

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, APRIL 10, 2019

SESSION OF 2019

203D OF THE GENERAL ASSEMBLY

No. 24

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

HON. AARON D. KAUFER, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

The Hebrew word "shalom," in addition to meaning peace, hello, and goodbye, is also a euphemism for God. When we meet someone or say goodbye to someone, we are saying to them, "May God be with you."

Earlier this year on swearing-in day, I recited the holiest of Jewish prayers and the quintessential statement of Jewish belief, Shema Yisrael: "Hear, O Israel, the Lord is our God, the Lord is one." This is a declaration of the unity of God.

Now more than ever, we all must be united against hate, and there are so many ways to express this sentiment across many religions, allowing God to be the unifying force that we all need to seek both good and peace in the world. So I end this prayer in seeking God, peace, and unity for all of us across these many religions, beliefs, and creeds, and all the people of this great Commonwealth and all mankind.

Peace be with you. As-salamu alaikum. Shalom aleichem. And let us say, Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, April 9, 2019, will be postponed until printed.

GUESTS INTRODUCED

The SPEAKER. Located in the rear of the House, the Chair is pleased to welcome members of the Keystone Capital Chorus, the Harrisburg chapter of the Barbershop Harmony Society. Please stand. They are the guests of Representative Greg Rothman. The Barbershop Harmony Society is celebrating their 80th anniversary. It is a global organization headquartered in Nashville, Tennessee, and the Keystone Capital Chorus is one of several thousand chapters that began in 1945 and was officially chartered in 1946. The members are from Cumberland County, Dauphin County, York County, and Perry County. We are so honored to have you here today. I am sure Representative Rothman will tell us if you will be performing in the Capitol at some point today, so we will call upon him later this date. But we are very appreciative that you would take the time to be with us today, and congratulations on the 80th anniversary. Thank you. Tell my cousin, Joe, that I said hello.

To the left of the rostrum, we are pleased to welcome Mary Bach, a longtime consumer advocate who works on behalf of AARP members. Her goal is to make sure that seniors, in particular, do not become victims of frauds and scams. She is a Pittsburgh-area resident who leads AARP Pennsylvania's all-volunteer Consumer Issues Task Force. She is the guest today of Representative Bob Brooks, and she is with her husband, Leonard. Leonard, how are you, buddy? And I have to tell you, Mary, outstanding. We are so honored to have you here today, dear. Thank you so much. Thank you. Mary and Leonard, later on today we will be having you up for a photo, if you can stay with us. We are so honored to have you here.

You may know that – just some points about Mary – she was recognized by Pennsylvania Governor Tom Wolf and Secretary of Banking and Securities Robin Weissmann for this work to educate consumers. She received the "National Consumer of the Year" award at the National Press Club in Washington, DC, and the Pennsylvania Association of Weights and Measures actually created an annual "Mary Bach Consumer of the Year" award to honor her groundbreaking work.

If you have seen "Outsmarting the Scammers," it is a YouTube series that reviews what are some of the popular scams and how to prevent falling victim to them. She has appeared on the "Today Show," "Good Morning America," and has been interviewed and quoted in numerous news articles and magazine articles. Thank you, Mary.

Professor Peter Newman is with us today. Please stand. Professor Newman is with Dr. Charlie Hargroves. Thank you. Where is Dr. Hargroves? Thank you, sir. They are both guests of Representative Ciresi. Representative Ciresi, thank you, sir. Professor Newman is professor of sustainability, and Dr. Hargroves is a senior research fellow, and they are from Curtin University in Australia. Now, that is traveling some distance to be with us, halfway around the globe. We are so honored to have you visiting our State Capitol today and the House of Representatives. Thank you.

In the rear of the House – and I would ask them to stand as I call out their names – we are pleased to welcome political science students and professors from the Indiana University of Pennsylvania. We have a number of graduates here, including our former majority leader, who are graduates of Indiana University of Pennsylvania. I am sure they will be coming back to introduce themselves. We have with us today, and as I call out your name, please stand: Cameron Daughtry, Madisyn Fetherolf, Jonah Langfried, David Laughead, Michelle Lengel, Matthew McLain, Alexis Pollock, Nathan Ruddock, and Malloreigh Yingling. They are joined by these professors: Dr. Dorothy Gracey, Dr. David Chambers, Dr. Aleea Perry, and Dr. Yaw Asamoah. Also, Anthony Cancro, executive director of development for university advancement; Mary Morgan, the alumni director; and a great friend of this body, Karen Deklinski, an IUP grad and former House employee. Her husband, Joe, is also a former employee of the House of Representatives. They are all the guests of Representative Struzzi. Representative Struzzi, thank you for bringing this illustrious group to us today. Thank you so much for being with us.

In the well of the House, we are pleased to welcome guest page Ryan Anderson. He is a sophomore at Elizabethtown Area High School. This good gentleman, Ryan, is a guest of Representative Dave Hickernell.

We are now going to proceed to the master roll, and then we are going to vote on resolutions.

LEAVES OF ABSENCE

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

The minority whip, Jordan Harris, does not have any requests for leaves of absence.

MASTER ROLL CALL

The SPEAKER. At this time we will proceed to vote on the master roll. Members, please proceed to vote.

The following roll call was recorded:

PRESENT—199

Barrar	Fiedler	Lee	Readshaw
Benninghoff	Fitzgerald	Lewis	Reese
Bernstine	Flynn	Longietti	Rigby
Bizzarro	Frankel	Mackenzie	Roae
Boback	Freeman	Madden	Roebuck
Borowicz	Fritz	Mako	Rothman
Boyle	Gabler	Malagari	Rozzi
Bradford	Gainey	Maloney	Ryan
Briggs	Galloway	Markosek	Sainato
Brooks	Gaydos	Marshall	Samuelson
Brown	Gillen	Masser	Sanchez
Bullock	Gillespie	Matzie	Sankey
Burgos	Gleim	McCarter	Sappery
Burns	Goodman	McClinton	Saylor
Caltagirone	Gregory	McNeill	Schemel
Carroll	Greiner	Mehaffie	Schlossberg
Causar	Grove	Mentzer	Schmitt
Cephas	Hahn	Merski	Schroeder
Ciresi	Hanbidge	Metcalfe	Schweyer
Comitta	Harkins	Metzgar	Shusterman
Conklin	Harrell	Mihalek	Simmons
Cook	Harris	Millard	Sims
Cox	Heffley	Miller, B.	Snyder
Cruz	Helm	Miller, D.	Solomon
Culver	Hennessey	Mizgorski	Sonney
Cutler	Hershey	Moul	Staats
Daley	Hickernell	Mullery	Stephens
Davidson	Hohenstein	Mullins	Struzzi
Davis, A.	Howard	Murt	Sturla
Davis, T.	Innamorato	Neilson	Thomas
Dawkins	Irvin	Nelson	Tobash
Day	Isaacson	Nesbit	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufner	Otten	Walsh
Dermody	Kauffman	Owlett	Warner
Diamond	Keefer	Pashinski	Warren
DiGirolamo	Kenyatta	Peifer	Webster
Donatucci	Kim	Petrarca	Wentling
Dowling	Kinsey	Pickett	Wheatley
Driscoll	Kirkland	Polinchock	Wheeland
Dunbar	Klunk	Puskaric	White
Dush	Knowles	Pyle	Williams
Ecker	Kortz	Quinn	Zabel
Emrick	Kosierowski	Rabb	Zimmerman
Evans	Krueger	Rader	
Everett	Kulik	Rapp	Turzai,
Fary	Lawrence	Ravenstahl	Speaker
Fee			

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Keller, F.	Keller, M.K.	Youngblood
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LEAVES ADDED—7

Bullock	DeLuca	Miller, D.	Wheatley
Davis, T.	Kenyatta	Rabb	

The SPEAKER. One hundred and ninety-nine members have voted on the master roll, so we have a quorum.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Ms. CULVER called up **HR 141, PN 823**, entitled:

A Resolution recognizing the month of April 2019 as "National Poetry Month" in Pennsylvania.

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Ms. CULVER called up **HR 142, PN 824**, entitled:

A Resolution designating the month of April 2019 as "Sjogren's Syndrome Awareness Month" in Pennsylvania.

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Mr. STAATS called up **HR 177, PN 1093**, entitled:

A Resolution honoring fire police officers for their dedication in helping to preserve the safety and well-being of the residents of this Commonwealth.

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Mr. LONGIETTI called up **HR 181, PN 1133**, entitled:

A Resolution recognizing the month of April 2019 as "School Library Month" in Pennsylvania.

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Ms. GAYDOS called up **HR 215, PN 1331**, entitled:

A Resolution recognizing the month of April 2019 as "Parkinson's Disease Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—199

Barrar	Fiedler	Lee	Readshaw
Benninghoff	Fitzgerald	Lewis	Reese
Bernstine	Flynn	Longietti	Rigby
Bizzarro	Frankel	Mackenzie	Roae
Boback	Freeman	Madden	Roebuck
Borowicz	Fritz	Mako	Rothman
Boyle	Gabler	Malagari	Rozzi
Bradford	Gainey	Maloney	Ryan
Briggs	Galloway	Markosek	Sainato
Brooks	Gaydos	Marshall	Samuelson
Brown	Gillen	Masser	Sanchez
Bullock	Gillespie	Matzie	Sankey
Burgos	Gleim	McCarter	Sappey
Burns	Goodman	McClinton	Saylor
Caltagirone	Gregory	McNeill	Schemel
Carroll	Greiner	Mehaffie	Schlossberg
Causar	Grove	Mentzer	Schmitt
Cephas	Hahn	Merski	Schroeder
Ciresi	Hanbidge	Metcalfe	Schweyer
Comitta	Harkins	Metzgar	Shusterman

Conklin	Harrell	Mihalek	Simmons
Cook	Harris	Millard	Sims
Cox	Heffley	Miller, B.	Snyder
Cruz	Helm	Miller, D.	Solomon
Culver	Hennessey	Mizgorski	Sonney
Cutler	Hershey	Moul	Staats
Daley	Hickernell	Mullery	Stephens
Davidson	Hohenstein	Mullins	Struzzi
Davis, A.	Howard	Murt	Sturla
Davis, T.	Innamorato	Neilson	Thomas
Dawkins	Irvine	Nelson	Tobash
Day	Isaacson	Nesbit	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufner	Otten	Walsh
Dermody	Kauffman	Owlett	Warner
Diamond	Keefer	Pashinski	Warren
DiGirolamo	Kenyatta	Peifer	Webster
Donatucci	Kim	Petrarca	Wentling
Dowling	Kinsey	Pickett	Wheatley
Driscoll	Kirkland	Polinchock	Wheeland
Dunbar	Klunk	Puskaric	White
Dush	Knowles	Pyle	Williams
Ecker	Kortz	Quinn	Zabel
Emrick	Kosierowski	Rabb	Zimmerman
Evans	Krueger	Rader	
Everett	Kulik	Rapp	Turzai,
Farry	Lawrence	Ravenstahl	Speaker
Fee			

NAYS—0

NOT VOTING—0

EXCUSED—3

Keller, F. Keller, M.K. Youngblood

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

GUESTS INTRODUCED

The SPEAKER. In the rear, the Chair is pleased to welcome students from the Eastern Academy Charter School: Rhyan Joyner, Kayla LeGrande, Omarion Wells, and Dartanyon Roye. They are with John McDaniels, who is the chaperone, and they are guests of Representative Steve Kinsey. Welcome. Thank you so much for being with us today. Thank you.

Members, as you know, we will be doing a joint session, for which there are precedents. The Senate will be coming over under the direction of the Senate President pro tem, Joe Scarnati. Amongst our guests will include the Governor, Gov. Tom Wolf, and the First Lady, and we also have other guests that I will be introducing shortly.

But I am going to ask everybody to please take their seats, the Senate should be here shortly, and as you know, this is to remember the victims of October 27, 2018, at the Tree of Life synagogue in Pittsburgh, Pennsylvania. Please understand, this is a memorial; this is not a public policy debate. This is a memorial for the victims that were killed during this tragedy and for their families.

FILMING PERMISSION

The SPEAKER. Members, there are media members that have requested access to the floor for our joint session of the Pennsylvania General Assembly. They include: Matt Rourke, an AP (Associated Press) photographer; Steve Willing, videographer of KDKA television in Pittsburgh; Dan Gleiter, photographer from PennLive; and Thomas Haught, videographer from WTAE television in Pittsburgh. Each of these individuals is given access to the floor at this time. Media will be on the floor.

All members, please take your seats. Our esteemed guests, please be seated.

ARRIVAL OF SENATE

The SPEAKER. Members of the House, dignitaries, and friends, at this time the Senate will be entering the hall of the House for the joint session being held today, April 10, 2019, this very solemn occasion.

The Senate President pro tem, Joe Scarnati, is leading in, with our Sergeant at Arms of the House, the Senate. Please come into the chamber. We request the President pro tem of the Senate, the Honorable Joe Scarnati, to please bring in the Senate and then to come up here to the rostrum, where he will be part of the ceremony up here with myself.

Also, the Lieutenant Governor, John Fetterman, is also coming with the Senate. He is followed by Senate President Pro Tem Joe Scarnati. Both Senator Scarnati and Lieutenant Governor Fetterman are invited to please come up to the rostrum at this time, and all other Senators will be taking their seats.

The Chair recognizes at this time the Sergeant at Arms of the House for an announcement.

The SERGEANT AT ARMS. Mr. Speaker, the Senate is now present in the hall of the House.

The SPEAKER. Thank you, sir. Thank you.

Please, Lieutenant Governor and Senator Scarnati, come up to the rostrum. Other Senators, please take your seats.

After the members of the Senate are seated, we will be introducing the Governor and asking him to come into the hall of the House. We will not ask the Governor to come in until after all the Senators are seated.

All members, please take your seats. All members, please take your seats. We are going to begin the joint session and Senator Scarnati and I need to introduce the Governor to bring him into the well of the House. All members, please take your seats. The Sergeants at Arms will close the doors of the House. The Sergeants at Arms will close the doors of the House, with the exception of the door to my left where we are going to be introducing the Governor. Please close the doors of the House. Leadership staff and the Sergeants at Arms, please go through and have members take their seats. Leadership staff for both the Republicans and the Democrats, please ask members to take their seats.

Senator Scarnati, the Senate President pro tem, and I at this time are honored to announce the arrival of the Honorable Governor of Pennsylvania, Tom Wolf, for our joint session of the Pennsylvania General Assembly.

Governor Wolf.

In addition to the members of the State Senate and members of the State House of Representatives, we also are pleased to have with us today the Attorney General of Pennsylvania, Josh Shapiro. General. The Auditor General of Pennsylvania, Eugene DePasquale. We also have with us the Lieutenant Governor of Pennsylvania, John Fetterman. Thank you, Lieutenant Governor.

