

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

THURSDAY, FEBRUARY 21, 2019

SESSION OF 2019

203D OF THE GENERAL ASSEMBLY

No. 12

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

HON. BRETT R. MILLER, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker, and good morning, everyone.

We are privileged to serve in this beautiful building – the architecture, the murals, the paintings, the sculptures. But as beautiful as this building is, it is important to remember that the government of Pennsylvania is not the building. The government of Pennsylvania is the people, the people we are privileged to serve, and with that in mind, I want to reference two Scriptures as we go to prayer, one from the Old Testament and one from the New. From Micah 6:8: "He has told you, O man, what is good; and what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God?" And Matthew 22:35-40: "And one of them, a lawyer, asked him a question to test him. 'Teacher, which is the greatest commandment in the Law?' And he said to him, 'You shall love the Lord your God with all your heart, with all your soul, with all your mind. This is the great and first commandment. And a second is like it: You shall love your neighbor as yourself. On these two commandments depend all the Law and the Prophets.'"

Let us pray.

Lord, we begin this session by giving You the first place and saying thanks to You for the opportunity we have to serve the wonderful people of Pennsylvania. Thank You for this great State. Thank You for the great opportunity that we have. Lord, we give You the first place in bowing our heads and bowing our hearts. We want to do the thing that is truly wise and just. We want to walk humbly. We want to be clothed with humility that we might serve one another and serve the good people of this State. Lord, please, in this vein, please give us wisdom. Please give us understanding. Please give us the compassion that You have for all of us.

Lord, hear our prayers today that we pray in the name of Jesus. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, February 20, 2019, will be postponed until printed.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 387, PN 371

By Rep. EVERETT

An Act authorizing the release of Project 70 restrictions on certain lands owned by the Commonwealth of Pennsylvania, acting by and through the Department of Conservation and Natural Resources, in exchange for the imposition of Project 70 restrictions on other lands to be acquired by the Commonwealth of Pennsylvania, acting by and through the Department of Conservation and Natural Resources.

STATE GOVERNMENT.

BILLS REPORTED AND REREFERRED TO COMMITTEE ON JUDICIARY

HB 59, PN 63

By Rep. EVERETT

An Act amending the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, further providing for definitions, for disqualification and forfeiture of benefits and for restitution for monetary loss; and repealing a retroactivity provision.

Reported from Committee on STATE GOVERNMENT with request that it be rereferred to Committee on JUDICIARY.

SB 113, PN 58

By Rep. EVERETT

An Act amending the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, further providing for definitions, for disqualification and forfeiture of benefits and for restitution for monetary loss; and repealing a retroactivity provision.

Reported from Committee on STATE GOVERNMENT with request that it be rereferred to Committee on JUDICIARY.

The SPEAKER. Without objection, the bills will be so rereferred.

**COMMUNICATION FROM
INDEPENDENT FISCAL OFFICE**

The SPEAKER. The Speaker acknowledges receipt of a letter from the Independent Fiscal Office regarding an amendment for HB 60, PN 565.

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

**COMMUNICATION FROM
MAJORITY LEADER**

COMMITTEE APPOINTMENTS

The SPEAKER. The Chair is in receipt of a letter from the majority leader, Bryan D. Cutler.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

February 21, 2019

Michael C. Turzai
Speaker
Pennsylvania House of Representatives
139 Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Speaker Turzai:

Pursuant to Rule 45(a) of the House Rules, adopted by House Resolution 1 on January 1, 2019, I am hereby appointing the following members from the majority party to the Government Oversight Committee:

Seth Grove	196th Legislative District
John Lawrence	13th Legislative District
Eric Nelson	57th Legislative District
Todd Stephens	151st Legislative District
Tarah Toohil	116th Legislative District

Further, I also hereby appoint Seth Grove as chair of the Government Oversight Committee and Todd Stephens as secretary of the Government Oversight Committee.

Sincerely,
Bryan D. Cutler
Majority Leader

**COMMUNICATION FROM
DEMOCRATIC LEADER**

COMMITTEE APPOINTMENTS

The SPEAKER. The Chair is also in receipt of a letter from the minority leader, Frank Dermody.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

February 19, 2019

Honorable Mike Turzai
Speaker of the House of Representatives
139 Main Capitol Building
Harrisburg, PA 17120-2066

Dear Speaker Turzai:

Pursuant to Rule 45A of the House Operating Rules, I hereby appoint the following members to the Government Oversight Committee:

Honorable Matthew Bradford, Minority Chair
Honorable Jordan Harris
Honorable Joanna McClinton
Honorable Kevin Boyle.

Thank you for your attention to this matter.

Sincerely,
Frank Dermody
33rd Legislative District
Democratic Leader

The SPEAKER. At this time I believe that the Appropriations Committee is going to be meeting. We will move to the master roll here first, and then we are going to call for the Appropriations Committee meeting.

LEAVES OF ABSENCE

The SPEAKER. The majority whip, Representative Kerry Benninghoff, requests a leave of absence for Representative Daryl METCALFE of Butler County for the day. Without objection, that will be granted.

The minority whip, Jordan Harris, requests leaves of absence for the following members: Representative Tina DAVIS of Bucks County for the day, Representative Mary Jo DALEY of Montgomery County for the day, Representative Ed GAINNEY of Allegheny County for the day, Representative Maureen MADDEN of Monroe County for the day, and Representative Angel CRUZ of Philadelphia County for the day. Without objection, those will be granted.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The majority Appropriations chair is recognized for a committee announcement.

Mr. SAYLOR. Thank you, Mr. Speaker.

The Appropriations Committee will meet immediately in the Appropriations conference room. Again, that is immediately, the Appropriations Committee will meet in the Appropriations conference room. Thank you.

The SPEAKER. At this time the majority chair of the Appropriations Committee has called an Appropriations Committee meeting in the majority caucus room, so those members of the Appropriations Committee should head to the majority caucus room.

And we are going to proceed with introductions. I would ask all members to please take their seats. We are going to be introducing you to some special guests.

The majority chair, Stan Saylor.

Mr. SAYLOR. Again, I want to clarify, the Appropriations Committee will meet in the majority Appropriations room. Thank you.

