblood |
| Davis, T. | Galloway | Nesbit | |

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 **HB 81, PN 358**, entitled:

An Act providing for certification of central service technicians; imposing continuing education requirements on central service technicians; providing for duties of hospitals and ambulatory surgical facilities and the Department of Health; and regulating the practice of surgical technology and surgical technologists.

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

Mr. **CUTLER** offered the following amendment
No. **A00093**:

Amend Bill, page 7, lines 21 through 27, by striking out all of said lines and inserting

(i) has successfully completed a program accredited by a nationally recognized accredited education program or the United States Department of Education for surgical technologists and holds and maintains credentials as a surgical technologist. The department may promulgate regulations which identify nationally recognized accredited programs which meet the standards necessary to promote the public good and protect the health and safety of individuals in a health care facility;

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

The SPEAKER. Representative Cutler is recognized.
Mr. CUTLER. Thank you, Mr. Speaker.

Very simply, in consultation with the prime sponsor of the bill, this amendment would add the national licensing board to the accrediting bodies. So I would urge a "yes" vote.

The SPEAKER. Members, just give us a moment. It should appear on your screen here shortly.

Representative Frankel, I will call you in just a second. I do not think it is posted yet, and I just have to get it posted. That is the only reason why we are waiting. I apologize.

And if you could please read us a summary of amendment 93 again.

The leader already spoke on amendment 93.
Representative Frankel is recognized on amendment 93.
Mr. FRANKEL. Thank you, Mr. Speaker.
This is an agreed-to amendment.

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

The following roll call was recorded:

YEAS—174

| | | | |
|-------------|--------------|------------|------------|
| Barrar | Freeman | Mako | Rigby |
| Benninghoff | Fritz | Malagari | Roae |
| Bernstine | Gabler | Maloney | Roebuck |
| Bizzarro | Gaydos | Markosek | Rothman |
| Borowicz | Gillen | Marshall | Ryan |
| Boyle | Gillespie | Masser | Sainato |
| Bradford | Gleim | Matzie | Samuelson |
| Briggs | Goodman | McCarter | Sanchez |
| Brooks | Gregory | McClinton | Sankey |
| Brown | Greiner | McNeill | Sappery |
| Bullock | Grove | Mehaffie | Saylor |
| Burgos | Hahn | Mentzer | Schemel |
| Caltagirone | Hanbidge | Merski | Schmitt |
| Carroll | Harkins | Metcalfe | Schroeder |
| Causar | Harris | Mihalek | Schweyer |
| Cephas | Heffley | Millard | Shusterman |
| Ciresi | Helm | Miller, B. | Simmons |
| Conklin | Hennessey | Miller, D. | Sims |
| Cook | Hershey | Mizgorski | Snyder |
| Culver | Hohenstein | Moul | Solomon |
| Cutler | Howard | Mullery | Sonney |
| Davidson | Innamorato | Mullins | Staats |
| Davis, A. | Irvin | Murt | Stephens |
| Dawkins | Isaacson | Neilson | Struzzi |
| Day | James | Nelson | Thomas |
| Deasy | Jones | O'Mara | Tobash |
| DeLissio | Jozwiak | O'Neal | Toepel |
| Delloso | Kail | Oberlander | Toohil |
| Delozier | Kaufer | Ortitay | Topper |
| Dermody | Keefer | Owlett | Ullman |
| Diamond | Keller, F. | Pashinski | Vitali |
| DiGirolamo | Keller, M.K. | Peifer | Walsh |
| Donatucci | Kim | Petrarca | Warner |
| Dowling | Kinsey | Pickett | Warren |
| Driscoll | Kirkland | Polinchock | Webster |
| Dunbar | Knowles | Puskaric | Wentling |
| Dush | Kortz | Pyle | Wheatley |
| Ecker | Krueger | Quinn | White |
| Emrick | Kulik | Rabb | Williams |
| Everett | Lawrence | Rader | Zabel |
| Farry | Lee | Rapp | Zimmerman |
| Fiedler | Lewis | Ravenstahl | |
| Flynn | Longjetti | Readshaw | Turzai, |
| Frankel | Mackenzie | Reese | Speaker |

NAYS—0

NOT VOTING—0

EXCUSED—27

| | | | |
|-----------|------------|------------|-------------|
| Boback | DeLuca | Hickernell | Otten |
| Burns | Ellis | Kauffman | Rozzi |
| Comitta | Evans | Kenyatta | Schlossberg |
| Cox | Fee | Klunk | Sturla |
| Cruz | Fitzgerald | Madden | Wheeland |
| Daley | Gainey | Metzgar | Youngblood |
| Davis, T. | Galloway | Nesbit | |

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

On the question,

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

Ms. RAPP offered the following amendment No. A00056:

Amend Bill, page 7, by inserting between lines 8 and 9
(4) A person who holds or maintains a registration, certification or license by a nationally accredited credentialing organization to perform health services.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair calls upon Representative Kathy Rapp on amendment 56.

Ms. RAPP. Thank you, Mr. Speaker.

I believe this is an agreed-to amendment, and I would ask the members to vote in favor. Thank you.

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

Mr. FRANKEL. Yes, Mr. Speaker, this is an agreed-to amendment. Thank you.

The SPEAKER. Thank you, sir.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—174

| | | | |
|-------------|--------------|------------|------------|
| Barrar | Freeman | Mako | Rigby |
| Benninghoff | Fritz | Malagari | Roae |
| Bernstine | Gabler | Maloney | Roebuck |
| Bizzarro | Gaydos | Markosek | Rothman |
| Borowicz | Gillen | Marshall | Ryan |
| Boyle | Gillespie | Masser | Sainato |
| Bradford | Gleim | Matzie | Samuelson |
| Briggs | Goodman | McCarter | Sanchez |
| Brooks | Gregory | McClinton | Sankey |
| Brown | Greiner | McNeill | Sappery |
| Bullock | Grove | Mehaffie | Saylor |
| Burgos | Hahn | Mentzer | Schemel |
| Caltagirone | Hanbidge | Merski | Schmitt |
| Carroll | Harkins | Metcalfe | Schroeder |
| Causar | Harris | Mihalek | Schweyer |
| Cephas | Heffley | Millard | Shusterman |
| Ciresi | Helm | Miller, B. | Simmons |
| Conklin | Hennessey | Miller, D. | Sims |
| Cook | Hershey | Mizgorski | Snyder |
| Culver | Hohenstein | Moul | Solomon |
| Cutler | Howard | Mullery | Sonney |
| Davidson | Innamorato | Mullins | Staats |
| Davis, A. | Irvin | Murt | Stephens |
| Dawkins | Isaacson | Neilson | Struzzi |
| Day | James | Nelson | Thomas |
| Deasy | Jones | O'Mara | Tobash |
| DeLissio | Jozwiak | O'Neal | Toepel |
| Delloso | Kail | Oberlander | Toohil |
| Delozier | Kaufer | Ortitay | Topper |
| Dermody | Keefer | Owlett | Ullman |
| Diamond | Keller, F. | Pashinski | Vitali |
| DiGirolamo | Keller, M.K. | Peifer | Walsh |
| Donatucci | Kim | Petrarca | Warner |
| Dowling | Kinsey | Pickett | Warren |
| Driscoll | Kirkland | Polinchock | Webster |
| Dunbar | Knowles | Puskaric | Wentling |
| Dush | Kortz | Pyle | Wheatley |
| Ecker | Krueger | Quinn | White |
| Emrick | Kulik | Rabb | Williams |

| | | | |
|---------|-----------|------------|-----------|
| Everett | Lawrence | Rader | Zabel |
| Farry | Lee | Rapp | Zimmerman |
| Fiedler | Lewis | Ravenstahl | |
| Flynn | Longietti | Readshaw | Turzai, |
| Frankel | Mackenzie | Reese | Speaker |