JOINT SESSION OF THE GENERAL ASSEMBLY

CEREMONY OF REMEMBRANCE

The SPEAKER. Members, this joint session of the Pennsylvania General Assembly, being held on April 10, 2019, is to remember the victims of the horrific shootings at the Tree of Life synagogue on October 27, 2018. We have not had a joint session of this kind since September 25, 2001, to remember the tragedy of 9/11 in our country – that is the gravity with which we are treating what happened in Pittsburgh, Pennsylvania, on October 27, 2018.

INVOCATION

The SPEAKER. For our invocation, Rabbi Jonathan Perlman, of New Light Congregation in Pittsburgh, will be offering the prayer for today's ceremony of remembrance. Please understand that there were three congregations at Tree of Life, and one of those congregations was New Light Congregation. The members of the General Assembly and our honored guests are asked to please rise as able.

RABBI JONATHAN PERLMAN. Ladies and gentlemen, let us pray.

(Prayer in Hebrew.)

Sovereign of the universe, we ask You to bless those assembled today: members of the State Senate, members of the legislature, the Auditor General, Attorney General, Treasurer, Lieutenant Governor, and Governor of the Commonwealth of Pennsylvania. We ask You, Lord, to shower them with Your compassion, and we ask You, God, to embrace them with Your love.

We say to You, Lord, in the ancient Hebrew:

(Prayer in Hebrew.)

Blessed are You, Lord our God, sovereign of the universe, who gives His glory to mortal human beings. Acknowledge us, God, as those that make decisions day by day. Grant us wisdom to be able to do the right thing by this beloved Commonwealth, to be able to have men and women of judgment guide our Commonwealth towards its greatest glory. With Your assistance, God, we will continue to stand, stand against hatred and to rule by compassion and love. Grant us peace, Your most precious gift. We ask this in Your holy name. Amen.

The SPEAKER. Members, please take your seats. Our guests, please take your seats.

SUPPLEMENTAL CALENDAR A

RESOLUTION

Mr. FRANKEL called up **HR 214, PN 1354**, entitled:

A Concurrent Resolution designating April 10, 2019, as "Stronger Than Hate Day" in Pennsylvania.

On the question,
Will the General Assembly adopt the resolution?

The SPEAKER. The Speaker recognizes Representative Dan Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

I am overwhelmed as I look out at this unified show of support for those who have been affected by the tragedy that took place in Pittsburgh on October 27, 2018. I want to thank the Speaker and the President pro tem, specifically, for facilitating this event to take place, and the four floor leaders as well. They embraced this idea from the minute I suggested it. I also want to thank Pennsylvania Governor Tom Wolf, Lieutenant Governor John Fetterman, Attorney General Josh Shapiro, and Auditor General Eugene DePasquale for joining us for this important event.

We are also grateful for the Jewish communal professionals and lay leaders who have joined us today and have been instrumental in planning today's events. Thank you to Meryl Ainsman, Jeff Finkelstein, Josh Sayles, Bob Silverman, Laura Cherner, Cindy Goodman-Leib, Dana Kunzman, Jan Levinson, Sue Berman Kress, and Hank Butler.

We are joined today by survivors, family members of victims and congregants, all of whom suffered unbearable trauma and loss 5 months ago. We are honored that you are with us, and I want to extend a warm welcome to Michele Rosenthal, Robert Kennedy, Andrea Wedner, Ron Wedner, Peg Durachko, Valerie Amick, Chelsea Amick, Marc Simon, Michelle Weis, Lauren Mallinger, Stanley Mallinger, Alan Mallinger, Barry Werber, Brenda Werber, Debi Salvin, Don Salvin, Leigh Stein, Sharyn Stein, Rabbi Jonathan Perlman, Beth Perlman, Rabbi Cheryl Klein, Barbara Caplan, and Harold Caplan. And I would ask all those whom I just named please rise and accept our warm welcome.

May this day bring you a measure of comfort as we remember your loved ones and consider their legacies. The strength you have shown as you have walked through this painful time in the public eye has been a lesson to the world. Hatred caused this group of people immeasurable pain, but what we have seen from you is grace.

I want to talk today about Squirrel Hill, a neighborhood that most people outside of Pittsburgh had not heard of before something terrible happened there. I grew up in Squirrel Hill, as did Senator Costa and Senator Schwank. I learned to ride my bike on Fernwald Road, and I can still tell you where all the best sledding hills are. The streets are filled with big, leafy trees that are indeed loaded with gray squirrels. Some of the streets are still made of stone and brick.

In Squirrel Hill you can get your shoes repaired, buy an ice cream cone, sing karaoke, catch a movie, check out a book from the library, go to the gym, and walk through the woods. Because the neighborhood is densely populated and largely walkable, people know each other. When the weather is nice, there is a rich

social life on the porches and sidewalks, as people chitchat and watch children play. On Saturdays you will see nicely dressed families walking together, headed to one of more than 20 synagogues in our neighborhood for Shabbat services.

Since the 1920s, Squirrel Hill has been the center of Jewish life in western Pennsylvania, but it has also embraced its evolving diversity enthusiastically. We have had a rapid rise in populations of people from Asia, the Middle East, Africa, and Latin America over the last decade, and the contributions of those families and individuals have further enriched the cultural life of our neighborhood.

The Tree of Life building, in the heart of Squirrel Hill, was host to three very different congregations: Tree of Life Or L'Simcha, Dor Hadash, and New Light, and each have their own traditions and history. They were good neighbors to one another within a holy place.

This, this was the backdrop when a hate-filled gunman chose his target. As people went about their lives and practiced their faiths in Squirrel Hill, a man 13 miles away immersed himself in an anti-Semitic, anti-Muslim, anti-immigration online community where people describe Jews as a threat to American prosperity, and much, much worse. These dark corners of the Internet are not self-contained. They radiate outward and they infuse our culture insidiously where they have opportunities to do so.

The Southern Poverty Law Center released their findings last month that the number of hate groups growing across America has reached a record high. High-profile targets from recent years include a Sikh temple in Wisconsin, the LGBTQ Pulse nightclub in Florida, the Emanuel African Methodist Church in South Carolina, and now the Tree of Life synagogue in Pittsburgh. It is happening worldwide, and we are still reeling from the horrific attack on the Al Noor mosque and the Linwood Islamic Center in Christchurch, New Zealand.

FBI data shows that anti-Semitic attacks led the recent spike in hate crimes in America. This is a story that we, as Jews, have seen before, and history tells us how catastrophic the consequences can be. Hate speech dehumanizes whole groups of people for who they are or what they believe. Repeated often enough, ignored often enough, rationalized often enough, these words create an environment in which atrocities are possible, maybe even inevitable. This phenomenon has cost my community dearly.

What the 11 people murdered in the attack on the Tree of Life building had in common was that they were the first ones to arrive at their synagogue that day. I do not think you need to be Jewish to know this group – I suspect this is something that is consistent across faiths. Perhaps every synagogue, every church, every temple and mosque is blessed with a group of devoted individuals who show up early and say, "What can I do? How can I help?" They pass out materials, light candles, and straighten seats. They get into position so that the rest of us can be welcomed with a warm hello. When services end, they are the same ones who stack up the texts and turn out the lights. They are the people who seek out work, who strive to serve.

Joyce Fienberg, who was a retired researcher at the University of Pittsburgh and a community volunteer, spent at least an hour every day writing long messages to friends and family. One of Joyce's two sons said about her, quote, "Her gentleness touched your soul in a quiet way like oxygen you didn't know you needed."

Richard Gottfried was a dentist with a private practice, but he also provided free and discounted dental care to people who needed it, alongside of his wife. He loved golf, reading, running, and fine wine. He finished the Pittsburgh 10K, the Great Race, 28 times.

Rose Mallinger worshipped at the Tree of Life synagogue for more than 60 years. There was even a time when she served as the synagogue's school secretary. She was 97 years old, and she amazed everyone she met with her energy. She was called "Bubbie" by all of her relatives. Bubbie is Yiddish for Grandma. She was everyone's grandma. She still cooked family meals for the high holidays.

Jerry Rabinowitz seemed to be laughing in every single photo taken of him. He wore bow ties. He was a skilled and compassionate doctor whose practice was a safe place for HIV (human immunodeficiency virus) patients in the fraught early years of the disease. Jerry died searching out the wounded so that he could help them.

Cecil Rosenthal has been called the honorary mayor of Squirrel Hill, due to his gregarious personality. He felt safe and relaxed in the neighborhood, where he saw friends everywhere he went. He liked to swim. His brother, David Rosenthal, was known for his strong work ethic and his love of anything related to the police or fire department. Sometimes David, the quieter of the two, liked to talk about getting married one day. The Rosenthal brothers lived with intellectual disabilities, and there were things that they could not do, but they found ways to serve, and it brought them and those who loved them tremendous joy.

Bernice and Sylvan Simon were known for their love for each other. They died steps from where they were married 62 years before. Friends and family described their banter, which was funny and familiar, and it was always kind. Bernice liked to bake, and Sylvan was described as a big teddy bear. They held onto each other until the very end.

Dan Stein was quick to help others, unpretentious and a great fundraiser for his congregation. His jokes were corny, and his family affectionately remembered his collection of decades-old neckties. Dan did not care much about fashion, but if you needed help with anything, he would raise his hand every time.

Mel Wax was good with numbers. After he retired from an accounting firm, he used his abilities with numbers to track Pittsburgh Pirates statistics and the weather. Like Dan, Mel found ways to sneak corny jokes into his conversations. He never missed a Shabbat service, and he would park his car a few blocks away so that others could have a shorter walk.

Irv Younger attended high school down the road from the synagogue, at Taylor Allderdice. He owned a realty company and was a former high school baseball coach. When his daughter opened a store a few doors down from his business, he delighted in popping in to help her make sales. He has been affectionately described as a schmoozer, and loved to greet worshippers as they came to services.

Thanks to top-notch first responders and medical personnel, congregation members Andrea Wedner and Daniel Leger each survived gunshot wounds that they sustained in the attack.

The assault on these three congregations was an act of unimaginable evil, but it has been met with unfathomable bravery and love within our community and far beyond it. Literally hundreds of people acted heroically, starting within seconds of the first gunshot. The first responders unquestionably saved lives, many at great risk to themselves. It is chilling to think of what could have happened if police officers Daniel Mead, Michael

Smidga, Anthony Burke, and Timothy Matson, who were all injured, had not been there that day, as they worked to stop the shooter. We are grateful, grateful for their survival.

Several Jewish philanthropic organizations provided immediate crisis response. The Jewish Community Center provided logistical support for the families, Jewish Family and Community Services provided free mental health care to all who needed it, and the Jewish Federation swiftly provided security services to western Pennsylvania's Jewish institutions. All of those efforts continue today.

The attack on the Tree of Life building was an explicit attack on people of Jewish faith, but it was also an attack on the values of tolerance and diversity. Led by high school students on the evening of the attack, thousands of people filled the streets of Squirrel Hill – the corner of Forbes and Murray, which we call the center of the universe – to declare Pittsburgh "Stronger Than Hate." Businesses placed signs in their windows proclaiming "No Place for Hate." Clergy from all faiths joined forces to collectively support and comfort our stunned community. Interfaith services seemed to come together almost instantly. Their good works were so swift that some wondered how these diverse religious communities connected so quickly, but of course, they always have been connected. The Islamic Center's fundraising and outreach was swift and historic and showed the world the beauty of their faith in action. And of course, families and friends of the victims of this attack have created their own private and public way to honor their loved ones, including campaigns to encourage acts of kindness and to include non-Jews in our Jewish traditions.

The 11 people murdered on October 27, 2018, were supposed to have years of good works ahead of them. They were givers and helpers, and they made the world better with their very existence. Without Joyce, Richard, Rose, Jerry, Cecil, David, Bernice, Sylvan, Dan, Mel, and Irv working alongside of us to make the world a better place, we will have to take on their shares.

Before I conclude, I want to thank members of the legislature for their overwhelming expressions of support and solidarity in the immediate aftermath of the attack. My community and my city are grateful.

As legislators, we have an important responsibility to protect our communities from harm. The symbol of the Jewish people, the Star of David, is more accurately known as the Magen David, the Shield of David. As elected representatives of our communities, we have a responsibility – and an opportunity – to be the Magen, to be the shield against these very dark forces of hatred and violence, by embracing the diversity of our communities, and promoting tolerance, compassion, and acts of loving-kindness.

Let us recommit ourselves to that important work as we remember the lives we lost on October 27, 2018.

Thank you, Mr. Speaker.

The SPEAKER. On the resolution, the Chair calls upon Representative Bryan Cutler, the majority leader of the House of Representatives.

Mr. CUTLER. Thank you, Mr. Speaker.

And to my friend, Dan, thank you for your wonderful remarks.

I want to thank everybody for joining us here today – members of the Senate, Governor Wolf, Lieutenant Governor Fetterman, and most importantly, our guests here today. The events of October 27, 2018, will leave an emptiness in all of our hearts that could never possibly be filled, and to that I offer my deepest condolences and prayers for those impacted by this tragedy.

Because this was really – and I believe Dan has already mentioned it – it was an act of terror, and acts of terror are the reminders of the worst in humanity, and an attack that targets any specific group of people is an attack on everyone in society who believes in rights of free assembly, freedom of religion, and freedom of speech.

That being said, as we have discovered far too many times, out of great darkness comes an unbelievable light, a proof that the resiliency of the human spirit knows no bounds, and that once again, all of us, regardless of whom we worship, how we worship, or if we worship at all, have so many more hopes and dreams in common than the issues that we sometimes disagree on. Please keep in mind that those who choose to commit horrendous acts like this – of terror and violence – can never achieve their ultimate goal, which is a triumph of hate, because our love and compassion of our communities always comes out stronger than before.

Our different backgrounds, stories, and experiences are what make this State and this country so great. Many of the folks who were here for swearing-in day might remember that I asked everybody to share their stories so that we could celebrate our differences, as the very best parts of whom we are build this great culture, and only those who wish to break us down believe that our differences should keep us separated.

It was not that long ago that my own friends and neighbors were dealing with a tragic act of terror itself. It was a small Lancaster County village that many of you only heard of after the shooting in Nickel Mines. Innocent Amish schoolchildren were senselessly murdered, and a community of Pennsylvanians, who chose to live as far away as possible from the modern world, were suddenly thrust into an international spotlight. And at that moment of their darkest crisis, our friends and neighbors in Lancaster County did not shun the outside world; in fact, they welcomed it. They wanted to show that they would not turn their back on anyone, not even the family of the man who had committed the crime. Instead, they displayed to the entire world for everyone to see an unbelievable compassion, love, and forgiveness that their community was built on.

And for me, I see the exact same outpouring in your community, which is what I marvel at in terms of your resiliency, your compassion, your forgiveness, and the quickness, as Dan pointed out, to which everyone responded, regardless of their individual beliefs, views, or even physical locations.

The pains of events like this will never be forgotten, and the lives lost should be honored and will be honored and remembered for generations to come. But we must also highlight the love and compassion that your community continues to display, because that is the greatest part of humanity and that is the greatest part of our society.