The SPEAKER. My apologies, Mr. Chair. My apologies. It is the majority Appropriations conference room is where the meeting will occur. So they are going to the majority Appropriations conference room. My apologies.

Members, please take your seats. For those that are not on the Appropriations Committee, we are going to be introducing you to some special guests. All members are asked to please take their seats. The Sergeants at Arms will close the doors of the House.

PENNSYLVANIA GAME COMMISSION GAME WARDEN CADETS INTRODUCED

The SPEAKER. In coordination with the Game Commission, members, and Josh Zimmerman, who is the legislative liaison with the Game Commission to the legislature and who has also been a former House employee, we welcome today the 31st Class of Game Warden Cadets from the Pennsylvania Game Commission. These esteemed individuals will be graduating from the Ross Leffler School of Conservation this Saturday, February 23, after nearly 1 year of training. The Ross Leffler School was created to train Pennsylvania's Game Wardens. Since its founding in 1932 there have been 30 classes, with 673 officers having graduated. This class will bring that total to exactly 700. The courses of study, which include wildlife, habitat management, and law enforcement, consist of over 1400 hours of instruction in more than 140 different subjects, taught by nearly 200 instructors.

The following 27 individuals will graduate on Saturday. I would ask them to raise their hands when I call their name.

Praveed Abraham, who will be assigned to Monroe County; Tyler Barnes, who will be assigned to Bucks County; Ethan Beale, who will be assigned to Venango County; Christopher Bence will be assigned to Greene County; Scott Brookens will be assigned to York County; Zebulun Campbell will be assigned to Allegheny County; William Car, assigned to Montgomery County; Daniel Carl, assigned to Mercer County; Adriel Douglass, assigned to Wayne County; Justin Faus, assigned to Luzerne County; Anthony Ferreri, assigned to Berks County; Daniel Gible, assigned to Lancaster County; Andrew Hueser, assigned to Erie County; Cody Jones, assigned to Erie County; Madison Kyle, assigned to Mercer County; Kolton Mueller, assigned to Elk County; Cameron Murphy, assigned to York County; Thomas Nelson, assigned to Tioga County; Denton Schellhammer, assigned to Armstrong County; Jared Schibik, assigned to Crawford County; Charles Schuster, assigned to Fayette County; Trevor Shauf, assigned to Franklin County; Michael Smith, assigned to Tioga County; Patrick Sowers, assigned to Pike County; Derek Spitler, assigned to Northumberland County; Adam Traynor, assigned to

Washington County; and Ryan Zawada, assigned to Berks County. They are joined today by Timothy Grenoble, director of training; Kyle Jury, assistant director of training; Kevin Anderson, resident instructor; and Eric Kelly, resident instructor.

Folks, I think it is important and I invited them to come to a House session because I think the role that they play in the Commonwealth of Pennsylvania needs to be heralded. I also want them to have an opportunity to see the State legislature – the House of Representatives in particular – in action. But I also think it is important that as you meet young men and women back home in your districts that have an interest with respect to wildlife habitat management law enforcement, that you could in the future recommend them to consider becoming officers, our game wardens, in the Commonwealth of Pennsylvania. It in fact may be an outstanding career opportunity for young women and men that you may know back home in the future. This class, as I said, will be graduating February 23. I would like you to please give them a round of applause.

If the cadets will just remain standing, we are going to take some photos here.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—189

Barrar	Flynn	Lewis	Rigby
Benninghoff	Frankel	Longietti	Roac
Bernstine	Freeman	Mackenzie	Roebuck
Bizzarro	Fritz	Mako	Rothman
Boback	Gabler	Malagari	Ryan
Borowicz	Galloway	Maloney	Sainato
Boyle	Gaydos	Markosek	Samuelson
Bradford	Gillen	Marshall	Sanchez
Briggs	Gillespie	Masser	Sankey
Brooks	Gleim	Matzie	Sappay
Brown	Goodman	McCarter	Saylor
Bullock	Gregory	McClinton	Schemel
Burgos	Greiner	McNeill	Schlossberg
Caltagirone	Grove	Mehaffie	Schmitt
Carroll	Hahn	Mentzer	Schroeder
Causar	Hanbidge	Merski	Schweyer
Cephas	Harkins	Metzgar	Shusterman
Ciresi	Harris	Mihalek	Simmons
Comitta	Heffley	Millard	Sims
Conklin	Helm	Miller, B.	Snyder
Cook	Hennessey	Miller, D.	Solomon
Cox	Hershey	Mizgorski	Sonney
Culver	Hickernell	Moul	Staats
Cutler	Hohenstein	Mullery	Stephens
Davidson	Howard	Mullins	Struzzi
Davis, A.	Innamorato	Murt	Sturla
Dawkins	Irvin	Neilson	Thomas
Day	Isaacson	Nelson	Tobash
Deasy	James	O'Mara	Toepel
DeLissio	Jones	O'Neal	Toohil
Delloso	Jozwiak	Oberlander	Topper
Delozier	Kail	Ortitay	Ullman
Dermody	Kaufar	Otten	Vitali
Diamond	Kauffman	Owlett	Walsh
DiGirolamo	Keefer	Pashinski	Warner
Donatucci	Keller, F.	Peifer	Warren
Dowling	Keller, M.K.	Petrarca	Webster

Driscoll	Kenyatta	Pickett	Wentling
Dunbar	Kim	Polinchock	Wheatley
Dush	Kinsey	Puskaric	Wheeland
Ecker	Kirkland	Pyle	White
Emrick	Klunk	Quinn	Williams
Evans	Knowles	Rabb	Zabel
Everett	Kortz	Rader	Zimmerman
Farry	Krueger	Rapp	
Fee	Kulik	Ravenstahl	Turzai,
Fiedler	Lawrence	Readshaw	Speaker
Fitzgerald	Lee	Reese	

ADDITIONS—0

NOT VOTING—0

EXCUSED—12

Burns	Davis, T.	Gainey	Nesbit
Cruz	DeLuca	Madden	Rozzi
Daley	Ellis	Metcalfe	Youngblood

The SPEAKER. We have 189 members who are on the House floor, so we have a quorum.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mrs. EVANS called up **HR 90, PN 503**, entitled:

A Resolution recognizing March 6, 2019, as "Black Balloon Day" in Pennsylvania.