NAYS-0

NOT VOTING-0

EXCUSED-27

| | | | |
|-----------|------------|------------|-------------|
| Boback | DeLuca | Hickernell | Otten |
| Burns | Ellis | Kauffman | Rozzi |
| Comitta | Evans | Kenyatta | Schlossberg |
| Cox | Fee | Klunk | Sturla |
| Cruz | Fitzgerald | Madden | Wheeland |
| Daley | Gainey | Metzgar | Youngblood |
| Davis, T. | Galloway | Nesbit | |

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?
Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 60, PN 64**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in preliminary provisions relating to retirement for State employees and officers, further providing for definitions.

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

Mr. **CUTLER** offered the following amendment No. **A00064**:

Amend Bill, page 2, line 23, by inserting a bracket before the comma after "Authority"

Amend Bill, page 2, line 23, by inserting after "Authority,"] and

Amend Bill, page 2, line 24, by striking out "] and"

Amend Bill, page 2, line 25, by striking out the bracket before the comma after "Basin"

Amend Bill, page 3, line 2, by inserting a bracket before the comma after "purposes"

Amend Bill, page 3, line 6, by inserting a bracket after "1963"

Amend Bill, page 3, line 22, by inserting after "5102 "

to delete "and the Susquehanna River Basin Commission"

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

The SPEAKER. On the amendment, the leader is recognized. Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, this actually cleans up a section of the law because it removes the Interstate Commission, which has not

existed since 1963 – it was actually a precursor organization to the Delaware River Basin Commission – and makes this consistent with the authorities who currently oversee this.

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

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

The following roll call was recorded:

YEAS-173

| | | | |
|-------------|--------------|------------|------------|
| Barrar | Fritz | Malagari | Roae |
| Benninghoff | Gabler | Maloney | Roebuck |
| Bernstine | Gaydos | Markosek | Rothman |
| Bizzarro | Gillen | Marshall | Ryan |
| Borowicz | Gillespie | Masser | Sainato |
| Boyle | Gleim | Matzie | Samuelson |
| Bradford | Goodman | McCarter | Sanchez |
| Briggs | Gregory | McClinton | Sankey |
| Brooks | Greiner | McNeill | Sappay |
| Brown | Grove | Mehaffie | Saylor |
| Bullock | Hahn | Mentzer | Schemel |
| Burgos | Hanbidge | Merski | Schmitt |
| Caltagirone | Harkins | Metcalfe | Schroeder |
| Carroll | Harris | Mihalek | Schweyer |
| Causar | Heffley | Millard | Shusterman |
| Cephas | Helm | Miller, B. | Simmons |
| Ciresi | Hennessey | Miller, D. | Sims |
| Conklin | Hershey | Mizgorski | Snyder |
| Cook | Hohenstein | Moul | Solomon |
| Culver | Howard | Mullery | Sonney |
| Cutler | Innamorato | Mullins | Staats |
| Davidson | Irvin | Murt | Stephens |
| Davis, A. | Isaacson | Neilson | Struzzi |
| Dawkins | James | Nelson | Thomas |
| Day | Jones | O'Mara | Tobash |
| Deasy | Jozwiak | O'Neal | Toepel |
| DeLissio | Kail | Oberlander | Toohil |
| Delozier | Kaufert | Ortitay | Topper |
| Dermody | Keefer | Owlett | Ullman |
| Diamond | Keller, F. | Pashinski | Vitali |
| DiGirolamo | Keller, M.K. | Peifer | Walsh |
| Donatucci | Kim | Petrarca | Warner |
| Dowling | Kinsey | Pickett | Warren |
| Driscoll | Kirkland | Polinchock | Webster |
| Dunbar | Knowles | Puskaric | Wentling |
| Dush | Kortz | Pyle | Wheatley |
| Ecker | Krueger | Quinn | White |
| Emrick | Kulik | Rabb | Williams |
| Everett | Lawrence | Rader | Zabel |
| Farry | Lee | Rapp | Zimmerman |
| Fiedler | Lewis | Ravenstahl | |
| Flynn | Longietti | Readshaw | Turzai, |
| Frankel | Mackenzie | Reese | Speaker |
| Freeman | Mako | Rigby | |

NAYS-1

Delloso

NOT VOTING-0

EXCUSED-27

| | | | |
|-----------|------------|------------|-------------|
| Boback | DeLuca | Hickernell | Otten |
| Burns | Ellis | Kauffman | Rozzi |
| Comitta | Evans | Kenyatta | Schlossberg |
| Cox | Fee | Klunk | Sturla |
| Cruz | Fitzgerald | Madden | Wheeland |
| Daley | Gainey | Metzgar | Youngblood |
| Davis, T. | Galloway | Nesbit | |

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. **BRADFORD** offered the following amendment No. **A00075**:

Amend Bill, page 1, line 4, by striking out the period after "definitions" and inserting
; in contributions, further providing for contributions to the system by the Commonwealth and other employers and for actuarial cost method; and, in administration, funds, accounts, general provisions, further providing for administrative duties of the board and for State accumulation account.

Amend Bill, page 3, by inserting between lines 20 and 21

Section 2. Sections 5507 and 5508 of Title 71 are amended by adding subsections to read:

§ 5507. Contributions to the system by the Commonwealth and other employers.

* * *

(c.1) Additional Payments by the Susquehanna River Basin Commission.—In addition to all other contributions required under this section and section 5508, the Susquehanna River Basin Commission shall make additional contributions pursuant to section 5508(j) as certified by the board.

* * *

§ 5508. Actuarial cost method.

* * *

(j) Additional contributions from the Susquehanna River Basin Commission.—

(1) In addition to all other contributions otherwise required to be paid to the board by the Susquehanna River Basin Commission under sections 5507 and this section as certified by the board under section 5902(k) (relating to administrative duties of the board), the Susquehanna River Basin Commission shall make the additional payments specified in this subsection as certified by the board pursuant to section 5902(k).

(2) The additional payments under this subsection shall be the amounts determined by the actuary as necessary to fund the liabilities for all benefits accrued or accruing to current and former employees of the Susquehanna River Basin Commission who are or were active members of the system that are not otherwise funded by the regular member contributions, shared-risk member contributions, additional member contributions and Social Security integration member contributions of those members and by employer contributions made by the Susquehanna River Basin Commission pursuant to section 5507.

(3) The additional payments under this subsection shall be made in the amounts, time and manner determined by the board over a period not less than ten years from the beginning of the first fiscal year starting after the annual valuation immediately after the effective date of this subsection, unless the Susquehanna River Basin Commission agrees to a shorter period.

Section 3. Sections 5902(k) and 5934 of Title 71 are amended to read:

§ 5902. Administrative duties of the board.