So I again offer my condolences, but also, more importantly, thank you for your compassion, and I want you to know that we all stand with you today and forever, and may the Lord bless you.

The SPEAKER. On the resolution, the Speaker recognizes the Democratic minority leader, Frank Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Governor Wolf, Lieutenant Governor Fetterman, Attorney General Shapiro, Auditor General Eugene DePasquale, Rabbis Klein and Perlman, and honored guests:

This is a solemn occasion and we would give anything not to be meeting for the reason that we are. The House and Senate usually meet together like this only for the annual budget address given by the Governor. But it is appropriate that the two parts of our legislature join together with a common purpose for this extraordinary session.

We are brought together by a great tragedy – a hate crime that shocked the conscience of the world – the murder of 11 innocent people in a place of worship. On a rainy Saturday morning 6 months ago, the peace and quiet of Squirrel Hill was shattered by gunfire at the Tree of Life synagogue. Immediately came the sirens of responding police officers, SWAT (special weapons and tactics) teams, EMTs (emergency medical technicians), and emergency services. It was a terrible scene that will never be forgotten. As Rabbi Jeffrey Myers said later, it was not simply an attack on worshippers in the Jewish community, "it was an attack on America."

But in the hours and days after that, the people of Pittsburgh and Squirrel Hill showed another picture to the world. Thousands of people of all ages, faiths, and stations in life, religious and nonreligious alike, came together to bear witness. They showed the power of common decency, compassion, and peace, and most important, they showed the healing power of love for one another. Because of that, the names of Pittsburgh and Squirrel Hill became worldwide symbols against hate, against violence, against bigotry, and religious intolerance. That message has resonated in the 165 days since that awful day.

While this horrible event shattered a place we love – a house of peace and worship – and left permanent scars, it did not break us. It did not tear us apart. The people of this synagogue, this neighborhood, this city, and this Commonwealth remain determined not to let evil triumph. We come together in unity to heal the wounds and to reaffirm the oneness of our community. By doing so, we prove once again that good people of compassion and understanding are stronger than hate.

Today the elected leaders of Pennsylvania gather in this room to echo that message: the power of love redeems us, and yes, we are stronger than hate. And I know that all of us will be supporting HR 214.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

On the question recurring,
Will the General Assembly adopt the resolution?

The SPEAKER. Those in favor of adopting the resolution will stand, and actually, it is a concurrent resolution. We are going to be doing the second resolution under the direction of the Senate President pro tem, Joe Scarnati. This resolution also will call for the Senators to vote with us. Please stand in favor of the resolution.

(Whereupon, the members of the General Assembly stood in support of the resolution.)

The SPEAKER. The resolution is unanimously adopted.

It is now my great honor to turn the gavel over to my friend and colleague, the President pro tempore of the State Senate of the Commonwealth of Pennsylvania, the Honorable Joe Scarnati.

**THE PRESIDENT PRO TEMPORE
(JOSEPH B. SCARNATI III) PRESIDING**

**REMARKS BY
PRESIDENT PRO TEMPORE**

The PRESIDENT pro tempore. Thank you, Mr. Speaker.

And to all those guests present: on behalf of the Senate, we offer our deepest sympathies and our love for all of you.

Today we mourn the 11 innocent souls who were taken away too soon. They were mothers and fathers, grandmothers and grandfathers, individuals who were respected not only among members of the Jewish faith, but throughout the entire Pittsburgh area, for being pillars of their faith and of their community. We grieve for them together as a State and a nation, we extend our love and sympathy to their families, and we pray for the survivors whose lives were forever shaken by this unspeakable day of horror.

The Tree of Life synagogue shooting showed us the very, very worst of society, the dark underbelly of hatred and of anti-Semitism that still exists in the world. The forces of division and evil who perpetrated this despicable assault left a community, a State, and a whole nation with deep scars. But what grew out of this tragedy is something far greater than hate. The outpouring of love and support for the victims and their families was nothing short of remarkable. From the professional sport teams honoring the victims with their message of "Stronger Than Hate," to the individual citizens who attended the vigils and donated money, the entire world stood in solidarity with the victims of this horrifying crime. Perhaps more importantly, the world also came together in condemning this act of evil, and the hatred that spawned it.

Dr. Martin Luther King, Jr., once said, "Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that." Never has that sentiment been more evident than in the days and the weeks after this attack. Members of the Tree of Life have not only worked together to heal, but have taken an active role in helping others outside of their community who have also been affected by tragic violence.

And to you all, we thank you for showing us that way. People of all faiths and nationalities have brought light to darkness and combatted hate with love, sowing the seeds of a world that one day can be free of prejudice, bigotry, and intolerance. As we join together in tribute to the victims of this cowardly act, we must rededicate ourselves to the principles that have long served the foundation of the Commonwealth and our great nation: a deep sense of respect and reverence for those of different religions and political views.

On this day of remembrance, we honor the memory of those we lost, and we resolve to be a force for good, for love, and for light in the years to come. May God bless you, and thank you for listening.

RESOLUTION

The PRESIDENT pro tempore. To offer a resolution, the Chair recognizes Senator Costa.

Senator Costa offers a resolution and moves its adoption, which the clerk will now read.

The following resolution was read:

Senate Resolution No. 82

A Concurrent Resolution designating April 10, 2019, as "Stronger Than Hate Day" in Pennsylvania.

On the question,

Will the General Assembly adopt the resolution?

The PRESIDENT pro tempore. On the resolution, the Chair recognizes Senator Costa.

Mr. COSTA. Thank you very much, Mr. President.

Let me begin by saying thank you to all of those individuals who played a role in gathering us here today, starting, certainly, with Representative Frankel, a recognition that he came together with the four caucus leaders and the General Assembly to have this extraordinary day of remembrance; Speaker Turzai and Senator Scarnati, Senator Corman, Representatives Cutler and Dermody, and all those involved who participated in getting us to gather here today, I say thank you very much, and our community says thank you. Governor Wolf, Lieutenant Governor Fetterman, thank you for being here today, and more importantly, being with all those involved on October 27, 2018; and General Shapiro and Auditor General DePasquale and Treasurer Torsella, thank you for being here as well; and all those individuals who came to Harrisburg here today to be a part of this important day.

In our extraordinary session today, we have extraordinary men and women who have joined us, as I mentioned, to honor those who lost their lives or who were injured in that horrific massacre at the Tree of Life synagogue on October 27, 2018. We honor those individuals who perished that day in what is an extreme act of violence and an extreme act of hatred. And I want to thank Representative Frankel for his recitation of those individuals who lost their lives, and particularly, the comments that followed each of their names, so we got a glimpse of who these individuals were, because it is important to all of us that we know who they were and what their purpose was that day.

But today we acknowledge and remember the incalculable loss and heartache that remains for those and for what was taken from us in our midst. The hearts of our nation broke that day, it was mentioned, and we continue to mourn; however, we must remain steadfast, we must remain strong, and we must remain resolute against the hatred that struck down men and women who simply went to pray on that October day. In our lives and amid our tragedies, we do not walk alone; we walk together, we shoulder the burdens, we wipe away the tears, and we reach out to those in need of our comfort and our strength. We know that love defeats hate, and only hate wins when we are not strong and when we lose faith. Our prayers and our collective fellowship poured out to those who lost their loved ones on that very tragic day, and our responsibility now is to extend our outstretched arms and comfort those who are in need and to find a path forward so that this type of tragedy never happens again.

The despair and the anguish will remain with all those who shared experiences with those who perished; however, we cannot let it consume us, for if we let it consume us, hate will win. That is what we are about today and that is why we are here today. We have come together in a very strong demonstration of love and affection, and this extraordinary session is about calling forth

extraordinary resolve. Our fight against hate and bigotry must continue. It must continue because the forces of evil will continue to knock at our doors. Those who worship at the Tree of Life synagogue and others who pray – no matter whatever denomination and faith – and who believe that love conquers hate had their faith shaken that day in Squirrel Hill. It is that same faith, however, though shaken, that will allow us and see us through these difficult times. In a time of great, great misery and great pain and sorrow, the Squirrel Hill community, the city of Pittsburgh, and our nation have shown great resiliency. We have shown that we have demonstrated great strength. Today, and I would say every day, we have a responsibility to remember what happened that day, but also to mourn, mourn those who were taken from us and to ensure, to ensure that love conquers hate.

There was a Jewish poem for comfort that was shared many times last October, and I would like to take a moment to share it with all of you again today: "So long as we live, they too shall live, for they are now a part of us, as we remember them."

Today, ladies and gentlemen and colleagues, it is our job to make certain as we go forward that we make every effort that we can to make this world better in honor of those whom we remember here today and those who have been taken from us.

Thank you, Mr. Speaker, and I ask for a unanimous approval of this important resolution, Senate Resolution No. 82.

Thank you, Mr. President.

The PRESIDENT pro tempore. Thank you, Senator Costa.

The question is, shall the General Assembly adopt the resolution?

All those in favor will say "aye"; those opposed, "nay."

The "ayes" have it, and the resolution is adopted.

At this time it is my distinct honor to turn the gavel back over to the Speaker of the House, Mike Turzai.

THE SPEAKER (MIKE TURZAI) PRESIDING

REMARKS BY SPEAKER

The SPEAKER. Thank you, Senator, and thank you, members of the General Assembly, for your votes. Just a few remarks before we have our benediction.

To our esteemed guests, thank you for making the trip to be with us today. We are so honored by your presence. Yes, our hearts and prayers go out to you.

On a personal note, I spent many a beautiful day with my wife and kids in your beautiful community of Squirrel Hill. You are a welcoming, loving community that embraces all of your guests. Yes, it is a tragedy for mankind, but it is also a tragedy on a very personal note, and we understand that. God bless you.

And in particular, the good gentleman, Representative Dan Frankel, indicated hate is inappropriate at any time. Anti-Semitism is wrong and will always be wrong. But also, it was not that long ago that so many people perished in the Holocaust. Not all of us have that experience amongst our people of community and faith. This must be, indeed, so tragic on a personal level, but so troubling, and for many of us, so sad that it would occur in the beautiful city of Pittsburgh. That is why we are so honored to have you here today to respond with love and with concern and with undying and everlasting support.

BENEDICTION

The SPEAKER. At this time I am honored to call up Rabbi Cheryl Klein of the Congregation Dor Hadash, which was one of the three congregations that celebrated at the Tree of Life synagogue in Pittsburgh.

Rabbi.

Members and guests, if you can, please stand as able.

RABBI CHERYL KLEIN. Mr. Governor, Mr. Lieutenant Governor, Speaker of the House, and all those who are here today, I thank you for this honor.

(Prayer in Hebrew.)

Source of Life, who creates human beings with the capacity to dream, hope, and pray for a world where we can live in peace with one another, give this governing body the wisdom and strength of courage to guide us towards a path where residents of this Commonwealth can enjoy the rights to love, laugh, and live with joy in their hearts. Grant those who serve all of us the fortitude to work hard to make our collective communal experience a positive one, where all who witness their efforts will want to emulate their success. We do not want to exist in this Commonwealth by strategizing to survive; we desire to live in a world where we can thrive.

At this time, we are not thinking about the time when the lion will lie down with the lamb; we are thinking about how children and grandchildren can lie down to sleep at night without fear of waking up to a day where going to school, playing with their friends on the playground, going to worship services with their families, or just being a kid is compromised by evildoers who have access to weapons for mass killing. We may think that we have advanced as a society in the last 1,000 years compared to the barbarians of the early Middle Ages; perhaps that is the case technologically, but certainly not with regards to what has become sanctioned, permissive anarchy to kill whomever some people choose not to tolerate. The barbarians used swords and spears to settle their differences; different in our society today is met with violence by those who drink the rhetoric of hate and fear.

The murder of our 11 beautiful souls was an assault on my congregation in my hometown of Pittsburgh, in what had always been my special Camelot community of Squirrel Hill. Others in this room, as you have heard today, feel similarly. We know that there will never be a return to normalcy, but we move each day to bring more light into our lives and the lives of others. We have been the beneficiaries of overwhelming, genuine compassion and goodness from our neighbors of all colors, religions, and ethnicities, from across both our local and the world community.

We are incredibly grateful and humbled, but there are questions we must address. How do we return to a society where civil discourse is foundational to decisionmaking? When will education of anti-Semitism and other racist language become paramount in our school systems so that we can raise a generation of people who can become thinking, rational, wisely proactive problem-solvers who are savvy enough to identify the truth?

This moment of American history, in this ravaging Sabbath massacre in my hometown, tells us that all is not well in our Republic. Hate is emboldened and white supremacists are somehow mainstream. This diseased American moment was anti-Semitism in our face. It is ugly, unacceptable, and its

condemnation needs to be met with tireless strength. Healing for us can only begin when hearts are opened to feel our pain and action is taken to remedy access.

The murderous attack in Pittsburgh is 1 of 12 gun-violence attacks on an American house of worship in the past 3 years. The gun violence epidemic claims about 33,000 lives every year. These evil acts take away our mothers, brothers, and lifelong friends. We pray that we are not guilty of inaction. We pray that we are not guilty of complacency. We pray that we are not guilty of allowing ourselves to be paralyzed by politics. We pray that police officers will not have to put themselves in the line of fire to save those in the midst of solemn prayer. We pray that those in this chamber who have the power to make change find the courage to seek a pathway to sanity and hope.

(Prayer in Hebrew.)

This Hebrew phrase means we must work to build a world of loving-kindness, tolerance, and respect for others, and not rest until we the people stand up for the rights of all people to live, love, learn, and practice their faiths in this Commonwealth and country for the purpose of making our world better.

Bless us so that we may soon know peace, and let us say, Amen.

JOINT SESSION ADJOURNED

The SPEAKER. This concludes today's ceremony.

The Sergeants at Arms will open the doors of the House. At this time we would ask everybody to please remain standing while the Governor exits. We will allow the Governor to exit at this time.

Thank you, Governor, for being with us.

Senate President pro tem, Senator Joe Scarnati, and Lt. Gov. John Fetterman are going to lead the Senate out up through the middle aisle of the House of Representatives.

If everybody could remain standing while the Senate departs.

The House will come to order.

MOTION TO PRINT PROCEEDINGS OF JOINT SESSION

The SPEAKER. The Chair recognizes the majority leader, who moves that the proceedings of the joint session of the Senate and House of Representatives held this 10th day of April 2019 be printed in full in this day's Legislative Journal.

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

The SPEAKER. To our esteemed guests from Squirrel Hill, please follow Representative Frankel, and he will take you to the place of where food and gathering will occur. Please follow Representative Dan Frankel.

We are going to return to business by asking for committee announcements and caucus announcements.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair will first call upon our majority Appropriations chair, Stan Saylor, for a committee announcement.

Mr. SAYLOR. Thank you, Mr. Speaker.

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

Thank you, Mr. Speaker.

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

REPUBLICAN CAUCUS

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

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus at 12 o'clock. We would be prepared to return to the floor at 12:30. Thank you.