* * *

Mr. KINSEY called up **HR 91, PN 504**, entitled:

A Resolution recognizing the month of February 2019 as "Black History Month" in Pennsylvania.

* * *

Mr. MATZIE called up **HR 93, PN 506**, entitled:

A Resolution designating March 10, 2019, as "Charter Day" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—189

Barrar	Flynn	Lewis	Rigby
Benninghoff	Frankel	Longietti	Roae
Bernstine	Freeman	Mackenzie	Roebuck
Bizzarro	Fritz	Mako	Rothman
Boback	Gabler	Malagari	Ryan
Borowicz	Galloway	Maloney	Sainato
Boyle	Gaydos	Markosek	Samuelson
Bradford	Gillen	Marshall	Sanchez
Briggs	Gillespie	Masser	Sankey

Brooks	Gleim	Matzie	Sappey
Brown	Goodman	McCarter	Saylor
Bullock	Gregory	McClinton	Schemel
Burgos	Greiner	McNeill	Schlossberg
Caltagirone	Grove	Mehaffie	Schmitt
Carroll	Hahn	Mentzer	Schroeder
Causer	Hanbidge	Merski	Schweyer
Cephas	Harkins	Metzgar	Shusterman
Ciresi	Harris	Mihalek	Simmons
Comitta	Heffley	Millard	Sims
Conklin	Helm	Miller, B.	Snyder
Cook	Hennessey	Miller, D.	Solomon
Cox	Hershey	Mizgorski	Sonney
Culver	Hickernell	Moul	Staats
Cutler	Hohenstein	Mullery	Stephens
Davidson	Howard	Mullins	Struzzi
Davis, A.	Innamorato	Murt	Sturla
Dawkins	Irvin	Neilson	Thomas
Day	Isaacson	Nelson	Tobash
Deasy	James	O'Mara	Toepel
DeLissio	Jones	O'Neal	Toohil
Delloso	Jozwiak	Oberlander	Topper
Delozier	Kail	Ortitay	Ullman
Dermody	Kaufert	Otten	Vitali
Diamond	Kauffman	Owlett	Walsh
DiGirolamo	Keefer	Pashinski	Warner
Donatucci	Keller, F.	Peifer	Warren
Dowling	Keller, M.K.	Petrarca	Webster
Driscoll	Kenyatta	Pickett	Wentling
Dunbar	Kim	Polinchock	Wheatley
Dush	Kinsey	Puskaric	Wheeland
Ecker	Kirkland	Pyle	White
Emrick	Klunk	Quinn	Williams
Evans	Knowles	Rabb	Zabel
Everett	Kortz	Rader	Zimmerman
Farry	Krueger	Rapp	
Fee	Kulik	Ravenstahl	Turzai,
Fiedler	Lawrence	Readshaw	Speaker
Fitzgerald	Lee	Reese	

NAYS—0

NOT VOTING—0

EXCUSED—12

Burns	Davis, T.	Gainey	Nesbit
Cruz	DeLuca	Madden	Rozzi
Daley	Ellis	Metcalfe	Youngblood

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

FILMING PERMISSION

The SPEAKER. We have two individuals who are on the House floor from the Washington Post, Robert Samuels and Salwan Georges. We have two reporters; one, I believe is a photographer and one is a writer from the Washington Post on the House floor. Sir, you have to be off the – until we are actually not voting, you cannot be in the well of the House. You can be in the back of the House. But after we are out of session, you can be. That is not just true for you, that is true for anybody who comes onto the House floor with permission.

BILLS REREPORTED FROM COMMITTEE**HB 60, PN 565**

By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 81, PN 564

By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 128, PN 563

By Rep. SAYLOR

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

APPROPRIATIONS.

The SPEAKER. Members, we are going to turn to the House calendar, so I do need all members to take their seats. All staff, if you could, please take the conversations off the House floor. As indicated, we do have a photographer and a reporter from the Washington Post on the House floor. They are here with the permission of the Speaker.

CALENDAR**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 350, PN 276**, entitled:

An Act amending the act of February 24, 1984 (P.L.92, No.17), referred to as the Precious Metal Sale Regulation Law, further providing for definitions, for license required, for records of transactions, for dealer's retention of precious metal and availability for inspection, for purchases from minors and for penalty.

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

Mr. **JOZWIAK** offered the following amendment No. **A00099**:

Amend Bill, page 2, line 5, by inserting after "are"
wholesale purchasers.

Amend Bill, page 3, lines 24 through 30; page 4, line 1; by striking out all of said lines on said pages

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

The SPEAKER. The Chair recognizes Representative Barry Jozwiak, who offers amendment 99.

Mr. JOZWIAK. Thank you, Mr. Speaker.

This bill also includes a 10-day hold on any jewelry that is brought into a pawnshop versus a 5-day, which is 10 business

days, which means the police and law enforcement have 2 weeks to go to the pawnshops and find that it doubles the time limit. It also requires that the person bringing their stuff to the shop would have to have their driver's license photograph, and these places also have video cameras.

So this is an agreed-to amendment and I would ask the members to support the amendment. Thank you.

The SPEAKER. Thank you.

Representative Matzie, on the amendment, sir.

Mr. MATZIE. Thank you, Mr. Speaker.

This may be an agreed-to amendment with the maker of the amendment and the primary sponsor, but not an agreed-to amendment with this side of the aisle.

Will the gentleman stand for brief interrogation?

The SPEAKER. Yes. Thank you, Representative Matzie. Sir, will you stand for interrogation?

Mr. JOZWIAK. Yes.

The SPEAKER. Yes, he will, sir, and you may proceed.

Mr. MATZIE. Mr. Speaker, it is my understanding that the amendment re-exempts wholesale purchasers from the definition of "precious metal dealers" and removes the requirement of dealers to photograph items with insignias and unique markings. Is that accurate?

Mr. JOZWIAK. That is correct.

Mr. MATZIE. Okay. For the benefit of the members, who are wholesale purchasers? Can you give me a definition or an example of who a wholesale purchaser is?

Mr. JOZWIAK. We have a dealer in Pennsylvania here that does \$150 million worth of wholesale purchases from other shops after they go through the 10-day holding period, and he does about \$150 million worth of business a year.