* * *

(k) Certification of employer contributions to fund.—The board shall, each year in addition to the itemized budget required under section 5509 (relating to appropriations and assessments by the Commonwealth), certify, as a percentage of the members' payroll, the shared-risk contribution rate, the shared-gain adjustment to the regular member contribution rate, the employers' contributions as determined pursuant to section 5508 (relating to actuarial cost method) necessary for

the funding of prospective annuities for active members and the annuities of annuitants and certify the rates and amounts of the employers' normal contributions as determined pursuant to section 5508(b), accrued liability contributions as determined pursuant to section 5508(c), supplemental annuities contribution rate as determined pursuant to section 5508(e), the experience adjustment factor as determined pursuant to section 5508(f), the collared contribution rate pursuant to section 5508(h) [and], the final contribution rate pursuant to section 5508(i) and the additional contribution by the Susquehanna River Basin Commission pursuant to section 5508(j), which shall be paid to the fund and credited to the appropriate accounts. The board may allocate the final contribution rate and certify various employer contribution rates and amounts based upon the different benefit eligibility, class of service multiplier, superannuation age, final average salary calculation, compensation limits and other benefit differences resulting from State service credited for individual members even though such allocated employer contribution rate on behalf of any given member may be more or less than 5% of the member's compensation for the period from July 1, 2010, to June 30, 2011, or may differ from the prior year's contribution for that member by more or less than the percentages used to calculate the collared contribution rate for that year and may be below any minimum contribution rate established for the collared contribution rate or final contribution rate. These certifications shall be regarded as final and not subject to modification by the Secretary of the Budget.

* * *

§ 5934. State accumulation account.

The State accumulation account shall be the ledger account to which shall be credited all contributions of the Commonwealth or other employers whose employees are members of the system and made in accordance with the provisions of section 5507(a) or (d) (relating to contributions to the system by the Commonwealth and other employers) except that the amounts received under the provisions of the act of May 12, 1943 (P.L.259, No.120), and the amounts received under the provisions of the Liquor Code, act of April 12, 1951 (P.L.90, No.21), shall be credited to the State Police benefit account or the enforcement officers' benefit account as the case may be. All amounts transferred to the fund by county retirement systems or pension plans in accordance with the provisions of section 5507(c) also shall be credited to the State accumulation account. All amounts transferred to the fund by the Public School Employees' Retirement System in accordance with section 5303.2(e) (relating to election to convert school service to State service), except amounts credited to the members' savings account, and all amounts paid by the Department of Corrections in accordance with section 5303.2(f) also shall be credited to the State accumulation account. All additional payments made by the Susquehanna River Basin Commission in accordance with the provisions of section 5507(c.1) (relating to contributions to the system by the Commonwealth and other employers) shall be credited to the State accumulation account. The State accumulation account shall be credited with valuation interest. The reserves necessary for the payment of annuities and death benefits resulting from membership in the system as approved by the board and as provided in Chapter 57 (relating to benefits) shall be transferred from the State accumulation account to the annuity reserve account provided for in section 5935 (relating to annuity reserve account), except that the reserves necessary on account of a member who is an officer of the Pennsylvania State Police or an enforcement officer shall be transferred from the State accumulation account to the State Police benefit account provided for in section 5936 (relating to State Police benefit account) or to the enforcement officers' benefit account as provided for in section 5937 (relating to enforcement officers' benefit account) as the case may be. The reserves necessary for the payment of supplemental annuities in excess of those reserves credited to the supplemental annuity account on June 30, 2010, shall be transferred from the State accumulation account to the supplemental annuity account. In the event that supplemental annuities are increased by legislation enacted after December 31, 2009, the necessary reserves shall be transferred from the State accumulation account to the supplemental annuity account.

Amend Bill, page 3, line 21, by striking out "2" and inserting
4
Amend Bill, page 3, line 26, by striking out "3" and inserting
5

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

The SPEAKER. On the amendment, the Chair recognizes Representative Matt Bradford.

Mr. BRADFORD. Thank you, Mr. Speaker.

As you can imagine when the legislature arbitrarily removes different portions of the State workforce or affiliated workforce from the pension fund, it has an impact on the fund as a whole. And in this case, there has to be some accounting for, obviously, unfunded liabilities that must then be reacrued or actually redistributed among the pension system as a whole, which will have a negative impact on our Commonwealth and its agencies as our pension contributions will actually increase as a result of this. My amendment, by contrast, proposes that within 10 years that the unfunded liability as actuarially determined and approved by the SERS (State Employees' Retirement System) Board would be reassessed over a 10-year period to be paid by the SRBC (Susquehanna River Basin Commission).

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Cutler, the leader, on the amendment.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, a couple points about this amendment – and while the gentleman and I can agree on some issues, we may not agree on the underlying amendment. The SRBC will not completely discontinue making their employer contributions as a result of this bill. In fact, they will continue to be liable going into the future for any existing liabilities that they have. As for future SRBC employees, that also would not apply to them because they are not accruing any additional credits under their future service. And while I understand the gentleman's intention, quite simply, they will continue to pay the bills that are owed and they will not accrue any further liability going forward, so it will not be cost back to the rest of the system. I would urge a "no" vote.

The SPEAKER. Representative Matt Bradford.

Mr. BRADFORD. Again, we may agree to disagree, but I would note for the leader that there is a difference between the employee and the employer contribution, and while the employee, obviously, will continue to pay in, the employer will continue to have an impact. The IFO (Independent Fiscal Office) put together its analysis dated February 19, and while it does note in a fund as large as the SERS fund it will be largely de minimis – we are talking, obviously, in the billions of dollars – there is a many-million-dollar impact on the fund. In fact, it states, "The proposed language," and I quote, "The proposed language would set forth the requirement for the SRBC to pay the unfunded liability portion, as actuarially-determined and approved by the SERS board, to the retirement system for current and/or former employees that would otherwise not be made." So I would just point out, yes, there is a difference of opinion but I would put my opinion on that of the IFO.

Thank you, Mr. Leader and Mr. Speaker.

The SPEAKER. Thank you.

Does anybody else wish to be recognized on the amendment?

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

The following roll call was recorded:

YEAS—74

| | | | |
|-------------|------------|------------|------------|
| Bizzarro | Driscoll | Lee | Readshaw |
| Boyle | Fiedler | Longietti | Roebuck |
| Bradford | Flynn | Malagari | Sainato |
| Briggs | Frankel | Markosek | Samuelson |
| Bullock | Freeman | Matzie | Sanchez |
| Burgos | Goodman | McCarter | Sappey |
| Caltagirone | Hanbidge | McClinton | Schweyer |
| Carroll | Harkins | McNeill | Shusterman |
| Cephas | Harris | Merski | Sims |
| Ciresi | Hohenstein | Miller, D. | Snyder |
| Conklin | Howard | Mullery | Solomon |
| Davidson | Innamorato | Mullins | Ullman |
| Davis, A. | Isaacson | Neilson | Vitali |
| Dawkins | Kim | O'Mara | Warren |
| Deasy | Kinsey | Pashinski | Webster |
| DeLissio | Kirkland | Petrarca | Wheatley |
| Delloso | Kortz | Rabb | Williams |
| Dermody | Krueger | Ravenstahl | Zabel |
| Donatucci | Kulik | | |