Return at 1 o'clock. I apologize; 12:30 caucus, return at 1.

The SPEAKER. Representative Toepel, we will meet at 1 o'clock, right?

Mrs. TOEPEL. One o'clock, return at 1:30.

The SPEAKER. The Republican Caucus will meet at 1 o'clock and we will return to the floor at 1:30.

DEMOCRATIC CAUCUS

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

Ms. McCLINTON. House Democrats, we will caucus at 1 p.m. and return to the floor at 1:30, Mr. Speaker.

The SPEAKER. Thank you to both the majority and the minority caucus chairs.

RECESS

The SPEAKER. The House will stand in recess until 1:30.

RECESS EXTENDED

The time of recess was extended until 1:45 p.m.; further extended until 2 p.m.; further extended until 2:15 p.m.

AFTER RECESS

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

LEAVES OF ABSENCE

The SPEAKER. Representative Dan MILLER has requested to be placed on leave, Representative Jake WHEATLEY has requested to be placed on leave, and Representative Donna BULLOCK has requested to be placed on leave. Without objection, those will be granted.

**COMMUNICATION FROM
INDEPENDENT FISCAL OFFICE**

The SPEAKER. The Speaker acknowledges receipt of a letter from the Independent Fiscal Office regarding HB 991, PN 1120.

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

BILLS REREPORTED FROM COMMITTEE

HB 629, PN 1353 By Rep. SAYLOR

An Act providing for patient access to diagnostics and treatments for Lyme disease and related tick-borne illnesses; and requiring health care policies to provide certain coverage.

APPROPRIATIONS.

HB 684, PN 697 By Rep. SAYLOR

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in pharmaceutical assistance for the elderly, further providing for the definition of "income."

APPROPRIATIONS.

HB 754, PN 804 By Rep. SAYLOR

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in pharmaceutical assistance for the elderly, further providing for determination of eligibility.

APPROPRIATIONS.

HB 962, PN 1352 By Rep. SAYLOR

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for six months limitation, for infancy, insanity or imprisonment, for no limitation applicable and for other offenses; and, in matters affecting government units, further providing for exceptions to sovereign immunity, for limitations on damages in actions against Commonwealth parties, for exceptions to governmental immunity and for limitations on damages in actions against local parties.

APPROPRIATIONS.

HB 963, PN 1130 By Rep. SAYLOR

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the Commonwealth.

APPROPRIATIONS.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 264, PN 361**, with information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

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

HB 264, PN 361

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

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

LEAVE OF ABSENCE

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

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 216 By Representatives POLINCHOCK, CIRESI, DiGIROLAMO, FARRY, FREEMAN, HEFFLEY, McCLINTON, PASHINSKI, RIGBY, SAPPEY, THOMAS, TOOHL and GLEIM

A Resolution establishing a legislative task force on overdose recovery and directing the Joint State Government Commission to conduct a study on warm hand-off to treatment for individuals with a substance use disorder in this Commonwealth and to report its findings and recommendations to the House of Representatives.

Referred to Committee on HUMAN SERVICES, April 10, 2019.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 922 By Representatives DELOZIER, BROWN, SCHLEGEL CULVER, DUNBAR, GREINER, GROVE, HAHN, HELM, KAUFFMAN, KEEFER, M. K. KELLER, LAWRENCE, MENTZER, MILLARD, NEILSON, OBERLANDER, ROTHMAN, RYAN, STRUZZI and JAMES

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, further providing for submission of budget to General Assembly and for transmission of budget information to the General Assembly.

Referred to Committee on APPROPRIATIONS, April 10, 2019.

No. 1172 By Representatives HICKERNELL, READSHAW, CAUSER, SCHLEGEL CULVER, SCHLOSSBERG, McNEILL, RAVENSTAHL, PICKETT, BARRAR, ROTHMAN, MILLARD, KEEFER, B. MILLER, DeLUCA, MENTZER, MIHALEK, MARSHALL, JONES, ZIMMERMAN, SAINATO, HILL-EVANS, BURGOS and BROWN

An Act amending the act of July 2, 1993 (P.L.345, No.48), entitled "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities; providing for hearing examiners in the Bureau of Professional and Occupational Affairs; providing additional powers to the Commissioner of Professional and Occupational Affairs; and further providing for civil penalties and license suspension," providing for licensure by endorsement.

Referred to Committee on PROFESSIONAL LICENSURE, April 10, 2019.

No. 1173 By Representatives FREEMAN, JAMES, SOLOMON, BERNSTINE, BARRAR, SCHLOSSBERG, KINSEY, SAMUELSON, MILLARD, SAINATO, MURT, HILL-EVANS, VITALI, HARKINS, NEILSON, GILLEN, KORTZ, MOUL, ROZZI, RADER, PASHINSKI and STURLA

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in historic preservation incentive tax credit, further providing for definitions and for tax credit certificates, establishing the Historic Rehabilitation Tax Credit Administration Account, further providing for carryover, carryback and assignment of credit and for pass-through entity, providing for annual report to General Assembly, further providing for application of Internal Revenue Code and for limitation and providing for recapture.

Referred to Committee on FINANCE, April 10, 2019.

No. 1174 By Representatives DOWLING, JAMES, BERNSTINE, DUNBAR, KORTZ, GROVE, IRVIN, MACKENZIE, OBERLANDER and EVERETT

An Act repealing the act of April 25, 1933 (P.L.74, No.49), entitled "An act relating to baseball and football on Sunday; prohibiting baseball and football on Sunday during certain hours, and also during certain other hours unless the electors of a municipality are in favor of the same and, in certain cases, a license has first been secured from the municipal authorities; providing for referendums to ascertain the will of the electors, and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith; providing penalties; and repealing inconsistent laws."

Referred to Committee on STATE GOVERNMENT, April 10, 2019.

No. 1175 By Representatives DOWLING, ROTHMAN, DUNBAR, KEEFER, MASSER, KORTZ, GROVE, IRVIN, OBERLANDER and EVERETT

An Act repealing the act of October 25, 1973 (P.L.314, No.99), entitled "An act relating to the conducting, staging, managing, operating and engaging in sport, musical, theatrical and dramatic performances, exhibitions and contests other than motion picture exhibitions on Sundays and providing for a referendum in connection therewith in municipalities and townships and the suspension of certain laws."

Referred to Committee on STATE GOVERNMENT, April 10, 2019.

No. 1176 By Representatives DALEY, McCLINTON, McCARTER, MADDEN, SOLOMON, FREEMAN, McNEILL, READSHAW, CALTAGIRONE, SAPPEY, RAVENSTAHL, SANCHEZ, ISAACSON, OTTEN, COMITTA and BULLOCK

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, in environmental protection, providing for single-use plastic straw prohibition; and imposing civil penalties.

Referred to Committee on COMMERCE, April 10, 2019.

No. 1177 By Representatives DALEY, FRANKEL, McCLINTON, CEPHAS, FREEMAN, MADDEN, KINSEY, SAMUELSON, BARRAR, A. DAVIS, DONATUCCI, CALTAGIRONE, SCHLOSSBERG, ISAACSON, OTTEN, MULLINS, HILL-EVANS, WARREN, KORTZ, SCHWEYER, HOWARD, HANBIDGE, RAVENSTAHL, KENYATTA, KULIK, ULLMAN, INNAMORATO, FITZGERALD, SNYDER, BULLOCK, SOLOMON, SHUSTERMAN, BIZZARRO, D. MILLER, RABB, COMITTA and SANCHEZ

An Act providing for workplace accommodations for nursing mothers.

Referred to Committee on LABOR AND INDUSTRY, April 10, 2019.

No. 1178 By Representatives MADDEN, MEHAFFIE, DELLOSO, BARRAR, BIZZARRO, BOYLE, BRIGGS, BURGOS, CALTAGIRONE, CARROLL, CEPHAS, CIRESI, COMITTA, DALEY, A. DAVIS, T. DAVIS, DAWKINS, DEASY, DERMODY, DiGIROLAMO, DONATUCCI, FIEDLER, FITZGERALD, FLYNN, FRANKEL, FREEMAN, GAINNEY, GOODMAN, HANBIDGE, HARKINS, HARRIS, HILL-EVANS, HOHENSTEIN, INNAMORATO, ISAACSON, KENYATTA, KIM, KINSEY, KORTZ, KOSIEROWSKI, KULIK, LONGIETTI, MALAGARI, MARKOSEK, McCARTER, McCLINTON, McNEILL, MERSKI, D. MILLER, MULLERY, MULLINS, NEILSON, O'MARA, OTTEN, PASHINSKI, RABB, RAVENSTAHL, READSHAW, ROZZI, SAINATO, SANCHEZ, SAPPEY, SCHLOSSBERG, SCHWEYER, SIMS, SNYDER, ULLMAN, VITALI, WARREN, WILLIAMS, YOUNGBLOOD, ZABEL, SAMUELSON and KRUEGER

An Act amending the act of July 23, 1970 (P.L.563, No.195), known as the Public Employe Relations Act, in representation, providing for bargaining representative; and providing for new employee orientation and information.

Referred to Committee on LABOR AND INDUSTRY, April 10, 2019.

No. 1179 By Representatives FRITZ, DUNBAR, PICKETT, MILLARD, TOOHL, JAMES, PYLE, OBERLANDER, BERNSTINE, KEEFER, MACKENZIE and NEILSON

An Act repealing the act of June 2, 1933 (P.L.1423, No.308), entitled "An act relating to Sunday music; permitting musicians to receive compensation for services rendered on Sunday; authorizing pay concerts to be given and broadcast on Sunday under certain circumstances, and allowing school and certain public buildings and parks to be used therefor; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties."

Referred to Committee on STATE GOVERNMENT, April 10, 2019.

No. 1180 By Representatives FRITZ, DUNBAR, PICKETT, MILLARD, TOOHL, JAMES, PYLE, OBERLANDER, BERNSTINE, KEEFER and MACKENZIE

An Act repealing the act of July 2, 1935 (P.L.599, No.211), entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions, together with orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection in connection with or incidental thereto on Sunday; prohibiting motion picture exhibitions and sound motion picture exhibitions, and orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection incidental thereto on Sunday during certain hours, and also during other hours, unless the electors of a municipality approve thereof; regulating the employment of persons in conducting such exhibitions on Sunday; providing for referendums to ascertain the will of the electors; and providing penalties; and repealing inconsistent laws."

Referred to Committee on STATE GOVERNMENT, April 10, 2019.

No. 1181 By Representatives FRITZ, ROTHMAN, MILLARD, FRANKEL, SCHLOSSBERG, GALLOWAY, BERNSTINE, WILLIAMS, BROWN, DeLUCA, KAUFER, OBERLANDER, JOZWIAK, PICKETT and RADER

An Act amending the act of December 22, 2005 (P.L.474, No.94), known as the Breach of Personal Information Notification Act, further providing for definitions, for notification of breach and for notice exemption.

Referred to Committee on STATE GOVERNMENT, April 10, 2019.

No. 1182 By Representatives KIRKLAND, WILLIAMS, DONATUCCI, HARRIS, SCHLOSSBERG, DAVIDSON, YOUNGBLOOD, T. DAVIS, CALTAGIRONE, MURT, DeLUCA, KINSEY, HILL-EVANS, FREEMAN, McNEILL, GALLOWAY, NEILSON, CIRESI and SANCHEZ

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, in recovery of possession, providing for early termination of lease by terminally ill tenant.

Referred to Committee on CONSUMER AFFAIRS, April 10, 2019.

No. 1183 By Representatives GREINER, READSHAW, BERNSTINE, JAMES, BARRAR, IRVIN, KEEFER, NEILSON, DeLUCA, ZIMMERMAN, HILL-EVANS, CALTAGIRONE, DEASY, F. KELLER, KAUFER and MOUL

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in dates of elections and primaries and special elections, further providing for general primary and candidates to be nominated and party officers to be elected.

Referred to Committee on STATE GOVERNMENT, April 10, 2019.

No. 1184 By Representative SAYLOR

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in general budget implementation, providing for block grants and further providing for Pennsylvania Higher Education Assistance Agency.

Referred to Committee on APPROPRIATIONS, April 10, 2019.

No. 1185 By Representatives MENTZER, BENNINGHOFF, GILLESPIE, KORTZ, MURT, BERNSTINE, MILLARD, PICKETT, READSHAW, FEE, DeLUCA, ZIMMERMAN, NEILSON, ECKER, BOBACK, HICKERNELL, GREINER and B. MILLER

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in property and waters, further providing for the offense of damage to property; in protection of property and waters, further providing for the offense of littering; in preliminary provisions relating to boats and boating, further providing for boating education; and, in operation of boats, further providing for the offense of operating watercraft under influence of alcohol or controlled substance and providing for the offense of aggravated assault by watercraft.

Referred to Committee on GAME AND FISHERIES, April 10, 2019.

No. 1186 By Representatives DELOZIER, BARRAR, BROWN, T. DAVIS, DeLUCA, DRISCOLL, FREEMAN, HERSHEY, HILL-EVANS, KEEFER, LONGIETTI, MACKENZIE, MASSER, McCLINTON, MURT, NEILSON, PICKETT, READSHAW, SAINATO, SIMMONS, STAATS, STEPHENS, STRUZZI and ZIMMERMAN

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, in senior citizens property tax and rent rebate assistance, further providing for definitions.

Referred to Committee on FINANCE, April 10, 2019.

SENATE BILLS FOR CONCURRENCE

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

SB 144, PN 340

Referred to Committee on EDUCATION, April 10, 2019.

SB 425, PN 392

Referred to Committee on JUDICIARY, April 10, 2019.

SB 431, PN 400

Referred to Committee on JUDICIARY, April 10, 2019.

SB 469, PN 476

Referred to Committee on JUDICIARY, April 10, 2019.

SB 479, PN 498

Referred to Committee on JUDICIARY, April 10, 2019.

The SPEAKER. All members, please report to the House floor. All members, please report to the House floor. I would ask all members to please take your seats. We are going to go through some second consideration bills which do not require votes, and then I am going to ask everybody to take their seats. We have very solemn remarks to be given by our friend and colleague, Representative Frank Ryan. All members, please come to the floor.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 880, PN 991**, entitled:

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

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

The SPEAKER. It is a \$100 million decrease for the next 5 years. It is a total of a \$500 million decrease over 5 years, beginning in, I believe, 2022.

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

* * *

The House proceeded to second consideration of **HB 808, PN 901**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in Pennsylvania Fish and Boat Commission, providing for power to set fees; in fiscal affairs, further providing for collection fee for uncollectible checks; in fishing licenses, further providing for nonresident and tourist licenses, for one-day resident fishing license, for license, permit and issuing agent fees and for license and permit packaging options; in special licenses and permits, further providing for net permits, for boat and net licenses for boundary lakes, for permits for protection and management of particular fish, for permits for the use of explosives, for Lake Erie fishing permits and for fishing guide and charter boat permits; in regulated fishing lakes, further providing for licenses and for fees; in dams, bar racks and migration devices, further providing for obstructing migration of fish; in preliminary provisions, further providing for fees; and, in registration and titling of boats, further providing for issuing agents, for fees and for notice for boats and related equipment.