Mr. MATZIE. So it is one wholesaler dealer that you are aware of?

Mr. JOZWIAK. One that I know of. He does wholesale for five States.

Mr. MATZIE. One for five States.

The removing of the photographic requirement in the bill, in my judgement, basically negates the legislative intent. This is a bill— Mr. Speaker, on the amendment?

The SPEAKER. Yes.

Mr. MATZIE. Thank you for interrogation.

The SPEAKER. Yes, thank you.

So the interrogation has concluded, and at this time Representative Matzie is permitted to speak on the bill.

Mr. MATZIE. For the benefit of the members, this bill is a bill that passed through this House with the same language the last two terms. It was offered by our former colleague, Rick Saccone. It is a bill that has been through the Consumer Affairs Committee. It has been vetted. This is a bill that came out of committee unanimously, and now we are going to amend this bill and basically take out the legislative intent of the bill. So one of the problems I have about removing the photograph requirement in the bill, negating the legislative intent, as I said – and it being through this chamber for three consecutive sessions, law enforcement worked on this bill with us, on that committee about putting the photographic requirement into the bill – removing the photographic requirement, as I said, regardless of whether or not that individual business has a video camera or not, makes no sense.

Now, look, we debate oftentimes and talk in our newsletters and back home in the press about how important it is for us as policymakers to work on the opioid epidemic. One of the

problems we have with the opioid epidemic, at least in my region in southwestern Pennsylvania, is you have kids and grandkids stealing from Grandma and Grandpa and taking it to a precious metal dealer and then using that money to buy drugs. So you have to ask yourselves, as members of this General Assembly, if you vote "yes" for this amendment, you are voting for a wholesaler dealer. Well, I am voting for Grandma. I am voting for the consumer.

This takes out the legislative intent of the underlying bill. I ask for a "no" vote. Thank you.

The SPEAKER. Thank you, sir.

And does anybody else wish to speak on the amendment?

Representative Pashinski.

Representative Jozwiak, because it is your amendment and you spoke on it, you will speak at the end. You will be the last speaker. So anybody else that wishes to speak will have the opportunity to do so first.

Representative Pashinski.

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

Some 10 years ago, we – if our history will remember us – we had a great deal of theft, copper theft, throughout the State of Pennsylvania. Throughout our communities, people were stealing the copper from residents, from buildings, from people who went away on vacation. And one of the reasons for that was because of the fact that the individual that stole the copper or precious metals would take it to the scrapyard without having to identify oneself, and as a result, they would weigh the copper, they would get paid for that value, and they were off and running again. We passed a bill, HB 1742, that required anybody that had material that was worth more than \$100, they had to show identification. They had to register themselves to make sure that the person that was doing this was a bona fide business person and not someone who was stealing. So I think some caution needs to be considered regarding this amendment and possibly do a second thought.

Thank you very much, Mr. Speaker.

The SPEAKER. Representative Jozwiak, for the second time.

Mr. JOZWIAK. Thank you, Mr. Speaker.

I would just like to point out to the members, first of all, a lot of these transactions have already been in these pawnshops; they have already been held for 5 days under the current law. We are extending the new law to hold it 10 days – that is 10 business days, which is actually 2 weeks – and it gives the police the time to go there and actually see the jewelry, not a photograph. So if you have a photograph and the jewelry is gone, you are never going to get it back. It is going to be gone at that point. Most of these incidents are found immediately. Second of all, a lot of the jewelry that is taken, the gold necklaces and things, have no markings on them. This is only to photograph things that are marked. So it is duplication with what the pawnshops are already doing.

So with that, I would ask for a "yes" vote on this amendment, please.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—99

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

NAYS—90

Bernstine	Farry	Lee	Readshaw
Bizzarro	Fiedler	Longietti	Roebuck
Boyle	Fitzgerald	Malagari	Sainato
Bradford	Flynn	Markosek	Samuelson
Briggs	Frankel	Marshall	Sanchez
Bullock	Freeman	Matzie	Sappery
Burgos	Galloway	McCarter	Schlossberg
Caltagirone	Goodman	McClinton	Schroeder
Carrroll	Hanbidge	McNeill	Schweyer
Cephas	Harkins	Mehaffie	Shusterman
Ciresi	Harris	Merski	Sims
Comitta	Hohenstein	Miller, D.	Snyder
Conklin	Howard	Mullery	Solomon
Davidson	Innamorato	Mullins	Sturla
Davis, A.	Isaacson	Neilson	Thomas
Dawkins	Jones	Nelson	Ullman
Deasy	Kenyatta	O'Mara	Vitali
DeLissio	Kim	Otten	Warren
Delloso	Kinsey	Pashinski	Webster
Dermody	Kirkland	Quinn	Wheatley
Donatucci	Kortz	Rabb	Williams
Driscoll	Krueger	Ravenstahl	Zabel
Evans	Kulik		

NOT VOTING—0

EXCUSED—12

Burns	Davis, T.	Gainey	Nesbit
Cruz	DeLuca	Madden	Rozzi
Daley	Ellis	Metcalfe	Youngblood

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 284, PN 540**, entitled:

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in powers and duties of Pennsylvania Historical and Museum Commission, further providing for specific powers and duties, for personal property and for documents, providing for Commonwealth archival records, for local government archival records and for access to older public records; and, in historic properties, further providing for title to historic property and for powers over certain historic property.

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

* * *

The House proceeded to second consideration of **HB 65, PN 69**, entitled:

An Act designating a bridge on that portion of State Route 3047 over the South Branch of Blacklick Creek, Blacklick Township, Cambria County, as the Private First Class Steve L. Klosz Memorial Bridge.

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

* * *

The House proceeded to second consideration of **HB 66, PN 542**, entitled:

An Act designating a bridge on that portion of Peg Run Road, Pennsylvania Route 240, over the West Branch of the Susquehanna River, Susquehanna Township, Cambria County, as the United States Army Sergeant Scott O. Henry Memorial Bridge.

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

* * *

The House proceeded to second consideration of **HB 224, PN 543**, entitled:

An Act designating a portion of U.S. Route 220 along the Sullivan County and Bradford County line as the T.W. "Doc" Shoemaker Memorial Highway.