NAYS—100

| | | | |
|-------------|--------------|------------|-----------|
| Barrar | Gleim | Mehaffie | Rothman |
| Benninghoff | Gregory | Mentzer | Ryan |
| Bernstine | Greiner | Metcalfe | Sankey |
| Borowicz | Grove | Mihalek | Saylor |
| Brooks | Hahn | Millard | Schemel |
| Brown | Heffley | Miller, B. | Schmitt |
| Causar | Helm | Mizgorski | Schroeder |
| Cook | Hennessey | Moul | Simmons |
| Culver | Hershey | Murt | Sonney |
| Cutler | Irvin | Nelson | Staats |
| Day | James | O'Neal | Stephens |
| Delozier | Jones | Oberlander | Struzzi |
| Diamond | Jozwiak | Ortitay | Thomas |
| DiGirolamo | Kail | Owlett | Tobash |
| Dowling | Kaufner | Peifer | Toepel |
| Dunbar | Keefer | Pickett | Toohil |
| Dush | Keller, F. | Polinchock | Topper |
| Ecker | Keller, M.K. | Puskaric | Walsh |
| Emrick | Knowles | Pyle | Warner |
| Everett | Lawrence | Quinn | Wentling |
| Farry | Lewis | Rader | White |
| Fritz | Mackenzie | Rapp | Zimmerman |
| Gabler | Mako | Reese | |
| Gaydos | Maloney | Rigby | Turzai, |
| Gillen | Marshall | Roae | Speaker |
| Gillespie | Masser | | |

NOT VOTING—0

EXCUSED—27

| | | | |
|-----------|------------|------------|-------------|
| Boback | DeLuca | Hickernell | Otten |
| Burns | Ellis | Kauffman | Rozzi |
| Comitta | Evans | Kenyatta | Schlossberg |
| Cox | Fee | Klunk | Sturla |
| Cruz | Fitzgerald | Madden | Whealand |
| Daley | Gainey | Metzgar | Youngblood |
| Davis, T. | Galloway | Nesbit | |

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. **BOYLE** offered the following amendment No. **A00053**:

Amend Bill, page 3, line 23, by inserting after "Commission" who have no credited service in either the State Employees' Retirement System or the Public School Employees' Retirement System and

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

The **SPEAKER**. Representative Boyle is recognized on amendment 53.

Mr. **BOYLE**. Thank you, Mr. Speaker.

My amendment attempts to make a bad bill a little bit better. As currently written, HB 60 would not only prohibit any future employee of the Susquehanna River Basin Commission from being in the State pension system, it could also exclude current members; namely, any current employee of the SRBC who chooses to take a leave of absence would then be prohibited from enrolling back in the State pension system.

I think most of us here in the chamber know a young mother or a young father who might take some time off after the birth of their child to care for that child. Under HB 60 right now, that young mother or father who came back into the workforce after a few years would be excluded from being in the State pension system. I think that is wrong. I think that is unjust. I think that is contrary to family values. My amendment would fix it, and that is why I urge its passage. Thank you.

The **SPEAKER**. Thank you, Representative Boyle.

Representative Cris Dush, on the amendment.

Mr. **DUSH**. Thank you, Mr. Speaker.

Any employee who is not working for the Commonwealth of Pennsylvania, which the SRBC employees are not, really should not be entitled to it in the first place. If they take a termination – and in some of the other amendments as well – if they go to work for somebody else and then come back to the SRBC, they are working for an organization that is not the Commonwealth of Pennsylvania. It is a Commonwealth of Pennsylvania employee fund that should have never been authorized, just like we do not pay for Federal employees to be on SERS and PSERS (Public School Employees' Retirement System). We should not have that liability.

And for that reason I will urge a "no" vote. Thank you.

The **SPEAKER**. The leader, on the amendment.

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

Mr. Speaker, respectfully, a "leave of absence" as defined by the sponsor of the amendment is different than what is covered in the bill in regards to a bona fide termination or break in service. That is the delineating function that would impact the benefit accrual going forward. Therefore, I would urge a "no" vote on the amendment because the bill is adequate as drafted.

The **SPEAKER**. Representative Boyle, do you wish to speak a second time? Okay. Waives off.

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

The following roll call was recorded:

YEAS—76

| | | | |
|-------------|------------|------------|------------|
| Bizzarro | Driscoll | Lee | Ravenstahl |
| Boyle | Fiedler | Longietti | Readshaw |
| Bradford | Flynn | Malagari | Roebuck |
| Briggs | Frankel | Markosek | Sainato |
| Bullock | Freeman | Matzie | Samuelson |
| Burgos | Goodman | McCarter | Sanchez |
| Caltagirone | Hanbidge | McClinton | Schweyer |
| Carroll | Harkins | McNeill | Shusterman |
| Cephas | Harris | Merski | Sims |
| Ciresi | Hohenstein | Miller, D. | Snyder |
| Conklin | Howard | Mullery | Solomon |
| Davidson | Innamorato | Mullins | Ullman |
| Davis, A. | Isaacson | Murt | Vitali |
| Dawkins | Kim | Neilson | Warren |
| Deasy | Kinsey | O'Mara | Webster |
| DeLissio | Kirkland | Pashinski | Wheatley |
| Delloso | Kortz | Petrarca | White |
| Dermody | Krueger | Quinn | Williams |
| Donatucci | Kulik | Rabb | Zabel |

NAYS—98

| | | | |
|-------------|--------------|------------|-----------|
| Barrar | Gillespie | Marshall | Rothman |
| Benninghoff | Gleim | Masser | Ryan |
| Bernstine | Gregory | Mehaffie | Sankey |
| Borowicz | Greiner | Mentzer | Sappery |
| Brooks | Grove | Metcalfe | Saylor |
| Brown | Hahn | Mihalek | Schemel |
| Causar | Heffley | Millard | Schmitt |
| Cook | Helm | Miller, B. | Schroeder |
| Culver | Hennessey | Mizgorski | Simmons |
| Cutler | Hershey | Moul | Sonney |
| Day | Irvin | Nelson | Staats |
| Delozier | James | O'Neal | Stephens |
| Diamond | Jones | Oberlander | Struzzi |
| DiGirolo | Jozwiak | Ortitay | Thomas |
| Dowling | Kail | Owlett | Tobash |
| Dunbar | Kaufner | Peifer | Toepel |
| Dush | Keefer | Pickett | Toohil |
| Ecker | Keller, F. | Polinchock | Topper |
| Emrick | Keller, M.K. | Puskaric | Walsh |
| Everett | Knowles | Pyle | Warner |
| Farry | Lawrence | Rader | Wentling |
| Fritz | Lewis | Rapp | Zimmerman |
| Gabler | Mackenzie | Reese | |
| Gaydos | Mako | Rigby | Turzai, |
| Gillen | Maloney | Roae | Speaker |

NOT VOTING—0

EXCUSED—27

| | | | |
|-----------|------------|------------|-------------|
| Boback | DeLuca | Hickernell | Otten |
| Burns | Ellis | Kauffman | Rozzi |
| Comitta | Evans | Kenyatta | Schlossberg |
| Cox | Fee | Klunk | Sturla |
| Cruz | Fitzgerald | Madden | Wheeland |
| Daley | Gainey | Metzgar | Youngblood |
| Davis, T. | Galloway | Nesbit | |

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. **BOYLE** offered the following amendment No. **A00083**:

Amend Bill, page 2, line 24, by striking out "and"

Amend Bill, page 2, line 25, by striking out the bracket before the comma after "Basin"

Amend Bill, page 2, line 26, by striking out the bracket after "Commission"

Amend Bill, page 3, line 3, by striking out all of said line and inserting

provided:

(i) in the case of employees of the Interstate

Amend Bill, page 3, line 6, by inserting a bracket before the period

Amend Bill, page 3, line 6, by inserting after "1963."