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 991, PN 1122**, entitled:

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.

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

The SPEAKER. All members, please take your seats. The Sergeants at Arms will close the doors of the House.

Representative Sue Helm, if you will join Representative Ryan up here at the rostrum, please. And, Representative Patty Kim, if you would please also join Representative Ryan up here on the rostrum.

Representative Ryan would also ask if there are any Marines to please come down front into the well of the House. Any active-duty or retired Marines, if you could please come down to the well of the House.

STATEMENT BY MR. RYAN

The SPEAKER. Representative Ryan, on unanimous consent, the floor is yours.

Mr. RYAN. Mr. Speaker, thank you so much, and fellow members.

As many of you are probably already aware, we had the tremendous misfortune as a nation to lose three members of the 2d Battalion, 25th Marines, of which two members were from Echo Company, 2d Battalion, 25th Marines, in Harrisburg. The members, the Marines who lost their lives were from York, Pennsylvania – although one was currently living in Delaware – but I would ask that you join with me as we honor these three fallen Americans.

But I would also like to, if you do not mind, if we could just share an opportunity about what happens to the families. Behind me you see Greg Moreland, and Greg was a wounded soldier and his wife would have gotten the notification about his wounds. And I would like to describe a little bit what that is like, having had to make a casualty call, so that we can add a bit of humanity to the incredible sadness that took place.

The Marines are Cpl. Robert A. Hendriks of Locust Valley, New York; Sgt. Benjamin S. Hines of York, Pennsylvania; and S. Sgt. Christopher A. Slutman of Newark, Delaware, formerly of York, Pennsylvania. They were killed in a roadside bomb outside of Bagram Air Base in Afghanistan, a road that I had helped to open in 2002.

But what I would like you to be aware of is that there are family members – one had a fiancée, another one had a wife and children – who would have had a person who was dressed the way I am, and we do this in the Marine Corps as a sense of honor for those who are deceased. And the Marine would come to the door – and I would like to relate an experience that happened to me when I was making a casualty call and we were told that the service member passed away and we were notifying his wife and he had no children. My sergeant major and I pulled up to the house about 8 a.m. to find that there were toys in the front yard, and my sergeant major looked at me and he said, "This isn't going to go well." And so as we went up to the door – the family completely unexpected what was going to happen – a 5-year-old ran around the corner, expecting his dad to have been home in a of couple weeks, said, "Mommy, Mommy, Daddy's home." Seconds later his wife came around the corner and realized what had actually happened and she collapsed, and we were consoling a 3-year-old, a 5-year-old, and a 7-year-old, that their dad was not coming back.

So as we remember this today, I would ask you to please remember that some families receive some horrible news. Please be with them in your prayers. When you say to someone, "Thank you for your service," remember there are family members that are still paying for the service that their partners – Representative O'Mara and I have become very good friends and she is still paying for some of the injuries that her husband suffered. And I would just ask that we all remember that this is a family issue.

Every single service member in the Marines in front of me served with the recognition that we may give our lives, and we are honored to do it. So we want to thank you for allowing us to serve. But for these three Marines and for their families, may we forever hold them in the palm of our hearts, because we as Marines firmly believe that they are Marines forever, and we will take care of them forever. God bless you all.

The SPEAKER. Members will please stand for a moment of silence for the fallen Marines.

(Whereupon, a moment of silence was observed.)

The SPEAKER. Retired reserve colonel of the U.S. Marines, Frank Ryan, our colleague as a Representative from Lebanon County, thank you very much.

Members, you may be seated. Thank you, everybody.

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

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 854, PN 968**, entitled:

An Act amending Titles 18 (Crimes and Offenses), 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of stalking; in wiretapping and electronic surveillance, further providing for definitions; in child custody, further providing for consideration of criminal conviction; in domestic and sexual violence victim address confidentiality, further providing for penalties; and, in sentencing, further providing for sentences for second and subsequent offenses.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. There is an amendment on this bill. It is offered by – one has been withdrawn, I believe, 00675. But Representative Dawkins does offer amendment 00719.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **DAWKINS** offered the following amendment No. **A00719**:

Amend Bill, page 1, line 4, by inserting after "stalking" and for the offense of strangulation

Amend Bill, page 1, lines 13 and 14, by striking out all of said lines and inserting

Section 1. Sections 2709.1(c)(2) and 2718(a) of Title 18 of the Pennsylvania Consolidated Statutes are amended to read:

Amend Bill, page 2, by inserting between lines 12 and 13 § 2718. Strangulation.

(a) Offense defined.—A person commits the offense of strangulation if the person with the intent to cause bodily injury or severe emotional distress knowingly or intentionally impedes the

breathing or circulation of the blood of another person by:

- (1) applying pressure to the throat or neck; or
- (2) blocking the nose and mouth of the person.

* * *

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair calls upon Representative Jason Dawkins.

Mr. **DAWKINS**. Thank you, Mr. Speaker.

So, Mr. Speaker, this amendment, A00719, essentially would add the clause of "bodily injury or severe emotional distress knowingly or intentionally impedes the breathing or circulation of the blood of another person...." And just so I can give— Mr. Speaker, can I get a little bit of quiet in the hall so I can explain it? Order?

The SPEAKER. Yes. Representative Dawkins, just give me a second. Thank you.

Members, please take your seats.

Mr. **DAWKINS**. Thank you, Mr. Speaker.

The SPEAKER. You may proceed, sir.

Mr. **DAWKINS**. So just so I can give a brief definition of what strangulation and the offense as defined in the bill, just so members can understand where we are going and the intent of this amendment. "A person commits the offense of strangulation if the person knowingly or intentionally impedes the breathing or circulation of the blood of another person by: applying pressure to the throat or neck; or blocking the nose and mouth of the person."

I just want to make it clear for the members, this particular amendment is not designed to not or to make victims have a burden of proof, to prove that this has happened. I am going to give you an example. If I have a young child that I take to Sunday school or church and that young child is being disruptive; as a parent, if I go to hush that child by blocking its mouth or nose, I have just committed a second-degree felony against that child.

And the reason I am promoting this amendment is for the unintended consequences. I can you give another example of young kids horseplaying. One may have another in some type of choke or some hold or they are just goofing around. If a principal or a dean were to see that action, they may assume there is more to it, and that can be referred to a prosecution of that particular kid. We are not trying to make it harder for victims to prove that they have been abused. When it comes to the actual individuals who are being abused, this is already defined in that statute.

Just to give you an example of all things that have to be proven of intent are things like murder, things like rape, things like assault. That is already on the books that require this statute. This would be the only bill or only assault clause that would not require to actually be proven that it has happened.

So I would ask the members for an affirmative vote in favor of this amendment so we can clear up the language to make sure we do not have any unintended consequences to those who it may affect.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Dawkins.

Representative Ecker, on the amendment, sir.

Mr. **ECKER**. Thank you, Mr. Speaker.

I rise in opposition of this amendment. We created the offense of strangulation a number of years ago to give our victims a voice in court, because what was happening before was victims could

only seek basically simple assault charges against their perpetrators, and because of this, what was happening is these folks were being charged with something that was a misdemeanor.

The good gentleman raised some hypotheticals. Those hypotheticals have virtually not even existed since this legislation has been adopted; in fact, the opposite. We have protected many women and other victims against their perpetrators from crimes of domestic violence. This particular amendment would undermine the purpose of the bill, which is to classify strangulation as a crime of violence, giving our victims a better voice, a better protection from the abusers that are putting them in a situation that, quite honestly, is unfair to them.

So I am very against the amendment. I ask for a negative vote on the amendment.

Thank you, Mr. Speaker.

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

Mr. DAWKINS. Thank you, Mr. Speaker.

And just to be clear, this amendment does not, again, build any requirement additionally to victims. This does the opposite of that. This is just clarifying the fact of intent, because again, as a parent reaches over to their child, their intention is not to strangle their child; their intention is to try to get their child to behave in the church. In this case, without that intent clause, we will now have folks that will be essentially liable for a crime when it was not their intention.

This is all about intent. It is not about trying to impede victims' rights or anything such of the nature, just to be clear. Thank you.

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

Mr. ECKER. Again, just to reiterate here, this is protecting domestic violence first and foremost, and by adopting this amendment, we will absolutely hurt our domestic violence victims. Thank you.

The SPEAKER. Representative Ed Neilson, on the amendment.

Mr. NEILSON. Thank you, Mr. Speaker.

After talking with my colleagues, I am glad he brought something to the attention. Having a bunch of boys at home, and they all participate in wrestling, a sport. So the word "intent" in this amendment might be more important than we think, because as kids are wrestling, someone gets hurt, it is not their intent to hurt the other person. However, it is their intent to get the person in a headlock, and it may— I mean, it is defined in the bill. So with the intent, that would take the liability off of those children as well while it does not take apart— I mean, but if the maker of the bill can clarify that, I would be willing to listen just to hear a little bit more about it, because it is not the kid's intent to do this but in the bill it could be. Even though it has not been today or of date under this, in reality, the language of the bill legislation would allow someone to be charged under this offense.

So I would ask maybe the— I do not want to interrogate the maker of the bill, but if he could clarify that, Mr. Speaker?

The SPEAKER. Sir, that is an interrogation. If you wish to ask a question, you may do so, but he has to agree to it. Do you wish to ask—

Mr. NEILSON. I would like to ask the question then, Mr. Speaker.

The SPEAKER. Yes. So you may interrogate, and the good gentleman has indicated he will stand for the question, sir.

Mr. NEILSON. Thank you, Mr. Speaker.

Mr. Speaker, where would that put that child who is wrestling and actually could hurt somebody on a sports mat? I mean, if they hurt someone by accident with no intent, could they be charged under this legislation?

Mr. ECKER. What you need to understand is in the legislation, that there is an affirmative, the affirmative defense to strangulation is consent, and I think these circumstances, or what you are describing, consent would negate any— would be the defense to that horseplay, I think, argument that you are suggesting, which is already embodied in the strangulation offense.

Mr. NEILSON. So this amendment that the Rep has introduced today, that would not change anything within the bill except for the intent part there where the court would have to show intent. So this would not be a bill breaker. The people, the victims of rape and everything will still be protected but you would have to show intent to harm another. Am I correct in assuming that?

Mr. ECKER. So what the proposed maker has provided has said that it has to cause, I believe, serious bodily harm or emotional distress. Right now as it stands, the act, the intent to do the act itself is what is considered the intent to act. So what the maker of the amendment is proposing is to basically put a higher threshold of intent on strangulation, which will ultimately prove to negate the idea of what the strangulation offense has been originally created for, which is to protect victims of domestic violence.

Mr. NEILSON. I do not have it in front of me, but I did not see the word "serious" in anything within this amendment. It just says bodily harm. The intent of bodily harm. And I would think that we would want that to be a burden of proof in the courtroom as well. I mean, that is more of like a basic— it is basic, I mean, they are not standing in court because they did not intend to do it. So the word "intent" would just help protect the kids that are doing sports and horseplaying and stuff like that, that it was not a malicious act. I am just trying to understand, make sure I understand before I put my vote up for this, Mr. Speaker.

Mr. ECKER. Mr. Speaker, you know, the fact of the matter is that there are already safeguards in place by the consent being an affirmative offense and the fact of that this offense has been around for a number of years, that we cannot think of any circumstance in speaking with counsel, that there is no circumstance where this offense has been abused, so to speak. The fact of the matter is, it is just not a likely hypothetical that has come up.

Mr. NEILSON. It just raised my concern, Mr. Speaker, having kids, like yourself, we— I mean, it raised a concern because—

The SPEAKER. Representative Neilson, you can continue to speak on the bill but right now you are not asking a question. You just have to ask a question at this time and then I will give you an opportunity to finish up speaking on the bill.

Mr. NEILSON. I understand, Mr. Speaker, and I am intending to— Still under interrogation, if I may, Mr. Speaker, because I still have questions. The question is—

The SPEAKER. Representative Ecker, will you still stand for interrogation? Yes.

Sir, you have to just ask questions at this time.

Mr. NEILSON. Can the maker of the bill tell me these safeguards that are in place in this legislation that would safeguard my children from being charged with such a heinous crime when they are wrestling with their younger brother?

Mr. ECKER. The affirmative defense of consent.

Mr. NEILSON. Pardon?

Mr. ECKER. The affirmative defense, which is outlined in the statute already, is consent. The fact that the boys are consenting, or in your hypothetical.

Mr. NEILSON. Thank you, Mr. Speaker. Thank you for standing for interrogation.

On the bill? On the amendment, sir?

The SPEAKER. Yes, you may speak on the bill.

Mr. NEILSON. So the fact that—

The SPEAKER. Or on the amendment; I apologize. On the amendment.

Mr. NEILSON. On the amendment. Yeah.

I do not know, I grew up in a house with five, you know, I have five sons, and I do not recall at any time either one of them giving any consent that you could just grab your brother and throw him on the ground, strangle him. I mean, I do not know, I mean, we had all boys in my family and it could get a little exciting at times.

So I have to stand with Representative Dawkins and support this amendment. And I just want you to think of some of the things we have done growing up and all, just to make certain. I mean, we are talking about one word, one change just to show intent, and I am sure that is not changing the overall intent of the legislation itself.

So I stand in favor of the Representative's amendment.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the majority leader, Representative Bryan Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I believe the question of the prior speaker was this: If you had individuals who were on a wrestling mat and engaged in wrestling, what prevents them from being prosecuted under this law? And perhaps that is an oversimplification. And the prime sponsor rightly identified the issue of consent. As student athletes, they have consented to engage in that activity and they are there.

So in terms of looking at the intent of what is going on in the bill, I think it is important to look at the language of the bill. The intent for this offense is defined as knowingly impeding breathing or the circulation of blood. "Knowingly" is a legal term that must be proven, and it is one that stands to reason of, would a reasonable person expect such an action to result in the cessation of breathing or the circulation of blood?

Unfortunately, while I believe the good gentleman's amendment is well intended, it would actually allow for the following defense. The defense would sound something like this, potentially, in a courtroom: "I didn't mean to harm them, I only meant to quiet them." I do not believe that is activity that we should sanction in our laws. And I believe that the prime sponsor of the bill rightly identifies the portions of the bill that must be proven in order to prove the offense.

This is the way and the manner in which all of our other criminal conduct codes are taken care of, and in order to be consistent, I would urge a "no" vote on the amendment and support of the underlying bill.

Thank you, Mr. Speaker.

LEAVES OF ABSENCE

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

Representative Tina DAVIS has requested to be placed on leave. Without objection, that will be granted.