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

Ms. **PICKETT** offered the following amendment
No. **A00104**:

Amend Bill, page 1, line 11, by striking out "from segment 540/offset 0000 to segment 590/offset 3246"

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

The following roll call was recorded:

YEAS—189

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Burns	Davis, T.	Gainey	Nesbit
Cruz	DeLuca	Madden	Rozzi
Daley	Ellis	Metcalfe	Youngblood

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 277, PN 251**, entitled:

An Act designating a bridge on that portion of Pennsylvania Route 14 over Fall Brook, Troy Borough, Bradford County, as the Troy Area Veterans Memorial Bridge.

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

* * *

The House proceeded to second consideration of **HB 384, PN 354**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for classes of licenses.

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

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 81, PN 564**, 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 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 speak on the bill?

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—189

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Burns	Davis, T.	Gainey	Nesbit
Cruz	DeLuca	Madden	Rozzi
Daley	Ellis	Metcalfe	Youngblood

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 128, PN 563**, 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 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 speak on HB 128? Representative Brown? Representative Brown?

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—188

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

Emrick	Klunk	Quinn	Williams
Evans	Knowles	Rabb	Zabel
Everett	Kortz	Rader	Zimmerman
Farry	Krueger	Rapp	
Fee	Kulik	Ravenstahl	Turzai,
Fiedler	Lawrence	Readshaw	Speaker
Fitzgerald	Lee		

NAYS—1

Sappey

NOT VOTING—0

EXCUSED—12

Burns	Davis, T.	Gainey	Nesbit
Cruz	DeLuca	Madden	Rozzi
Daley	Ellis	Metcalfe	Youngblood

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 60, PN 565**, 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 third consideration?
Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Vitali I know wishes to speak. We are going to take down names of anybody who wishes to speak on the bill other than the prime sponsor.

Representative Vitali, you may proceed, sir.

Members, please take your seats. Representative Vitali is entitled to be heard, and you may proceed.

Mr. VITALI. Thank you, Mr. Speaker.

I just wanted to bring this bill to the attention of members because there was certainly a controversial element to it, and I know your intent is good. I would never question your motives, but an objective person looking at all the facts and circumstances here could conclude that this is retaliation against the Susquehanna River Basin Commission.

The SPEAKER. Sir—

Mr. VITALI. I am not saying that, I am just saying—

The SPEAKER. No, no; Representative Vitali, I just want to clarify. Are you seeking interrogation or are you speaking—

Mr. VITALI. No, no, no; I am just speaking on the bill.

The SPEAKER. You are speaking on the bill?

Mr. VITALI. Right.

The SPEAKER. And you cannot ascribe—

Mr. VITALI. No.

The SPEAKER. This is not just to you, it is to everybody. We are at the start of the session.

Mr. VITALI. Right.

The SPEAKER. In our remarks, you cannot ascribe or discuss motives or in any way – whether directly or indirectly – impugn those motives of a maker of a bill or an amendment or any member of the House. Discussion, remarks are to be germane to the bill itself and to talk about the positives or the negatives with respect to the public policy surrounding the bill.

Representative Vitali, you may proceed with your remarks.

Mr. VITALI. No. And I know the maker's recommendations, motives are good, but I think it would be easy to conclude to others looking at this, seeing really no other reason for this since this bill has no fiscal benefit to the Commonwealth. The maker singles out the Susquehanna River Basin Commission, but if you look in the language of the bill itself, leaves in many other commissions for SERS (State Employees' Retirement System.) It might be easy for someone else to conclude that there might be some dissatisfaction with the policies the SRBC is taking and conclude this is retaliation. So that is a concern I have.

Mr. Speaker, I would simply say, if you look at the independent, the note from the Independent Fiscal Office, it says they have "determined that...the resulting actuarial...impact upon SERS would be de minimis." So this has really no positive benefit. It seems to be singling out an agency. It is not helping in any way and it is my understanding the SRBC has to provide this pension benefit by law one way or the other anyway. It is going to happen; these pension benefits are going to happen. I just think that this is not something I can support.

The SPEAKER. Thank you, Representative Vitali.

Representative Brett Miller is recognized.

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

Mr. Speaker, I rise in support of HB 60 for several reasons, and I would like to just make a few comments in relation to that.

Yesterday there was a comment on the floor about how the pension system was divided among the States. Of course, the SRBC is a collection between New York, Pennsylvania, Maryland, and the Federal government, but the pension system of Pennsylvania is the one that bears the costs for the employees of the SRBC, not the other States.

Now, one thing that was just mentioned by the prior speaker is that the SRBC, by their compact, is required to provide wages and benefits, and one of those being the pension; however, the compact does not specify that it must be Pennsylvania's pension plan. In fact, the SRBC could have chosen the New York pension plan, the Maryland pension plan, the Federal government plan, the Pennsylvania plan, or have gone to an entirely private pension plan. So the fact that they have chosen Pennsylvania does not mean that it is, by law, required.

The other point I would like to make is that – the main point – is that the SRBC employees are not employees of Pennsylvania any more than the employees of the EPA (Environmental Protection Agency) are employees of Pennsylvania. They are simply not employees of Pennsylvania, and this law simply reflects that fact. And to the gentleman's comments prior, the fact that this bill just does isolate the SRBC does not mean that others should not be added. In fact, I share his view. Last year there was discussion on the House floor, or 2 years ago, perhaps, about, I think there are 15 to 20 different agencies that are in our State

pension system that are in fact not State employees. So perhaps this bill can be amended into the Senate to include those other agencies.

But with those elements spoken here, I would just like to read what the IFO note does say here. It says, "The IFO has reviewed the provisions of House Bill 60, Printer's Number 565 and determined that because the legislation would affect only a small number of future members, the resulting actuarial cost impact upon SERS would be de minimis."

With that, Mr. Speaker, I would urge the colleagues to vote "yes" on this bill.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

Representative Dan Moul.

Mr. MOUL. Thank you, Mr. Speaker.