]; and

(ii) in the case of employees of the Susquehanna River Basin Commission whose most recent date of hire by the commission is on or after the effective date of this subparagraph, that the Governor certifies in writing within 90 days of the effective date of this subparagraph to the secretary that ending such employees participation in the system would likely lead to increased fees for businesses and communities in the counties of this Commonwealth under the jurisdiction of the commission, and that the commission has appropriately and responsibly modified its internal policies in response to the Auditor General's November 2018 Performance Audit.

Amend Bill, page 3, lines 21 through 25, by striking out all of said lines

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

On the question,

Will the House agree to the amendment?

The **SPEAKER**. Representative Boyle, on the amendment, sir. You are the sponsor of the amendment. Please proceed.

Mr. **BOYLE**. Mr. Speaker, there are more than 70 Pennsylvania State Representatives who have all or part of their districts under the jurisdiction of the Susquehanna River Basin Commission, also known as the SRBC, from the New York border, 150 miles north of here, down to the Maryland line, almost 50 miles south. In fact, Pennsylvania has more State Representatives covered by the SRBC than both Maryland and New York together. In fact, 43 counties in Pennsylvania are fully or partially covered by the SRBC. Almost every staff member of the SRBC lives in Pennsylvania.

I do not think it is a coincidence that our Commonwealth adopted section 27 of our Constitution that gives us the responsibility to conserve and maintain clean water for the benefit of all the people and that the Susquehanna River Basin Commission was created in the same time period of 1971. Pennsylvania has a legal obligation, a contractual obligation, an obligation signed by section 14.3 of the SRBC Compact where the parties agree to include the amounts so apportioned for the support of the current expense budgets in their respective budgets next to be adopted. HB 60 attempts to change a long-standing law that includes SRBC employees under the State pension system. What I do not think many members realize is that our current SRBC Compact requires us to help pay for running this commission and it allows the SRBC to raise fees on Pennsylvania businesses and communities if they do not have the funds.

So, Mr. Speaker, as of January 1, 2019, all new State employees, all new employees of the almost dozen agencies listed under Title 71 have three pension choices that have significantly lower costs. Mr. Speaker, if we force SRBC to find a new pension system, if we force SRBC to spend more money, it is actually Lancaster County businesses or Dauphin County businesses or York County communities who may bear the cost. You do not have to take my word that trying to financially punish SRBC will backfire. The Auditor General in his November 2018 Performance Audit said that while there are three States in the compact, Pennsylvania businesses and communities pay 96 percent of the fees. The Auditor General also pointed out that if Pennsylvania does not pay its fair share of funds, that SRBC may raise fees on Pennsylvania users. Finally, Mr. Speaker, the Auditor General also pointed out problems with SRBC's internal spending policies.

So, Mr. Speaker, this amendment just says if the Governor determines that pulling new employees of SERS will likely lead to increased fees to our communities and if the Governor determines that SRBC has appropriately and responsibly modified its internal policies in response to the Auditor General's November 2018 Performance Audit, then new employees stay in SERS. Mr. Speaker, if SRBC does not modify their internal policies or if HB 60 will not likely increase the costs to our communities, then the original language of HB 60 will take effect.

My amendment protects businesses and communities in the 43 counties across Pennsylvania that fully or partially fall under SRBC jurisdiction. I urge you to support this amendment.

The **SPEAKER**. Thank you, Representative Boyle.

On the amendment, Representative Dan Moul.

Mr. **MOUL**. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment, please.

The **SPEAKER**. Does the good gentleman wish to be— As everybody knows – I know it is a new session, and I think this may be our first interrogation request – no member has to stand for interrogation on either side of the aisle. The rules allow a member to ask for interrogation, and the goal of interrogation is to determine facts or issues that arise with the legislation proposed itself.

So just some parameters on interrogation: Nobody has to stand for interrogation; most members do stand for it. But it is never designed to embarrass; it is designed to uncover answers to questions dealing with issues or facts.

Representative Boyle, would you stand for interrogation? Yes.

And you may proceed, Representative Moul.

Mr. **MOUL**. Thank you, Mr. Speaker.

Mr. Speaker, there are four entities involved in the compact that make up the SRBC: Army Corps, Pennsylvania, New York, Maryland. What percentage of the retirement costs does each one bear the burden of for SRBC employees?

Mr. **BOYLE**. It is my understanding that we pay 30 to 40 percent of the overall costs and the other entities pay the other 60 to 70 percent.

Mr. **MOUL**. Okay, Mr. Speaker. What percentage of the landmass is within Pennsylvania versus New York and Maryland?

Mr. **BOYLE**. We pay 96 percent of the fees.

Mr. **MOUL**. Let me ask that question again. What percentage of landmass lies within Pennsylvania versus New York and Maryland?

Mr. BOYLE. It sounds like you know the answer. So I do not think that is a fair interrogation.

Mr. MOUL. I just want to make sure that we are both on the same page with it—

The SPEAKER. No, Representative Moul. Please wait, sir.

Mr. BOYLE. I think if you look at a map, you—

The SPEAKER. Wait. Please suspend. Just please suspend.

The point of interrogation is to ask questions for which one does not know the answer. That is correct. If the good gentleman does not know the answer, then it is appropriate. Again, you do not have to stand for interrogation. That is true for any member here. But if the good gentleman knows the answer, you can use that in your argument or your remarks on the bill, but interrogation is designed to uncover something that you do not know.

Mr. MOUL. Thank you, Mr. Speaker.

I will end my interrogation. I will just make a few basic statements here, just so that everyone understands what SRBC does.

The SPEAKER. Just for clarification, if you could just – it is an acronym – if you could just explain to everybody what the acronym stands for.

Mr. MOUL. Susquehanna River Basin Commission. They are a commission, part of – it is a compact that was formed back in the late sixties during the Shapp administration to control and regulate the amount of surface – there is the key word – surface water so that the guys upstream do not pull out more than their fair share, leaving enough for aquatic life and other users downstream. It makes perfect sense. Understand it. We are all probably on the same page.

However, several years after, many years after the compact was formed, they realized that they had no real government oversight from this body; whether it is your side, our side, there is no oversight over them. So they decided to get into the well water business as well, no pun intended.

POINT OF ORDER

Mr. DERMODY. Mr. Speaker?

Right here, Mr. Speaker.

The SPEAKER. Yes, Leader.

Mr. DERMODY. I believe that the gentleman is far from talking about the amendment. That is fine for final passage, but I think he should address the Boyle amendment.

Mr. MOUL. Thank you, Mr. Speaker.

I will cut right to the chase.

The SPEAKER. Okay.