CONSIDERATION OF HB 854 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—57

Boyle	Dermody	Isaacson	Rabb
Bradford	Donatucci	Kinsey	Ravenstahl
Briggs	Driscoll	Kirkland	Readshaw
Burgos	Evans	Kortz	Roebuck
Cephas	Fiedler	Krueger	Sanchez
Ciresi	Fitzgerald	Lee	Sims
Conklin	Flynn	Madden	Solomon
Cruz	Frankel	Markosek	Sturla
Daley	Gainey	McClinton	Ullman
Davidson	Harkins	McNeill	Vitali
Davis, A.	Harrell	Merski	Warren
Dawkins	Harris	Neilson	Webster
Deasy	Hohenstein	O'Mara	Williams
DeLissio	Howard	Pashinski	Zabel
Delloso			

NAYS—136

Barrar	Gillespie	Masser	Rothman
Benninghoff	Gleim	Matzie	Rozzi
Bernstine	Goodman	McCarter	Ryan
Bizzarro	Gregory	Mehaffie	Sainato
Boback	Greiner	Mentzer	Samuelson
Borowicz	Grove	Metcalfe	Sankey
Brooks	Hahn	Metzgar	Sappery
Brown	Hanbidge	Mihalek	Saylor
Burns	Heffley	Millard	Schemel
Caltagirone	Helm	Miller, B.	Schlossberg
Carroll	Hennessey	Mizgorski	Schmitt
Causer	Hershey	Moul	Schroeder
Comitta	Hickernell	Mullery	Schweyer
Cook	Innamorato	Mullins	Shusterman
Cox	Irvin	Murt	Simmons
Culver	James	Nelson	Snyder
Cutler	Jones	Nesbit	Sonney
Day	Jozwiak	O'Neal	Staats
Delozier	Kail	Oberlander	Stephens
Diamond	Kaufert	Ortitay	Struzzi
DiGrolamo	Kauffman	Otten	Thomas
Dowling	Keefer	Owlett	Tobash
Dunbar	Kim	Peifer	Toepel
Dush	Klunk	Petrarca	Toohil
Ecker	Knowles	Pickett	Topper
Emrick	Kosierowski	Polinchock	Walsh
Everett	Kulik	Puskaric	Warner
Farry	Lawrence	Pyle	Wentling
Fee	Lewis	Quinn	Wheeland
Freeman	Longietti	Rader	White
Fritz	Mackenzie	Rapp	Zimmerman
Gabler	Mako	Reese	
Galloway	Malagari	Rigby	Turzai,
Gaydos	Maloney	Roae	Speaker
Gillen	Marshall		

NOT VOTING—0

EXCUSED—9

Bullock	Keller, F.	Kenyatta	Wheatley
Davis, T.	Keller, M.K.	Miller, D.	Youngblood
DeLuca			

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?
Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 103, PN 102**, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, in subdivision and land development, providing for nonbuilding lots.

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

Mr. **MALONEY** offered the following amendment
No. **A00408**:

Amend Bill, page 1, by inserting between lines 21 and 22
This act may be referred to as the Family Heritage Open Space Protection Act.

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

The following roll call was recorded:

YEAS—189

Barrar	Fiedler	Lawrence	Rapp
Benninghoff	Fitzgerald	Lee	Ravenstahl
Bernstine	Flynn	Lewis	Readshaw
Bizzarro	Frankel	Longietti	Reese
Boback	Freeman	Mackenzie	Rigby
Borowicz	Fritz	Madden	Roae
Boyle	Gabler	Mako	Roebuck
Bradford	Gainey	Malagari	Rothman
Briggs	Galloway	Maloney	Rozzi
Brooks	Gaydos	Markosek	Ryan
Brown	Gillen	Marshall	Sainato
Burgos	Gillespie	Masser	Samuelson
Burns	Gleim	Matzie	Sankey
Caltagirone	Goodman	McCarter	Saylor
Carroll	Gregory	McClinton	Schemel
Causser	Greiner	McNeill	Schlossberg
Cephas	Grove	Mehaffie	Schmitt
Ciresi	Hahn	Mentzer	Schroeder
Comitta	Hanbidge	Merski	Schweyer
Conklin	Harkins	Metcalfe	Simmons
Cook	Harrell	Metzgar	Sims

Cox	Harris	Mihalek	Snyder
Cruz	Heffley	Millard	Solomon
Culver	Helm	Miller, B.	Sonney
Cutler	Hennessey	Mizgorski	Staats
Daley	Hershey	Moul	Stephens
Davidson	Hickernell	Mullery	Struzzi
Davis, A.	Hohenstein	Mullins	Sturla
Dawkins	Howard	Murt	Thomas
Day	Innamorato	Neilson	Tobash
Deasy	Irvin	Nelson	Toepel
DeLissio	Isaacson	Nesbit	Toohil
Delloso	James	O'Mara	Topper
Delozier	Jones	O'Neal	Ullman
Dermody	Jozwiak	Oberlander	Walsh
Diamond	Kail	Ortitay	Warner
DiGirolamo	Kaufer	Otten	Warren
Donatucci	Kauffman	Owlett	Webster
Dowling	Keefer	Pashinski	Wentling
Driscoll	Kim	Peifer	Wheeland
Dunbar	Kinsey	Petrarca	White
Dush	Kirkland	Pickett	Williams
Ecker	Klunk	Polinchock	Zabel
Emrick	Knowles	Puskaric	Zimmerman
Evans	Kortz	Pyle	
Everett	Kosierowski	Quinn	Turzai,
Farry	Krueger	Rabb	Speaker
Fee	Kulik	Rader	

NAYS—4

Sanchez	Sappey	Shusterman	Vitali
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NOT VOTING—0

EXCUSED—9

Bullock	Keller, F.	Kenyatta	Wheatley
Davis, T.	Keller, M.K.	Miller, D.	Youngblood
DeLuca			

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 763, PN 1328**, entitled:

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 authority to issue liquor licenses to hotels, restaurants and clubs, for sales by liquor licensees and restrictions, for sale of malt or brewed beverages by liquor licensees, for retail dispensers' restrictions on purchases and sales, for unlawful acts relative to malt or brewed beverages and licensees and for premises to be vacated by patrons.

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

Mr. LAWRENCE offered the following amendment No. **A00715**:

Amend Bill, page 2, line 16, by striking out the bracket before the comma after "licensees"

Amend Bill, page 2, line 16, by inserting after "clubs" in a county of the first class, second class, second class A or third class

Amend Bill, page 2, line 16, by striking out the bracket after "clubs,"

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

AMENDMENT WITHDRAWN

The SPEAKER. On the amendment, the Chair calls upon Representative John Lawrence.

Mr. LAWRENCE. Thank you, Mr. Speaker.

Mr. Speaker, I do have some concerns with this legislation. After consultation with the prime sponsor, though, I am going to pull this amendment at this time.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Lawrence.

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

The SPEAKER. Representative Lawrence also had filed amendment 00714. In consultation with the Parliamentarian, we have ruled that out of order.

Representative Mehaffie had filed amendments 00716 and 00717.

Representative Mehaffie, on your amendments.

Mr. MEHAFFIE. Yes, Mr. Speaker, I will be withdrawing both of my amendments, but I also, as the gentleman from Chester County said, have problems with this bill and do not agree with it, but will have more to talk about next time.

The SPEAKER. Okay. But right now you are withdrawing your amendments. Is that my understanding?

Mr. MEHAFFIE. That is correct. Yes.

The SPEAKER. Yes. So those amendments are withdrawn. There are no other amendments on the bill.

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

RESOLUTION

Mr. RYAN called up **HR 104, PN 578**, entitled:

A Resolution directing the Secretary of Revenue and the Governor to commence negotiations with the State of New York's Governor and Commissioner of the Department of Taxation and Finance to effectuate an income tax reciprocity agreement between the Commonwealth of Pennsylvania and the State of New York.

On the question,
Will the House adopt the resolution?

The SPEAKER. On the resolution, the Chair recognizes Representative Frank Ryan.

Mr. RYAN. Mr. Speaker and members, thank you so much.

In addition to what you see in the language, where there is this fairly significant tax benefit to Pennsylvania, what the conversation I have had with the minority leader in the General Assembly in New York was that there was interest as well because it would help spur on the southern counties of New York with the northern counties of Pennsylvania. And we are hoping it would be a net win, tax-wise. Additionally, I reminded the minority leader and the majority leader in New York that we are already doing a great deal within the Commonwealth of Pennsylvania – as an example, there is a notice of intent for the impact study that was done with the Federal Energy Regulatory Commission that benefits the State of New York.

So this resolution will help us achieve that same degree of reciprocity that we have with four of the six surrounding States, which would further, I think, increase our ability to be a much more robust economy for all and will help significantly the counties that border New York.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Ryan.

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

The following roll call was recorded:

YEAS—193

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

DiGirolamo	Kauffman	Pashinski	Warner
Donatucci	Keefer	Peifer	Warren
Dowling	Kim	Petrarca	Webster
Driscoll	Kinsey	Pickett	Wentling
Dunbar	Kirkland	Polinchock	Wheeland
Dush	Klunk	Puskaric	White
Ecker	Knowles	Pyle	Williams
Emrick	Kortz	Quinn	Zabel
Evans	Kosierowski	Rabb	Zimmerman
Everett	Krueger	Rader	
Farry	Kulik	Rapp	Turzai,
Fee	Lawrence	Ravenstahl	Speaker
Fiedler	Lee	Readshaw	

NAYS—0

NOT VOTING—0

EXCUSED—9

Bullock	Keller, F.	Kenyatta	Wheatley
Davis, T.	Keller, M.K.	Miller, D.	Youngblood
DeLuca			

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

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 684, PN 697**, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in pharmaceutical assistance for the elderly, further providing for the definition of "income."

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

Barrar	Fitzgerald	Lewis	Reese
Benninghoff	Flynn	Longiotti	Rigby
Bernstine	Frankel	Mackenzie	Roae
Bizzarro	Freeman	Madden	Roebuck
Boback	Fritz	Mako	Rothman
Borowicz	Gabler	Malagari	Rozzi
Boyle	Gainey	Maloney	Ryan
Bradford	Galloway	Markosek	Sainato
Briggs	Gaydos	Marshall	Samuelson
Brooks	Gillen	Masser	Sanchez
Brown	Gillespie	Matzie	Sankey
Burgos	Gleim	McCarter	Sappey

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Bullock	Keller, F.	Kenyatta	Wheatley
Davis, T.	Keller, M.K.	Miller, D.	Youngblood
DeLuca			

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 754, PN 804**, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in pharmaceutical assistance for the elderly, further providing for determination of eligibility.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Bullock	Keller, F.	Kenyatta	Wheatley
Davis, T.	Keller, M.K.	Miller, D.	Youngblood
DeLuca			

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. THOMAS

The SPEAKER. The Chair recognizes Representative Wendi Thomas on unanimous consent with respect to HB 754.

Mrs. THOMAS. I just want to thank all my colleagues here for voting on this. This extends PACE (Pharmaceutical Assistance Contract for the Elderly) and PACENET (Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier) to over 9,000 residents for the next 2 years. As we know, our aging population needs all of our support.

So I want to thank everyone, and say, my first bill, woo-hoo. Thank you.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 962, PN 1352**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for six months limitation, for infancy, insanity or imprisonment, for no limitation applicable and for other offenses; and, in matters affecting government units, further providing for exceptions to sovereign immunity, for limitations on damages in actions against Commonwealth parties, for exceptions to governmental immunity and for limitations on damages in actions against local parties.

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?

On the bill, Representative Rozzi.

Mr. ROZZI. Thank you, Mr. Speaker.

I first stepped foot in this Capitol on March 1, 2011, with my mother and—

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

Members, please take your seats. Members, please take your seats. Thank you.

Representative Rozzi, you may proceed.

Mr. ROZZI. Again, Mr. Speaker, thank you.

I first stepped foot in this Capitol on March 1, 2011, with my mother and fellow victim, Joe Behe, who has since passed, for our former colleague, Mike McGeehan's statute of limitations press conference. Following the creation of a task force for the protection of children, which did not take up the issue of a lookback window for past victims, I decided to run in 2012. Seven years later, you know my story, and those of countless victims throughout the Commonwealth who have come here to tell their stories with the hope that with their truth, predators and institutions will be exposed and made accountable for their crimes and future innocent children would be spared.

Much has happened over the years to bring attention to the hidden epidemic of childhood sexual abuse. Besides the 2005 and 2011 grand jury reports from the Philadelphia Archdiocese, the conviction of Jerry Sandusky and Monsignor Lynn on the same day in 2012, the Solebury School grand jury report, the Boy Scouts "perversion files," the 2016 Altoona-Johnstown Diocese grand jury report, and last summer's statewide grand jury investigation of the six remaining Catholic dioceses by our Attorney General, we now know, without any doubt, the extent of the abuse and cover up that has plagued our State and that the statute of limitations reform must move forward. It is what our citizens demand and it is what victims need – past, present, and future.

How do we get there when year after year, for 15 years, statute of limitations bills have been introduced, hearings held, numerous press conferences, extensive media coverage, and the bills still failed? After the heroic efforts of our victim and advocate communities to the last minute on the last day of last year's session, it is evident that there are sincerely held beliefs among our legislative leaders and some members that a statutory window is unconstitutional. And while the case has been made for and against the constitutional question, I have come to the realization that history will repeat itself and nothing will get done for past victims unless we deal with this head on.

As such, I embraced a compromise originally suggested by Senate Majority Leader Jake Corman in our radio interview last year, during which he discussed providing for a retroactive window through a constitutional amendment. I now understand that the time it would take to pass a constitutional amendment in two consecutive sessions may take 2 to 3 years, but so too could the process of a statutory piece as it passes through the legislative process, travels through the court systems, and challenges by the church to the Supreme Court. Either way, it is a long game and we need to move forward now.

As such, we have arrived at HB 962 and my colleague's bill, Representative Gregory, HB 963. And make no mistake about it, these bills are a package. And as a result of the adoption of the Gregory amendment yesterday, these bills are inseparably intertwined.

Majority Leader Cutler has stated that while the debate has continued all these years, people have aged out under the current laws and could have had redress by now. You are right.

HB 962 will prospectively increase the statute of limitations for civil claims of childhood sex abuse to age 55 and eliminate the statute of limitations for criminal offenses involving childhood sexual abuse. It will also waive sovereign immunity for public entities guilty of covering up childhood sexual abuse. HB 962 provides for absolute parity in the handling of sexual abuse claims between public and private institutions. HB 963 proposes a constitutional amendment to provide a 2-year window for victims of childhood sexual abuse whose limitations period has expired.

Mr. Speaker, this package is a result of bipartisan and bicameral talks with the House and Senate leadership. And I would like to sincerely thank Representative Jim Gregory for agreeing to team up with me on this endeavor. We know all too well the life challenges victims of childhood sex abuse face. I sincerely want to thank Speaker Turzai for your continuous support, Majority Leader Cutler, again, for your dedication to protecting victims, and Majority Leader Corman for allowing your staff to work with us on the creation of this legislation.