We have two different compacts in Pennsylvania that oversee water and water authorities: DRBC (Delaware River Basin Commission) Delaware and SRBC Susquehanna. DRBC is not in our pension system and neither should the SRBC be in our pension system. One of the things that I do not know if it was clearly spelled out, but this bill would not affect anyone who is currently on the system. I myself do not believe in taking something away from somebody they already have, but there is no reason to bring their new employees on board, especially with 70 billion plus dollars of unfunded obligation that we already have in our system. We need to be working together to make sure we lower those obligations, not keep on building on top of those obligations.

The letter we all got this morning from the SRBC has a couple things in it that are pretty striking to me. They say that we pay our part. Where do they get their part? They get their part from charging fees to our communities, and in a lot of cases, exorbitant fees to our communities. Your past whip, Representative Hanna, has a water company in his district that was totally abused and is still being abused by the SRBC. So this is not a partisan issue by any stretch of the imagination. They mentioned in their letter that the IFO says that it is "de minimis," but in the very next sentence they say that without our contributions, it would be detrimental to SERS. Well, which is it, SRBC, is it de minimis or is it detrimental?

The thing that we have to do is think about the future and how we can get our obligations of our pension systems down, and one of the ways is to start by removing people who are on our system, future employees – keep them from getting on our systems – that do not work for the Commonwealth. Keep that in mind, they do not work for us. If another State wants to pick them up that is in this system, whether it is Maryland, whether it is New York, whether it is the Army Corps Engineers of Federal government, let them have a pension system and take on those employees. We have had them for, what, 50 years now, or close to 50 years? Let them carry the ball for a while and move the new employees to New York or Maryland.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Mike Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, it was pointed out that if these members that are currently in SERS that work for the SRBC leave SERS, that the cost or the impact to SERS will be de minimis. That also means that if they stay, the impact will be de minimis. This notion that by eliminating a few people from the SERS pension system because they work for an agency that serves the people of

Pennsylvania, even though they are not Pennsylvania State employees, that somehow that is egregious and that the Pennsylvania taxpayers pay for them to be in that pension system. The Pennsylvania taxpayers who are served by the SRBC will pay for them if they are in a different pension system. It is just going to be paid somewhere else.

This really is – and I do not want to go to anyone's motives – but as was pointed out, you can only look at this as retaliatory, particularly when you hear comments that SRBC is doing things to our citizens and we have got to do something to stop them. If we need to do something to the SRBC to stop them from doing things to our municipalities, the way to do that is to change what SRBC can and cannot do, not to impact negatively the employees of SRBC by messing with their pension system or a future pension system. I know that pension systems in this State help draw big headline and empathy for a cause, but simply changing the pension system for future employees of the SRBC in no way impacts some members' concerns for what they view as egregious behavior on the part of the SRBC. (Remarks stricken from the record.)

The SPEAKER. Yes. Please strike; that is stricken from the record.

Mr. STURLA. Thank you, Mr. Speaker.

The SPEAKER. Representative Dellosa.

Mr. DELLOSO. Thank you, Mr. Speaker.

I rise in opposition to HB 60 and I encourage my colleagues to oppose it also. This bill has no positive fiscal impact on the Commonwealth. It creates an undue burden on the SRBC because now the SRBC will have to go out into the market and seek something that which they already have, which is participation in the pension agreement. This bill clearly places an obstacle in the road for the SRBC to provide a dignified retirement for their employees, and I encourage my colleagues to oppose.

The SPEAKER. Does anybody else wish to speak before the majority leader and the maker of the bill? Does anybody else wish to speak?

Representative Miller, for the second time.

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

I just want to reiterate the point and the salient point that I made previously, and that is that these folks are simply not employees of the State of Pennsylvania. They are not employees of the State of Pennsylvania any more than the members of the EPA are State employees, and as such, they are not entitled to a State pension paid for by the taxpayers of Pennsylvania.

So I, again, think that is the salient point here and urge the members to vote "yes" on this bill.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

And the majority leader – or please wait, Leader.

Representative Kenyatta, followed by Representative Ciresi.

Mr. KENYATTA. Thank you.

Mr. Speaker, I just think very, very quickly what needs to be pointed out is that almost all with the exception of one of the employees of this agency are residents of Pennsylvania. There is no reason for this bill and I think all of my colleagues on both sides of the aisle need to oppose this.

The SPEAKER. Representative Ciresi.

Mr. CIRESI. Mr. Speaker, I would like to address this the same way, is that when we looked at this bill in committee, it came up, why are we just taking this one organization and only them? And one of the responses was, "Well, we would like to take them all." If we are going to take them all and look at the

pension, let us put it all on the floor together rather than go back and forth and debate this and vote on it one time, not take it by piecemeal.

The SPEAKER. Representative Dush.

Mr. DUSH. Thank you, Mr. Speaker.

Just to counteract a point that was just made: township employees are not employees of the State. They are not under the State Employees' Retirement System. EPA employees are not – they may be residents of Pennsylvania, but they are not under the State Employees' Retirement System. It is the State Employees' Retirement System; an organization outside of the direct employment of the people of the Commonwealth of Pennsylvania has no business being in the State Employees' Retirement System.

I urge a "yes" vote. Thank you.

The SPEAKER. Representative Boyle.

Mr. BOYLE. I just wanted to make it clear that members of the Susquehanna River Basin Commission are being singled out. There are other agencies that are currently enrolled in the State pension system, namely the Turnpike Commission, the Delaware River Port Authority, the Philadelphia Port Authority, and also the Port Authority in Pittsburgh.

So I urge all members to stand up for workers who are protecting the environment and vote "no."

The SPEAKER. Does anybody else wish to be recognized?

The majority leader is recognized, and then the maker of the bill.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I think that this bill is really quite simple and it involves what is the definition of a State employee? We have heard from some that regarding employees are residents all but one. While that is true, that is not a requirement to be a State employee in terms of inclusion in the pension system. And there were some questions as to the motive of the bill and the SRBC and whether this was a question of policy paybacks. The truth is, we have legislatively attempted to remove other organizations previously, and most recently that was the School Boards Association. I believe we did it last session and the one prior to that. Additionally, we are looking for parity with the Delaware River Basin Commission, as the gentleman from Adams County pointed out. They are not currently in the system and that is simply a by-product of when the commissions were created. So while it would be nice to quickly remove everyone from the system that we believe are not employees, and there are several more commissions that are not technically State employees but somehow found themselves under our pension system, and while I would welcome that discussion going forward, whether it be through additional bills or amendments on other bills that would qualify, the truth is, I have learned over a long time in the legislative process that you work on what you can get agreement on; you take a small piece and you keep moving. That is how you find compromise, that is how you advance issues, and that is why we should be a "yes" vote on this bill.