Mr. MOUL. Okay. We are talking about funding for our retirement system for the employees of SRBC. Through the egregious fees that they charge, mainly from our communities – yours, ours – they are charging ridiculous amounts to regulate well water, as well as some surface water, and using that money, almost all of it coming from Pennsylvania. We have the vast, vast, vast majority of the landmasses in Pennsylvania for the Susquehanna River Basin Commission and they are using that money to fund people that are nonemployees in their system for our retirement system and it is time to get them out.

Thank you, Mr. Speaker.

The SPEAKER. The leader, on the amendment, sir.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, respectfully, one of the arguments that is being used to advance this amendment is cost. I find it difficult to believe that any new retirement plan would cost more than the current rate of 32.33 percent of payroll, due to the unfunded liabilities and other costs associated with the fund currently, and we need to focus on the following: This amendment would allow future SRBC employees to remain in SERS, the State Retirement System, while placing conditions on their removal from SERS. That seems somewhat illogical and we are going to arbitrarily base it on the Governor's decision on increased costs.

Respectfully, Mr. Speaker, the costs are already increasing, as pointed out by the gentleman from Adams County. Our residents are the ones that bear the brunt of these increased costs, in talking to local businesspeople, farmers, and homeowners and individuals who drill municipal water wells and other such items. We have heard consistently from them that those costs are increasing. So if that were the only criteria, there should already be action on this. But the truth is, while we might disagree on the policy differences of what should the SRBC do or what should their scope be or how we should share the costs, the one thing I would hope that we could all agree on is that we should limit the rate of increase for future costs. This amendment would undo that, so I urge a "no" vote on the underlying amendment and will later advocate for support of the bill.

Thank you, Mr. Speaker.

The SPEAKER. Representative Boyle, do you wish to go – yes, you may proceed.

Mr. BOYLE. In closing, Mr. Speaker, this amendment does listen to the criticism of the Auditor General of the SRBC and in many ways is a response to it. The underlying bill, HB 60, I do not believe is a proper response to the Auditor General's criticism. So I urge passage of this amendment.

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

The following roll call was recorded:

YEAS—75

| | | | |
|-------------|------------|------------|------------|
| Bizzarro | Driscoll | Lee | Readshaw |
| Boyle | Fiedler | Longietti | Roebuck |
| Bradford | Flynn | Malagari | Sainato |
| Briggs | Frankel | Markosek | Samuelson |
| Bullock | Freeman | Matzie | Sanchez |
| Burgos | Goodman | McCarter | Sappery |
| Caltagirone | Hanbidge | McClinton | Schweyer |
| Carroll | Harkins | McNeill | Shusterman |
| Cephas | Harris | Merski | Sims |
| Ciresi | Hohenstein | Miller, D. | Snyder |
| Conklin | Howard | Mullery | Solomon |
| Davidson | Innamorato | Mullins | Ullman |
| Davis, A. | Isaacson | Murt | Vitali |
| Dawkins | Kim | Neilson | Warren |
| Deasy | Kinsey | O'Mara | Webster |
| DeLissio | Kirkland | Pashinski | Wheatley |
| Delloso | Kortz | Petrarca | Williams |
| Dermody | Krueger | Rabb | Zabel |
| Donatucci | Kulik | Ravenstahl | |

NAYS—99

| | | | |
|-------------|--------------|------------|-----------|
| Barrar | Gleim | Masser | Rothman |
| Benninghoff | Gregory | Mehaffie | Ryan |
| Bernstine | Greiner | Mentzer | Sankey |
| Borowicz | Grove | Metcalfe | Saylor |
| Brooks | Hahn | Mihalek | Schemel |
| Brown | Heffley | Millard | Schmitt |
| Causar | Helm | Miller, B. | Schroeder |
| Cook | Hennessey | Mizgorski | Simmons |
| Culver | Hershey | Moul | Sonney |
| Cutler | Irvin | Nelson | Staats |
| Day | James | O'Neal | Stephens |
| Delozier | Jones | Oberlander | Struzzi |
| Diamond | Jozwiak | Ortitay | Thomas |
| DiGirolamo | Kail | Owlett | Tobash |
| Dowling | Kaufar | Peifer | Toepel |
| Dunbar | Keefer | Pickett | Toohil |
| Dush | Keller, F. | Polinchock | Topper |
| Ecker | Keller, M.K. | Puskaric | Walsh |
| Emrick | Knowles | Pyle | Warner |
| Everett | Lawrence | Quinn | Wentling |
| Farry | Lewis | Rader | White |
| Fritz | Mackenzie | Rapp | Zimmerman |
| Gabler | Mako | Reese | |
| Gaydos | Maloney | Rigby | Turzai, |
| Gillen | Marshall | Roae | Speaker |
| Gillespie | | | |

NOT VOTING—0

EXCUSED—27

| | | | |
|-----------|------------|------------|-------------|
| Boback | DeLuca | Hickernell | Otten |
| Burns | Ellis | Kauffman | Rozzi |
| Comitta | Evans | Kenyatta | Schlossberg |
| Cox | Fee | Klunk | Sturla |
| Cruz | Fitzgerald | Madden | Wheeland |
| Daley | Gainey | Metzgar | Youngblood |
| Davis, T. | Galloway | Nesbit | |

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. DeLISSIO offered the following amendment
No. A00067:

Amend Bill, page 3, line 26, by striking out all of said line and inserting

Section 3. Upon establishment of a pension system as required under section 15.1(b) of Article 15 of the Susquehanna River Basin Compact, as set forth in the act of July 17, 1968 (P.L.368, No.181), referred to as the Susquehanna River Basin Compact Law, the Governor shall transmit notice to that effect to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

Section 4. This act shall take effect as follows:

(1) The following provisions shall take effect immediately:

- (i) Section 3 of this act.
- (ii) This section.

(2) The remainder of this act shall take effect upon publication of the notice under section 3.

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

The SPEAKER. Representative DeLissio is recognized on the amendment.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, this amendment just states that the old pension, or the pension applying to new members coming into SRBC would not be effective until a new pension is in place. This is about transition. This amendment is about process to ensure an orderly transition to the new pension that is mandated by HB 60.

The SPEAKER. Thank you, Representative DeLissio.

The majority leader, on the amendment.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, the amendment, as drafted, unfortunately, does not have a definite deadline for the establishment of an SRBC-run pension or 401(k) system, thus leaving the effective date of the bill open-ended and the commission could simply not create a new program in order to keep all their employees in the existing system. It is the goal of the bill to cut off the accrual of future liabilities and costs to all of our residents and taxpayers. Therefore, I would urge a "no" vote on the amendment.

Thank you, Mr. Speaker.

The SPEAKER. Representative DeLissio, on the amendment.

Ms. DeLISSIO. Yes, Mr. Speaker.

Just simply, "Oops."