We will get this done, Mr. Speaker. We must get this done. The time is now for this process to start. I urge my colleagues in the House to vote "yes" on HB 962 and Gregory's HB 963. I respectfully ask that our colleagues in the Senate take up these bills immediately – immediately – and get HB 962 straight to the Governor's desk and HB 963, the constitutional amendment, on the path to justice. Victims have waited long enough.

Thank you, Mr. Speaker.

The SPEAKER. Representative Jim Gregory, on HB 962.

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

I am pleased to support HB 962, sponsored by my good friend from Berks County. The two bills before us today, this bill and HB 963, offer a two-part, but unified, endeavor to address weaknesses in Pennsylvania's civil and criminal statutes relating to sexual abuse of children.

This bill addresses the issue of child sexual abuse within the context of criminal and civil statutes of limitations and governmental immunity. HB 963 would provide a 2-year civil window for actions arising from childhood sexual abuse where a statutory limitations period has already expired. In previous legislative sessions, these two pieces were contained in a single bill. This approach, while different, different in form, does not indicate a deviation from the ultimate goal. You just heard what that goal is, which is to provide justice for those who have been harmed and to do what we can to prevent future harm.

I am humble and I am grateful. I am proud that in my first term as a legislator, I get to stand in front of this body of elected colleagues and declare my support for this legislation. I will be even more proud and grateful and humble when all of this comes together, when this bill becomes law, and when the voters of the Commonwealth enact the proposed amendment to the Constitution in HB 963. Until then I will continue to stand with those who have been subjected to child sexual abuse and those who are working to bring justice to those individuals.

As we heard earlier today, Rabbi Klein, in her benediction, mentioned the word "thrivers." Three hours before she mentioned that word, I texted my good friend from Berks County three simple words: We are thrivers. When she mentioned the word "thrivers," we both looked up at each other and we recognized that this is going to get done.

There are victims of violence and abuse in our presence, there are survivors of violence and abuse in our midst, and there are thrivers. Mark and myself, we are here together as members of the State House of Representatives. We are not victims. We are not survivors. We are thrivers. And as thrivers, we are extending our hand to those who we speak for here today. I hope that you will stand with us today and take this step together. Thank you very much.

The SPEAKER. Representative Cris Dush.

Please refrain, everybody is entitled to be heard. If anybody else wishes to speak, please let us know.

Representative Cris Dush.

Mr. DUSH. Thank you, Mr. Speaker.

I would like to start by thanking the maker of this bill for his tireless efforts on behalf of the survivors of these heinous acts against the most innocent in our society. I must also say that he has done a tremendous job of working to take care of the flaws which were the cause of so much consternation in the previous sessions. I do want to say one thing: I do not believe that we have yet seen the full extent of the cover-ups, unfortunately. It is why I believe that we also do, we do need to move forward. You have done a tremendous job on this bill.

At times like this, I try to reflect on the history of this Republic and this Commonwealth. At the time of the founding of this nation, there were two oaths members were required to take before taking their seat in this House. The first: "I do swear...that as a member of this assembly, I will not propose or assent to any bill, vote, or resolution, which shall appear to me injurious to the people; nor do or consent to any act or thing whatever, that shall have a tendency to lessen or abridge their rights and privileges, as declared in the constitution of this state; but will in all things conduct myself as a faithful honest representative and guardian of the people, according to the best of my judgment and abilities." This oath declares our responsibilities.

As I indicated, the maker of this bill has come a long way. This bill, unlike some that have been introduced in previous sessions, has the ex post facto provisions which I believe violate the clear wording of Article I, section 17, of the Pennsylvania Constitution, which states, "No ex post facto law, nor any law impairing the obligation of contracts, or making irrevocable any grant of special privileges or immunities, shall be passed." To shorten this to the relevant part, no ex post facto law shall be passed.

When it comes to the distinction between the Constitutions and the law, I believe James Madison put it most succinctly in Federalist No. 53. For the purposes of clarity, I will quote from the noted linguist Mary Webster's "The Federalist Papers in Modern English": "Americans understand that the people create a Constitution. And it is the supreme power. The government cannot alter the Constitution. On the other hand, the government makes laws and the government can change them. Other countries don't seem to understand this distinction." The point is, neither the legislature, the Governor, nor the courts have been given the authority by the people to alter the Constitution, not in the wording of the document itself nor the intent through misinterpretation.

I am grateful the maker has removed this impediment to getting justice for those who, tragically in this fallen world, will still become victims in coming years. It is a huge step towards getting this right.

But there remains one problem in my mind with the language of this bill, and it goes to the heart of the oath that I quoted, specifically "...I will not propose or assent to any bill, vote, or resolution, which shall appear to me injurious to the people; nor do or consent to any act or thing whatever, that shall have a tendency to lessen or abridge their rights and privileges, as declared in the constitution of this state...."

Unfortunately, in this State we have all been aware of another type of abuse: lawsuit abuse by a portion of the legal community who will initiate a full-court press when they are given the slightest opportunity to go after what they call the deep pockets. The issue I have in this instance is that I have absolutely no doubt there are those in the industry who are salivating over the potentials the bill as it is written in this form will afford them. I foresee the passing of a teacher who was known to have a kind and compassionate heart, nothing further, to have passed on suddenly and a claimant to suddenly appear who files against a school district in order to cash in against someone who is no longer able to defend himself or herself. In the eyes of this select element of the legal profession, we have seen that even when there is no clear evidence of wrongdoing, the attorneys can score a win with a settlement. We have property tax problems in this State as it is. It will be even worse if this portion of this bill is not removed.

I want to be able to support this bill. I honestly believe this bill will pass. I am hoping that when it gets over to the Senate, they will do some things to clarify that and to take care of it, and I do hope that we get immediate action for the children of this State. My good friend and a prosecutor from Jefferson County just recently put away a guy that had 25 years of abusing his child. We have talked about some things that I have experienced with inmates and some other situations. I want to see this get through. I want it to be right.

Again, I am going to be a "no" vote on this; however, I really do want to see us move forward. Thank you.

The SPEAKER. Representative Russ Diamond.

Mr. DIAMOND. Thank you, Mr. Speaker.

I remember standing here a couple years ago and the maker of the bill was standing over there, and I was opposed to the bill in question at the time because it had the retroactivity clause, and I remember feeling the laser beams of the maker of this bill's eyes upon me. I just wanted to rise and express my support of this bill and my admiration for the maker. We have had a personal conversation about his journey, and I just want to applaud the maker of the bill for coming to the realization of what we can do legally in this State to help as many people as we can.

I consider you not just a colleague, not just a friend, but a brother in Christ, and I have the ultimate, ultimate respect for you. I will be heartily voting "yes" for your bill.

Thank you, Mr. Speaker.

The SPEAKER. The majority leader, Representative Bryan Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I rise today in support of this package of legislation as outlined by the two cosponsors.

On New Year's Day, when most of us were sworn in, I invited everybody to share their stories as to how they got here in this office, and to those of you who were fortunate enough to win a special election, you had a personal appeal from me to do the same. I at that time shared my own personal story with each of you and how I ended up here in the legislature, and invited every member to share their story – to tell us how you got here, to share the experiences that shaped your life and made you who you are today. Many of you have taken me up on that offer and I appreciate hearing the stories. It has led to some great and productive conversations and many new friendships.

I want to thank the prime sponsors, who have spoken previously, and all the other victims who have come to share their stories with not just me, but I think all of us. Their stories are heartbreaking and I cannot think of a more personal issue than what is before us today. So I have the utmost admiration and respect for the supporters of this bill and the next one we will consider because of your willingness to share your experiences and striving – and this is the most important part – striving to help those who are suffering in much the same way but do not yet have the same platform that you may have, because the hardest part of the story that the prime sponsors have shared with me and many of you is what we have come to learn, and that it is this sad truth: these are not isolated instances. That is the most troubling part to me.

Our laws exist to protect us – I think we would all agree on that – and to ensure a civil society and justice. But there are times when our laws by their very nature actually become barriers to actually protecting our citizens and affording them the rights that they are entitled to. And when those barriers become self-evident,

I would offer that we have an obligation to remove them. These bills are our best opportunity to address this very serious issue both in our society, not just in the Commonwealth, but all across the nation, and stand up for those whose voices were kept silent for far too long.

However, after these bills are passed – and I think this is equally important – our work on this dark and tragic topic is not over. We all must do our part to try and eradicate sexual abuse of children from the face of the earth. There could never be an excuse for this type of behavior, and never again can there be an opening in our laws where the perpetrators are left to be held unaccountable.

I want to take a moment to again personally thank the prime sponsors for your courageous work, but I also want to recognize the Representatives from Luzerne County and Montgomery County who are working on the other two grand jury suggestions. They have worked tirelessly to take those recommendations and also put them into bills.

In this chamber and outside of these walls, the most important thing we can do is listen to one another. I think it is very evident that the prime sponsor and myself, because he referenced it and I appreciate him doing it, there are some sincerely held beliefs by all parties involved regarding different components of the bill. But when he shared his experience, understood my position, and we had a very fruitful conversation, he had an alternative that, quite frankly, addressed my issues. And I know that was not an easy road to pursue because there is always concern of what else may happen, but I do believe that this is our best opportunity to work together, find solutions, and ensure that the work that we are doing here improves the lives of our friends, our neighbors, and our own families.

So for that, I thank you for your courageous work, and I would urge a "yes" vote on this bill and the bill to follow. Thank you.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 962 CONTINUED

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

YEAS—187

Barrar	Flynn	Lewis	Readshaw
Benninghoff	Frankel	Longietti	Reese
Bernstine	Freeman	Mackenzie	Rigby
Bizzarro	Fritz	Madden	Roae
Boback	Gabler	Mako	Roebuck

Borowicz	Gainey	Malagari	Rothman
Boyle	Galloway	Maloney	Rozzi
Bradford	Gaydos	Markosek	Ryan
Briggs	Gillen	Marshall	Sainato
Brown	Gillespie	Masser	Samuelson
Burgos	Gleim	Matzie	Sanchez
Burns	Goodman	McCarter	Sankey
Caltagirone	Gregory	McClinton	Sappey
Carroll	Greiner	McNeill	Saylor
Causar	Grove	Mehaffie	Schlossberg
Cephas	Hahn	Mentzer	Schmitt
Ciresi	Hanbidge	Merski	Schroeder
Comitta	Harkins	Metcalfe	Schweyer
Conklin	Harrell	Metzgar	Shusterman
Cook	Harris	Mihalek	Simmons
Cox	Heffley	Millard	Sims
Cruz	Helm	Miller, B.	Snyder
Culver	Hennessey	Mizgorski	Solomon
Cutler	Hershey	Moul	Sonney
Daley	Hickernell	Mullery	Staats
Davidson	Hohenstein	Mullins	Stephens
Davis, A.	Howard	Murt	Struzzi
Dawkins	Innamorato	Neilson	Sturla
Day	Irvin	Nelson	Thomas
Deasy	Isaacson	Nesbit	Tobash
DeLissio	James	O'Mara	Toepel
Delloso	Jozwiak	O'Neal	Toohil
Delozier	Kail	Oberlander	Topper
Dermody	Kaufner	Ortitay	Ullman
Diamond	Kauffman	Otten	Walsh
DiGirolamo	Keefer	Owlett	Warner
Donatucci	Kim	Pashinski	Warren
Dowling	Kinsey	Peifer	Webster
Driscoll	Kirkland	Petrarca	Wentling
Dunbar	Klunk	Pickett	Wheeland
Ecker	Knowles	Polinchock	White
Emrick	Kortz	Puskaric	Williams
Evans	Kosierowski	Pyle	Zabel
Everett	Krueger	Quinn	Zimmerman
Farry	Kulik	Rader	
Fee	Lawrence	Rapp	Turzai,
Fiedler	Lee	Ravenstahl	Speaker
Fitzgerald			

NAYS—5

Brooks	Jones	Schemel	Vitali
Dush			

NOT VOTING—0

EXCUSED—10

Bullock	Keller, F.	Miller, D.	Wheatley
Davis, T.	Keller, M.K.	Rabb	Youngblood
DeLuca	Kenyatta		

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 963, PN 1130**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the 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?

On the bill, Representative Jim Gregory is recognized.
Mr. GREGORY. Thank you, Mr. Speaker.

When the leader offers you an opportunity to go and speak, I would highly recommend you take him up on it, because I really appreciated the fact that he remembered our conversation a couple of months ago where I indicated that this would be a great way of addressing this issue.

So I am pleased to rise and ask for your vote in favor of HB 963, which proposes to amend the Pennsylvania Constitution to give a 2-year window for individuals for whom a statutory limitations period has already expired to pursue civil action arising from childhood sexual abuse. The cases that will be filed under this provision would be subject to any other requirements provided by law at the time the provision becomes effective. The constitutional amendment would be self-executing, meaning that its provisions do not need additional legislation to become effective.

Once again, even though this is my first term in the legislature, I am aware of the debate in the previous sessions that we have heard about today about whether a statutory civil window for these claims would be constitutional. So whether one agrees with that argument or not, that position has been a challenge to those trying to get a window enacted. That is why our strategy this session is propose the civil window as a constitutional amendment. In other words, if a civil window is adopted into the Constitution, then any constitutional concerns are being addressed.

So I am asking you to join me in supporting this proposed constitutional amendment. Let us take the first steps to delivering on the promise of giving victims of child sexual abuse for whom a statutory limitations period has expired their day in court. Thank you very much.