Thank you, Mr. Speaker.

The SPEAKER. Representative Sturla, you asked – you motioned to speak a second time after I had asked everybody if they wanted to speak again. You are more than welcome to speak, but please, just as a matter of protocol, the leaders typically go last, the minority leader and the majority leader and the maker of the bill. If it is an amendment, the maker of the amendment. It is just how we conduct business on the House floor. I continue to ask and I will always ask, particularly when there is debate on

bills, if anybody else wishes to speak. If you do, wave your hand, we will call on you. I also make it clear that the leaders, the minority leader and the majority leader, will be last, and the maker of the bill, and if it is an amendment, the maker of the amendment. So that is just standard protocol. It is not written in the rules. It just allows for appropriate deference.

At this time the maker of the bill has waived off.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—108

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

NAYS—81

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

NOT VOTING—0

EXCUSED—12

Burns	Davis, T.	Gainey	Nesbit
Cruz	DeLuca	Madden	Rozzi
Daley	Ellis	Metcalfe	Youngblood

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

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

The SPEAKER. I would ask all members to please take their seats. We have members who would like to speak on resolutions that were on the uncontested calendar. They do not have guests. I would ask members to please take their seats for the remarks. Representative Kinsey, HR 91. And I know Representative Kinsey is inviting some members up with him who I believe were cosponsors of the resolution.

JUDICIARY COMMITTEE MEETING

The SPEAKER. Representative Kauffman, for what purpose do you stand?

Mr. KAUFFMAN. Meeting announcement, Mr. Speaker.

The SPEAKER. Yes, sir. You may proceed.

Mr. KAUFFMAN. Before people take off, I want to make certain that you are aware we are having a voting meeting of the House Judiciary Committee immediately in G-50 Irvis Office Building; G-50 Irvis Office Building, a previously announced Judiciary meeting.

The SPEAKER. Thank you, sir.

There is a voting meeting of the House Judiciary Committee immediately in G-50 Irvis Office Building.

ANNOUNCEMENT BY MR. PYLE

The SPEAKER. Representative Jeff Pyle, do you have a committee announcement?

Mr. PYLE. Actually, a caucus announcement, Mr. Speaker.

The SPEAKER. Yes, sir. You may proceed.

Mr. PYLE. The Second Amendment Caucus will have its first meeting of the term. Next week we are back in session. Second Amendment Caucus.

Thank you, Speaker.

The SPEAKER. Thank you, sir.

ANNOUNCEMENT BY MRS. DAVIDSON

The SPEAKER. Representative Margo Davidson I believe has an announcement. Representative Davidson.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

The southeast delegation will be meeting immediately after session, and those members that have committee meetings could join us in 38 East Wing immediately following their committee meetings. Southeast delegation, immediately following session, Democratic.

The SPEAKER. Thank you. The southeast Democratic delegation will be meeting immediately after session. Who else has an announcement?

ANNOUNCEMENT BY MS. McCLINTON

The SPEAKER. Representative Joanna McClinton, the Democratic caucus chair, has a caucus announcement.

Ms. McCLINTON. Thank you, Mr. Speaker.

Immediately following the conclusion of session today, there will be a brief meeting for all of the members of the House Democratic Appropriations Committee in Chairman Bradford's office. Thank you.

The SPEAKER. Thank you, Representative McClinton.

Immediately following the conclusion of session today, there will be a brief meeting for all of the members of the House Democratic Appropriations Committee in Chairman Bradford's office.

Are there any other committee or caucus announcements? Okay. I would ask all members to please take their seats. The Sergeants at Arms will close the doors of the House.

STATEMENT BY MR. KINSEY

The SPEAKER. Representative Kinsey, you may proceed, sir. Mr. KINSEY. Thank you, Mr. Speaker.

Mr. Speaker, I am joined by the cosponsors of HR 91, and that is Representative Hill-Evans, Representative Bullock, and Representative Lee. And, Mr. Speaker, we want to thank our colleagues for their support of HR 91, which recognizes February 2019 as "Black History Month."

Mr. Speaker, I think that it is important that we understand that Black history is American history. It is a history woven in time from when the first enslaved people were brought here in slave ships. It has been, and will always be, a reflection of the past, present, and hopefully, the future deeds of African-Americans. You see, Mr. Speaker, for centuries we have heard about the trials, the tribulations, and the sacrifices that African-Americans have made that have helped to shape these United States of America, the sacrifices of folks like Harriet Tubman, who was born into slavery and escaped to freedom in 1849, only to return to the south multiple times over the next 12 years, helping more than 300 enslaved African-Americans escape bondage by ushering them along the Underground Railroad.

Sacrifices like the one made by Rosa Parks, who was best known for her December 1, 1955, arrest for refusing to give up her seat on a bus to a White rider, an incident that sparked the 381-day Montgomery bus boycott, which eventually led to the desegregation of that city's public transit system. It is a reflection of the courage of four young African-American students at North Carolina A&T college. Those four students decided to go to a Woolworth store in Greensboro, North Carolina, and sit down at a Whites-only counter, and despite being denied service, they sat silently and politely at the lunch counter until closing time. Or the courage of the Freedom Riders, composed of blacks and whites who recognized the need to fight for equality together, whose buses were attacked and firebombed in Alabama. It is a reflection of the courage of President Lyndon B. Johnson, who successfully pushed through the historic Civil Rights Act of 1964 which banned discrimination in employment and public spaces. From Crispus Attucks, the first person killed in the Boston Massacre, to Dr. Martin Luther King, Jr., a leader killed for leading the charge of the civil rights movement.

The origins of Black History Week were visualized by the early 20th-century historian, Carter G. Woodson, and his desire to spotlight the accomplishments of African-Americans that mainstream historians left out of the narrative of American history. His creation of Negro History Week in 1926 paved the way for the establishment of Black History Month, which became recognized in 1976.