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

The following roll call was recorded:

YEAS—73

| | | | |
|-------------|------------|------------|------------|
| Bizzarro | Driscoll | Kulik | Ravenstahl |
| Boyle | Fiedler | Lee | Readshaw |
| Bradford | Flynn | Longietti | Roebuck |
| Briggs | Frankel | Malagari | Sainato |
| Bullock | Freeman | Markosek | Samuelson |
| Burgos | Goodman | Matzie | Sanchez |
| Caltagirone | Hanbidge | McCarter | Sapprey |
| Carroll | Harkins | McClinton | Schweyer |
| Cephas | Harris | McNeill | Shusterman |
| Ciresi | Hohenstein | Merski | Sims |
| Conklin | Howard | Miller, D. | Snyder |
| Davidson | Innamorato | Mullery | Solomon |
| Davis, A. | Isaacson | Mullins | Ullman |
| Dawkins | Kim | Neilson | Vitali |
| Deasy | Kinsey | O'Mara | Warren |
| DeLissio | Kirkland | Pashinski | Webster |
| Delloso | Kortz | Petrarca | Wheatley |
| Dermody | Krueger | Rabb | Williams |
| Donatucci | | | |

NAYS—101

| | | | |
|-------------|-----------|------------|-----------|
| Barrar | Gleim | Mehaffie | Ryan |
| Benninghoff | Gregory | Mentzer | Sankey |
| Bernstine | Greiner | Metcalfe | Saylor |
| Borowicz | Grove | Mihalek | Schemel |
| Brooks | Hahn | Millard | Schmitt |
| Brown | Heffley | Miller, B. | Schroeder |
| Causar | Helm | Mizgorski | Simmons |
| Cook | Hennessey | Moul | Sonney |
| Culver | Hershey | Murt | Staats |
| Cutler | Irvin | Nelson | Stephens |
| Day | James | O'Neal | Struzzi |

| | | | |
|------------|--------------|------------|-----------|
| Delozier | Jones | Oberlander | Thomas |
| Diamond | Jozwiak | Ortitay | Tobash |
| DiGirolamo | Kail | Owlett | Toepel |
| Dowling | Kaufer | Peifer | Toohil |
| Dunbar | Keefer | Pickett | Topper |
| Dush | Keller, F. | Polinchock | Walsh |
| Ecker | Keller, M.K. | Puskaric | Warner |
| Emrick | Knowles | Pyle | Wentling |
| Everett | Lawrence | Quinn | White |
| Farry | Lewis | Rader | Zabel |
| Fritz | Mackenzie | Rapp | Zimmerman |
| Gabler | Mako | Reese | |
| Gaydos | Maloney | Rigby | Turzai, |
| Gillen | Marshall | Roae | Speaker |
| Gillespie | Masser | Rothman | |

NOT VOTING—0

EXCUSED—27

| | | | |
|-----------|------------|------------|-------------|
| Boback | DeLuca | Hickernell | Otten |
| Burns | Ellis | Kauffman | Rozzi |
| Comitta | Evans | Kenyatta | Schlossberg |
| Cox | Fee | Klunk | Sturla |
| Cruz | Fitzgerald | Madden | Wheeland |
| Daley | Gainey | Metzgar | Youngblood |
| Davis, T. | Galloway | Nesbit | |

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. **DeLISSIO** offered the following amendment
No. **A00069**:

Amend Bill, page 3, line 26, by striking out "immediately" and inserting
in 120 days

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

The **SPEAKER**. Representative DeLissio, on amendment 69.
Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, I think the majority leader is going to be thrilled with this amendment. It, in fact, does have a deadline. It is 120 days as the effective date from the date of the legislation. Currently, I believe, there is an immediate effective date which does not allow for an organized transition to what is mandated in the law. Thank you.

The **SPEAKER**. On the amendment, the majority leader is recognized.

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

Respectfully, I would urge a "no" vote on this amendment as well. While it is an improvement over the last one in terms of establishing a date certain, the reality is it would just allow the continued accrual of costs for all of our homeowners and residents and businesses to pay that are currently in the SRBC. Therefore, I would urge a "no" vote so that we can quickly and efficiently move to a new system, just as we have done for other State employees.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—74

| | | | |
|-------------|------------|------------|------------|
| Bizzarro | Driscoll | Lee | Readshaw |
| Boyle | Fiedler | Longietti | Roebuck |
| Bradford | Flynn | Malagari | Sainato |
| Briggs | Frankel | Markosek | Samuelson |
| Bullock | Freeman | Matzie | Sanchez |
| Burgos | Goodman | McCarter | Sappey |
| Caltagirone | Hanbidge | McClinton | Schweyer |
| Carroll | Harkins | McNeill | Shusterman |
| Cephas | Harris | Merski | Sims |
| Ciresi | Hohenstein | Miller, D. | Snyder |
| Conklin | Howard | Mullery | Solomon |
| Davidson | Innamorato | Mullins | Ullman |
| Davis, A. | Isaacson | Neilson | Vitali |
| Dawkins | Kim | O'Mara | Warren |
| Deasy | Kinsey | Pashinski | Webster |
| DeLissio | Kirkland | Petrarca | Wheatley |
| Delloso | Kortz | Rabb | Williams |
| Dermody | Krueger | Ravenstahl | Zabel |
| Donatucci | Kulik | | |

NAYS—100

| | | | |
|-------------|--------------|------------|-----------|
| Barrar | Gleim | Mehaffie | Rothman |
| Benninghoff | Gregory | Mentzer | Ryan |
| Bernstine | Greiner | Metcalfe | Sankey |
| Borowicz | Grove | Mihalek | Saylor |
| Brooks | Hahn | Millard | Schemel |
| Brown | Heffley | Miller, B. | Schmitt |
| Causar | Helm | Mizgorski | Schroeder |
| Cook | Hennessey | Moul | Simmons |
| Culver | Hershey | Murt | Sonney |
| Cutler | Irvin | Nelson | Staats |
| Day | James | O'Neal | Stephens |
| Delozier | Jones | Oberlander | Struzzi |
| Diamond | Jozwiak | Ortitay | Thomas |
| DiGirolamo | Kail | Owlett | Tobash |
| Dowling | Kaufer | Peifer | Toepel |
| Dunbar | Keefer | Pickett | Toohil |
| Dush | Keller, F. | Polinchock | Topper |
| Ecker | Keller, M.K. | Puskaric | Walsh |
| Emrick | Knowles | Pyle | Warner |
| Everett | Lawrence | Quinn | Wentling |
| Farry | Lewis | Rader | White |
| Fritz | Mackenzie | Rapp | Zimmerman |
| Gabler | Mako | Reese | |
| Gaydos | Maloney | Rigby | Turzai, |
| Gillen | Marshall | Roae | Speaker |
| Gillespie | Masser | | |

NOT VOTING—0

EXCUSED—27

| | | | |
|-----------|------------|------------|-------------|
| Boback | DeLuca | Hickernell | Otten |
| Burns | Ellis | Kauffman | Rozzi |
| Comitta | Evans | Kenyatta | Schlossberg |
| Cox | Fee | Klunk | Sturla |
| Cruz | Fitzgerald | Madden | Wheeland |
| Daley | Gainey | Metzgar | Youngblood |
| Davis, T. | Galloway | Nesbit | |

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 Boyle has amendment 82. In consultation with the Parliamentarian, we have ruled that out of order. The Chair rules it out of order. But, Representative Boyle, I know you had requested of the Parliamentarian that you could have an opportunity to speak.

Please feel free— Waives off. Okay.

I do not see any other amendments filed to HB 60. If I am mistaken, please correct me.

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.

At this time on the uncontested calendar we have some members who would like to speak on resolutions. I have indicated we have asked everybody to voluntarily limit their time to 3 minutes with respect to – and that is combined or individually. We would ask you to keep your time – if it is two people who want to speak, we would ask that you do a minute and a half and a minute and a half.

At this time Representative Joanna McClinton, the Democratic caucus chair, is recognized to speak on HR 85.