We thank you, Mr. Speaker, for recognizing this important moment of history as we recognize the contributions and accomplishments of Black Americans for Black History Month here in the Capitol of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Representative Kinsey, thank you.

We all know there is no room for racism in our Commonwealth or in this country. You have continued to be a leader with respect to making sure that everyone is treated equally. Further, Representative Kinsey, in celebration of Black History Month, thank you for making all Pennsylvania citizens aware of the 13th, 14th, and 15th Amendments to the United States Constitution, as well as to the historic Civil Rights Act, as well as the changes to Pennsylvania law to prohibit such discrimination as well.

STATEMENT BY MRS. EVANS

The SPEAKER. At this time Representative Hill-Evans and Representative Hohenstein are recognized to speak on HR 90 and we will begin, if appropriate, with Representative Hill-Evans.

Mrs. EVANS. Thank you, Mr. Speaker.

We are also joined this morning by Representative DiGirolamo, who is going to be giving us a testimony here after we speak about Black Balloon Day.

Black Balloon Day has become a national and international event, bringing awareness to overdose deaths. It started when Diane and Lauren Hurley wanted to remember Greg Tremblay, a father of four and the son-in-law of Diane, brother-in-law of Lauren. He died from an overdose at 38 years old on March 6, 2015. Drug overdose is the leading cause of accidental death in the U.S., according to Overdose Lifeline, with 70,200 lethal drug overdoses in the year 2017. Opioids are driving the epidemic with more than 47,000 deaths related to prescription or illicit opioids.

STATEMENT BY MR. HOHENSTEIN

The SPEAKER. Representative Hohenstein.

Mr. HOHENSTEIN. Thank you, Representative Hill-Evans.

We are proposing this resolution because our communities are dying. I come from a district where people are dying on the street. They live with homelessness in their addiction. They are dying in their homes, where they live with loneliness and depression. I used to think my district was at the epicenter; then I came here and I spoke with a number of my colleagues and recognized this is not just a Philadelphia problem. It is not just an urban or a suburban problem. This is affecting people throughout the Commonwealth and in all of the parts of our country as well.

And so we have Black Balloon Day. Black is the color of the mourning and the grief that we all feel over the people that we have lost. Black is also the color of the shadow and the stigma that we place on people and that we use to blind ourselves to their addiction and their suffering. It is my hope that we would be able

to break through the shadows of stigma and the blame and guilt of so many of the people who live with addiction and mental illness, and also for the families who have loved them.

So I ask you all to join in this resolution. Join us as we mourn and grieve, join us as we seek to give people a path out of the shadows and into the light and into the love of the families around them.

Representative DiGirolamo, please.

STATEMENT BY MR. DIGIROLAMO

The SPEAKER. Representative DiGirolamo.

Mr. DIGIROLAMO. Thank you, Mr. Speaker.

First, I would like to applaud my two colleagues here for the resolution. Last week I attended a funeral in my district for a family that I knew very, very well; a 24-year-old son died of an overdose. And as I got up to the casket, the parents were absolutely distraught, and the mother, as she grabbed me, just kept saying over and over again, "We did everything that we could possibly do and we couldn't save him. We did everything that was humanly possible and we couldn't save my son."

We are losing 15 Pennsylvanians a day who die from this absolute epidemic. Each one of these deaths, and they are happening in every one of our districts, are heartbreaking, tragic, senseless, and preventable. And the thing that keeps driving me, especially in my work here in the legislature, is that if it was not for the work that we have done up here in Harrisburg, it would be two or three times worse than what it is already. That is absolutely true. We should be proud of the work that we have done, but we have got so much more to do; so much more to do.

So let us make this a priority, and I know all of you think the same thing. Let us make addiction a priority. We need to make sure that people that want to get into treatment have the opportunity to get into treatment – and this is where I get in trouble – we have got to make sure that these drug companies come in and accept the responsibility for the crisis and the epidemic that they have created, not only here in Pennsylvania but across this country.

So again I want to applaud the makers of the resolution, and let us continue to focus on this and make this a priority of treatment and addiction. Thank you.

The SPEAKER. Thank you, members.

BILLS RECOMMITTED

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

HB 65;
HB 66;
HB 224;
HB 277;
HB 284;
HB 350; and
HB 384.

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

RECESS

The SPEAKER. Members, we are going to recess at this time. The Judiciary Committee is meeting and we need to read those bills across the desk once they – if they have taken action on those bills. So we are just going to stand in recess at this time until 1 o'clock, but we will not be taking any further votes. There will not be any other action taken by the House. There will be no other speakers. The only action that would be taken is that should the Judiciary Committee pass bills, those bills will be read across the desk. That will be the only action that will take place. Otherwise, when we come back, we will be adjourning until Monday, March 11, 2019, at 1 p.m., unless sooner recalled by the Speaker.

As you know, the next 2 weeks continue to be the Appropriations hearings, so the Appropriations Committee will be meeting the following 2 weeks. All of those, of course, are televised, and then we are back in session on March 11 at 1 p.m., unless sooner recalled by the Speaker.

So the House now stands in recess. Those bills, should they be passed out of committee, will be read across the desk on first consideration at 1 p.m.

AFTER RECESS

THE SPEAKER PRO TEMPORE (SETH M. GROVE) PRESIDING

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 276, PN 284

By Rep. KAUFFMAN

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for rights of victims of crime.

JUDICIARY.

HB 502, PN 490

By Rep. KAUFFMAN

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

JUDICIARY.

HB 503, PN 491

By Rep. KAUFFMAN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in depositions and witnesses, providing for procedures to protect victims and witnesses with intellectual disabilities or autism.

JUDICIARY.

HB 504, PN 492

By Rep. KAUFFMAN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in sexual offenses, further providing for evidence of victim's sexual conduct.

JUDICIARY.

HB 505, PN 493

By Rep. KAUFFMAN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in depositions and witnesses, further providing for admissibility of certain statements.

JUDICIARY.

BILLS REMOVED FROM TABLE

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

HB 276;
HB 502;
HB 503;
HB 504; and
HB 505.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. Representative Aaron Kaufer moves that the House do now adjourn until Monday, March 11, 2019, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 1:48 p.m., e.s.t., the House adjourned.