I would ask all members to please take their seats. If members voluntarily abide by, you know, some time constraints, it would be appropriate if everybody could take their seats.

STATEMENT BY MS. McCLINTON

The SPEAKER. Representative McClinton is recognized on HR 85.

Ms. McCLINTON. Thank you, Mr. Speaker.

And thank you to all of my colleagues for unanimously supporting HR 85. This resolution designates February 2019 as "Teen Dating Violence Awareness and Prevention Month" right here in the Commonwealth of Pennsylvania. We all know and you probably remember that being a teenager is hard, especially in today's age of social media, online bullying, and the opioid drug crisis. Another problem that can turn into a life-or-death situation for young men and women is being involved in a violent relationship. Teen dating violence is widespread and it is not confined to one area of the State or to a specific group or to one gender.

According to the 2017 National Youth Risk Behavior Survey, 69 percent of high school students were dating; of that 69 percent, 8 percent had reported being physically abused and 7 percent sexually abused. While this problem affects both men and women, female high school students are three times more likely than male students to be victims of sexual dating violence. Additionally, female college students and women between the ages of 16 and 24 have the highest per capita rate of intimate partner violence and abuse.

Unfortunately, many teens do not report these incidents because they are afraid – afraid to tell their parents, afraid to tell their friends, and they suffer in silence. Because of this, everyone needs to know the warning signs. Common behaviors to look out for include teenagers being afraid to check their cell phones, their e-mails, social networks, extreme jealousy or insecurity, isolation from family and friends.

To help parents and loved ones talk to children about this topic, there are different apps for your phone that can serve as a resource. Being a victim of violence and abuse can have lifelong consequences, including drug addiction, risky behavior, domestic violence, human trafficking, and even suicide. Health-care professionals and educators work every day to prevent these things.

As policymakers, we have to do everything we can right here in Harrisburg to implement a prevention strategy. One of the pieces of legislation that is pending is from my colleague and friend, Representative Tina Davis, that would make a requirement of schools and not simply an option to educate on teen dating violence.

If this is affecting you or your family, you are not alone. There is help available.

Thank you for your support of this resolution.

The SPEAKER. Thank you, Representative McClinton.

Just before we get to the other speakers, Representative Dan Moul has a committee announcement and then Representative Garth Everett.

COMMITTEE MEETING POSTPONED

ANNOUNCEMENT BY MR. MOUL

The SPEAKER. The chair of the Local Government Committee, Representative Dan Moul, for a committee announcement.

Mr. MOUL. Thank you, Mr. Speaker.

I have actually two announcements.

First of all, the voting committee meeting that was to be called off the floor tomorrow for Local Government is now postponed to a later date. We will let you know.

The Common Sense Caucus will have a short meeting in 4B East Wing directly after session.

Thank you, Mr. Speaker.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. Representative Garth Everett, for a committee announcement.

Mr. EVERETT. Thank you, Mr. Speaker.

I would just like to remind the members of the State Government Committee that we still are having a voting meeting in 205 Ryan at the end of session; 205 Ryan at the end of session.

Thank you, Mr. Speaker.

The SPEAKER. The State Government Committee will have a voting meeting in 205 Ryan at the end of session.

STATEMENT BY MR. MURT

The SPEAKER. Representatives Stephens and Murt both wish to speak on HR 56.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, my friend and colleague, Representative Stephens, is a prime sponsor of this House resolution which recognizes the young men and women from Keith Valley Middle School in Hatboro-Horsham School District. Every year they have what is called the Keith Valley Challenge where these young men and women play street hockey for 14 hours to raise money for various charities. In 1977 Billy Whitehead, a student at Keith Valley, passed away from a congenital heart defect, and since that time the students at Keith Valley have been engaging in the Keith Valley Challenge every year to raise money for, as I said, various challenges.

Mr. Speaker, since 1977 these young men and women have raised over \$1 million. These are sixth, seventh, and eighth grade young men and women, and some of the charities that they have helped include the American Cancer Society, the American Heart Association, the ALS (amyotrophic lateral sclerosis) Foundation, and the Ronald McDonald House, and I join Representative Stephens in applauding these youngsters, and Representative Stephens and myself and Senator Collett from our district will be visiting Keith Valley on Friday to recognize these fine men and women.

Thank you, Mr. Speaker.

STATEMENT BY MR. STEPHENS

The SPEAKER. Representative Todd Stephens.

Mr. STEPHENS. Thank you, Mr. Speaker.

Mr. Speaker, I just want to thank the members for their unanimous support of HR 56, designating this Friday as "Keith Valley Challenge Day." For those of you that might stop by Keith Valley Middle School this Friday, you will see a gymnasium full of eighth graders all decked out in their team colors, holding street hockey sticks, chanting and cheering each other on, as they play floor hockey for many, many hours to raise money for charity.

I was fortunate enough to play in this event back when I was in eighth grade at Keith Valley Middle School and helped raise some money for some of the worthwhile charities that Representative Murt mentioned; as he indicated, raising over \$1 million to help other children in need. I can think of nothing better than kids helping kids and this is a great example of kids doing just that, helping other kids by raising money and having a great time doing it.

So congratulations to those at Keith Valley, all those eighth graders that are going to be playing this Friday. I look forward to seeing you at this Friday's Keith Valley Challenge.

Thanks so much, Mr. Speaker.

The SPEAKER. Thank you, sir.

STATEMENT BY MR. SONNEY

The SPEAKER. Representative Sonney, on HR 88.

Mr. SONNEY. Thank you, Mr. Speaker.

Mr. Speaker, in order to highlight the increasing importance of career and technical education in today's employment landscape, Chairman Roebuck and I introduced HR 88,

designating February 2019 as "Career and Technical Education Month" in Pennsylvania. Career and technical education serves the many needs of business and industry by delivering programs which meet national skill standards and offer recognized credentials.

According to the Department of Labor and Industry, nearly 26,000 new careers are projected to be created each year in career and technical education-related fields. In addition, career and technical education helps students prepare for postsecondary opportunities and it provides them with high-skill, high-wage, and high-demand career choices.

Our Commonwealth's economic growth is linked to the strength and skills of our future workforce. We must continue to work to ensure that students of all ages are prepared for successful careers. I thank my colleagues for passing HR 88 declaring February "Career and Technical Education Month" in Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Sonney.

Members, so staff here for the Capitol will be excused to leave here once we finish the session and we will be in session tomorrow at 11, unless you hear differently from the Speaker's Office and the Chief Clerk's Office, but at this time employees will be done for the day here in the House of Representatives.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of Roland Xavier New, who has been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Roland Xavier New.

Whereas, Roland Xavier New earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Roland is a member of Troop 19.

Now therefore, Mr. Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Roland Xavier New.

BILLS REMOVED FROM TABLE

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

HB 65;
HB 66;
HB 224;
HB 277;
HB 284;
HB 374; and
HB 384.

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

BILLS RECOMMITTED

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

HB 51;
HB 60;
HB 81; and
HB 128.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Representative Dan Moul moves that the House be adjourned until Thursday, February 21, 2019, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

Also, if session should be canceled, that will be this afternoon the notice will go out, but at this time we are scheduled to be here at 11 a.m. tomorrow, on Thursday, February 21, 2019.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 2:12 p.m., e.s.t., the House adjourned.