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—177

Barrar	Fitzgerald	Lewis	Readshaw
Benninghoff	Flynn	Longietti	Reese
Bernstine	Frankel	Mackenzie	Rigby
Bizzarro	Freeman	Madden	Roae
Boback	Fritz	Mako	Roebuck
Boyle	Gabler	Malagari	Rothman
Bradford	Gainey	Maloney	Rozzi
Briggs	Galloway	Markosek	Sainato
Brown	Gillen	Marshall	Samuelson
Burgos	Gillespie	Masser	Sanchez
Burns	Gleim	Matzie	Sankey

Caltagirone	Goodman	McCarter	Sappey
Carroll	Gregory	McClinton	Saylor
Causer	Greiner	McNeill	Schlossberg
Cephas	Grove	Mehaffie	Schmitt
Ciresi	Hahn	Mentzer	Schroeder
Comitta	Hanbidge	Merski	Schweyer
Conklin	Harkins	Metzgar	Shusterman
Cook	Harrell	Mihalek	Simmons
Cox	Harris	Millard	Sims
Cruz	Heffley	Miller, B.	Snyder
Culver	Helm	Mizgorski	Solomon
Cutler	Hennessey	Moul	Sonney
Daley	Hershey	Mullery	Stephens
Davidson	Hickernell	Mullins	Struzzi
Davis, A.	Hohenstein	Murt	Sturla
Dawkins	Howard	Neilson	Thomas
Day	Innamorato	Nelson	Toepel
Deasy	Irvin	Nesbit	Toohil
DeLissio	Isaacson	O'Mara	Topper
Delloso	James	O'Neal	Ullman
Delozier	Kail	Oberlander	Walsh
Dermody	Kaufer	Ortitay	Warner
DiGirolamo	Kauffman	Otten	Warren
Donatucci	Kim	Owlett	Webster
Dowling	Kinsey	Pashinski	Wentling
Driscoll	Kirkland	Peifer	Wheeland
Dunbar	Klunk	Petrarca	White
Ecker	Knowles	Pickett	Williams
Emrick	Kortz	Polinchock	Zabel
Evans	Kosierowski	Puskaric	Zimmerman
Everett	Krueger	Pyle	
Farry	Kulik	Quinn	Turzai, Speaker
Fee	Lawrence	Rapp	
Fiedler	Lee	Ravenstahl	

NAYS—15

Borowicz	Gaydos	Metcalfe	Staats
Brooks	Jones	Rader	Tobash
Diamond	Jozwiak	Ryan	Vitali
Dush	Keefer	Schemel	

NOT VOTING—0

EXCUSED—10

Bullock	Keller, F.	Miller, D.	Wheatley
Davis, T.	Keller, M.K.	Rabb	Youngblood
DeLuca	Kenyatta		

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 629, PN 1353**, entitled:

An Act providing for patient access to diagnostics and treatments for Lyme disease and related tick-borne illnesses; and requiring health care policies to provide certain coverage.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—158

Barrar	Freeman	Mako	Reese
Benninghoff	Fritz	Malagari	Rigby
Bernstine	Gabler	Maloney	Roae
Bizzarro	Galloway	Markosek	Rothman
Boback	Gillen	Marshall	Rozzi
Borowicz	Gillespie	Masser	Ryan
Boyle	Gleim	Matzie	Sainato
Briggs	Goodman	McCarter	Samuelson
Brown	Gregory	McNeill	Sanchez
Burgos	Greiner	Mehaffie	Sankey
Burns	Hahn	Mentzer	Sappery
Caltagirone	Hanbidge	Merski	Saylor
Carroll	Harkins	Metcalfe	Schemel
Causar	Heffley	Metzgar	Schmitt
Ciresi	Helm	Millard	Schroeder
Comitta	Hennessey	Miller, B.	Schweyer
Conklin	Hershey	Mizgorski	Shusterman
Cook	Hickernell	Moul	Simmons
Cox	Hohenstein	Mullery	Snyder
Cruz	Howard	Mullins	Sonney
Culver	Irvin	Murt	Staats
Cutler	Isaacson	Nelson	Stephens
Deasy	James	Nesbit	Struzzi
DeLissio	Jozwiak	O'Mara	Sturla
Delloso	Kail	Oberlander	Toepel
Delozier	Kaufer	Ortitay	Toohil
Dermody	Kauffman	Otten	Topper
Diamond	Keefer	Owlett	Ullman
DiGirolamo	Kim	Pashinski	Walsh
Donatucci	Klunk	Peifer	Warner
Dowling	Knowles	Petrarca	Warren
Dunbar	Kortz	Pickett	Webster
Dush	Kosierowski	Polinchock	Wentling
Ecker	Krueger	Puskaric	Wheeland
Emrick	Kulik	Pyle	White
Everett	Lawrence	Quinn	Williams
Farry	Lewis	Rader	Zimmerman
Fee	Longietti	Rapp	
Flynn	Mackenzie	Ravenstahl	Turzai,
Frankel	Madden	Readshaw	Speaker

NAYS—34

Bradford	Evans	Jones	Roebuck
Brooks	Fiedler	Kinsey	Schlossberg
Cephas	Fitzgerald	Kirkland	Sims
Daley	Gainey	Lee	Solomon
Davidson	Gaydos	McClinton	Thomas
Davis, A.	Grove	Mihalek	Tobash
Dawkins	Harrell	Neilson	Vitali
Day	Harris	O'Neal	Zabel
Driscoll	Innamorato		

NOT VOTING—0

EXCUSED—10

Bullock	Keller, F.	Miller, D.	Wheatley
Davis, T.	Keller, M.K.	Rabb	Youngblood
DeLuca	Kenyatta		

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 MS. RAPP

The SPEAKER. On unanimous consent, the Chair recognizes Representative Kathy Rapp.

Ms. RAPP. Thank you, Mr. Speaker.

I want to thank all of my colleagues for your support on this important legislation that will ensure patients are fully informed about their treatment options for Lyme disease and related tick-borne illnesses and have access to those options. I also want to thank my staff for their hard work on this bill. And as Pennsylvania continues to be number one in the country in confirmed cases of Lyme disease, this bill is an important step forward in addressing this issue.

Mr. Speaker, I ask my colleagues to join me in recognizing two families, the family of Kevin Furey and the family of Pete Smith, who have traveled here today. Mr. Speaker, they have actually been here since about 10 o'clock this morning. They traveled here today, as their lives have been directly impacted by Lyme disease. Both families have young men who have passed away due to this horrible Lyme disease. Thank you. Thank you, families. They are up in the gallery.

The SPEAKER. Members, there are no further votes.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Representative Gary Day is recognized.

Mr. DAY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to submit comments for the record on HB 629.

The SPEAKER. Yes, sir. Thank you.

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

Lyme disease – something needs to be done. Three things we could do. The best thing is to treat it, prevent it, and cure it. The next thing we can do is keep working on treating it, curing it, and preventing it. The worst thing we can do is to say we did something effective, when in reality it is not effective at all, and it actually may hurt public health by overprescribing antibiotics.

In my opinion, one of our jobs is to set policy; in this case, health-care policy. So we have world-class health-care providers and we want them to focus on spend whatever to help people. To balance that, our system has created and we regulate the insurance industry, and generally, we want them to help health-care providers to spend whatever, wisely and effectively. It is a world-class system because of both industries working together.

With this bill, we step in and override that balanced system. So we should step in when: there is a study that says increased length of time of antibiotics produces positive outcome for patients, and consider, there are no negative effects to public health.

However, the exact opposite is true. Right from the Centers for Disease Control, a.k.a. the CDC, last reviewed this past December, "Studies funded by the National Institutes of Health (NIH) have not shown that people who received prolonged courses of antibiotics do

better in the long run than people treated with placebo. Furthermore, long-term antibiotic or alternative treatments for Lyme disease have been associated with serious complications. If you are considering long-term antibiotic treatment for ongoing symptoms associated with a Lyme disease infection, please talk to your healthcare provider about the associated risks. If you feel that you need a second opinion, university-affiliated hospitals provide high-quality care."

Web links:

ANTIBIOTIC (Ceftriaxone) –induced immune hemolytic anemia as a life-threatening complication of antibiotic treatment of 'chronic Lyme disease'.External

Ettestad PJ, Campbell GL, Welbel SF, et al. Biliary complications in the treatment of unsubstantiated Lyme diseaseExternal.

Holzbauer SM, Kemperman MM, Lynfield R. Death due to community-associated Clostridium difficile in a woman receiving prolonged antibiotic therapy for suspected Lyme diseaseExternal.

Lantos PM, Shapiro ED, Auwaerter PG, Baker PJ, Halperin JJ, McSweegan E, Wormser GP. Unorthodox alternative therapies marketed to treat Lyme disease.External

Marks CM, Nawn JE, Caplow JA. Antibiotic treatment for chronic Lyme disease – Say no to the DRESS.External

Marzec NS, Nelson C, Waldron PR, et al. Serious bacterial infections acquired during treatment of patients given a diagnosis of chronic Lyme disease – United States.

Patel R, Grogg KL, Edwards WD, Wright AJ, Schwenk NM. Death from inappropriate therapy for Lyme diseaseExternal.

Centers for Disease Control and Prevention (CDC). Ceftriaxone-associated biliary complications of treatment of suspected disseminated Lyme disease – New Jersey, 1990-1992.

Second, does it hurt public health? I hope we all understand the devastating effects of antibiotic immunity and how it occurs through overuse of antibiotics. If you do not, please spend 3 minutes and read about it.

So in closing, something needs to be done about Lyme disease. Things we could do. But the best thing is to treat it, prevent it, and cure it. Measure results, duplicate successes, and prevent worsening public health. How about funding a line item for research? How about calling on our universities to study the disease?

The next thing we can do is keep working on treating it, curing it, and preventing it. Shaking people's hands and saying we care. The worst thing we can do is to say we did something effective, when in reality, it is not effective at all, and it actually may hurt public health by overprescribing antibiotics. That is this bill.

This is exactly what the CDC has been fighting against for years. As a parent, your kid is sick, you want something, so you ask for antibiotics, even though medically it is just a placebo and could be harming public health because it allows these bugs to further evolve immunities and become bad bugs.

Finally, something needs to be done, just not this something.

I urge my colleagues to not upset the balance in health-care provisioning.

ANNOUNCEMENT BY MR. SCHLOSSBERG

The SPEAKER. Representative Schlossberg, and then followed by Representative Hennessey.

Mr. SCHLOSSBERG. Thank you, Mr. Speaker.

Very briefly, under unanimous consent, I wanted to wish my son a happy birthday. He is 8 years old today. Happy birthday, Auron.

The SPEAKER. Thank you. Happy birthday to him.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. Representative Tim Hennessey, a committee announcement, I believe.

Mr. HENNESSEY. Thank you, Mr. Speaker.

As we announced yesterday, there will be an immediate meeting of the House of Representatives Transportation Committee in B-31 of the Main Capitol. That will convene as soon as you adjourn. We will probably start the meeting about 10 minutes later. Thank you.

The SPEAKER. Thank you.

The Transportation Committee will meet about 10 minutes after the House adjourns in B-31.

Representative Staats and Representative Gaydos, if you wish to speak on unanimous consent on the uncontested calendar resolutions, you may do so. There is a television audience, obviously, with respect to these resolutions.

And Representative Grove is going to man the rostrum for me.

ANNOUNCEMENT BY MRS. DAVIDSON

The SPEAKER. Representative Margo Davidson is recognized first on unanimous consent.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

I just wanted to make an announcement that the southeast delegation of the Democratic Caucus will be meeting immediately following session, which is now, in my office. Thank you.

The SPEAKER. Thank you.

And, Representative Grove, thank you.

THE SPEAKER PRO TEMPORE (SETH M. GROVE) PRESIDING

STATEMENT BY MS. GAYDOS

The SPEAKER pro tempore. Representative Gaydos is recognized to speak on HR 215, Parkinson's Disease Awareness Month.

Ms. GAYDOS. Thank you very much to the members for voting to pass this resolution. For those who do not know, Parkinson's disease is the second—

The SPEAKER pro tempore. Would the member suspend.

Could we have order please.

Ms. GAYDOS. Thank you to the members for voting for this resolution. For those of you who do not know, Parkinson's disease is the second most common progressive movement disorder and neurodegenerative disorder after Alzheimer's disease. The symptoms vary, with difficulty in balance, eating, movement, and cognitive impairment. As many of you might know that I was a caregiver to my mother who had Parkinson's for almost 15 years, and I am acutely aware how devastating this chronic, progressive movement disorder is not only for the patient, but also families.

Right now the cause of Parkinson's disease is not known and there currently is no cure. Deep brain stimulation is one treatment that my mother had, and that halted the progression of the shaking, but not so much the rigidity. Treatment options are limited.

It is estimated that approximately 1 million people in the United States have Parkinson's disease and the prevalence is expected to rise. There are approximately 60,000 people who are diagnosed every year. While the disease is not fatal, the complications really are problematic. The Centers for Disease Control and Prevention rated complications from Parkinson's as the 14th cause of death in the United States. Between 2012 and 2016, a total of 6,700 Pennsylvanians lost their lives due to this incapacitating disease. Pennsylvania is amongst the highest in Parkinson's disease. Further efforts in research, testing, and education are crucial in order to advance towards improved early detection methods and the discovery of more effective treatments.

There are a couple of folks I would like to mention, that former Governor, Ed Rendell, also has been diagnosed with Parkinson's, and also former President George H.W. Bush.

So thank you again for your efforts to support to designate April as "Parkinson's Disease Awareness Month." Thank you very much.

STATEMENT BY MR. STAATS

The SPEAKER pro tempore. Representative Staats is recognized to speak on HR 177, honoring fire police officers.

Mr. STAATS. Thank you, Mr. Speaker.

Today I rise to honor a group of unsung heroes in communities all across our Commonwealth, our fire police officers. Since the late 1800s, these dedicated volunteers have provided emergency assistance to our first responders and the public, often risking their own lives to save others.

Fire police receive special training and are certified in fire police operations by the Commonwealth or the county in which they volunteer. They are authorized to enforce Federal and State laws, having the power to arrest those in violation. Like many other public servants, fire police must take and uphold an oath. Their chief responsibility is to protect emergency responders, victims and their property, the general public, and emergency response equipment. In doing so, we may see them controlling traffic, evacuating people in danger, providing safe landing zones for helicopters, or clearing the way for firefighters or ambulances to get to people and property in need. They also help with crowd control, often assisting the State Police at local events, and they help fire marshals contain crime scenes and identify possible arson suspects. As you can see, our fire police officers have a broad range of responsibilities. Some even handle public relations, responding to media inquiries at the site of an emergency.

Our fire police officers serve with bravery, honor, and compassion while offering comfort, solace, and protection to victims and their family members. They are the nameless volunteers on the scene who help make the work of our first responders just a little bit easier while also looking out for their safety and welfare.

Today I thank my colleagues for their support of HR 177, which recognizes the selfless contribution of our fire police officers and honors them for their dedication in protecting and preserving the safety and well-being of the residents of this Commonwealth.

Thank you, Mr. Speaker.

BILLS RECOMMITTED

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

HB 103;
HB 763;
HB 808;
HB 854;
HB 880; and
HB 991.

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

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 561;
HB 706;
HB 779;
HB 947;
HB 1045; and
SB 9.

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

The SPEAKER pro tempore. The House will be at ease.

The House will come to order.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 364, PN 1374 (Amended) By Rep. HENNESSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in other required equipment, further providing for visual signals on authorized vehicles.

TRANSPORTATION.

HB 592, PN 1375 (Amended) By Rep. HENNESSEY

An Act designating a bridge on that portion of Pennsylvania Route 305 over Shaver's Creek in Barree Township, Huntingdon County, as the Private Harold E. "Jim" Knode Memorial Bridge.

TRANSPORTATION.

HB 632, PN 627 By Rep. HENNESSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions, further providing for odometer disclosure requirements.

TRANSPORTATION.

HB 634, PN 1376 (Amended) By Rep. HENNESSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions relating to operation of vehicles, further providing for obedience to authorized persons directing traffic and providing for drivers in organized motorcycle processions; and, in rules of the road in general, further providing for following too closely.

TRANSPORTATION.

HB 757, PN 807 By Rep. HENNESSEY

An Act designating a bridge on that portion of Pennsylvania Route 899 over the Clarion River connecting Barnett Township, Jefferson County, and Barnett Township, Forest County, as the PFC Patrick T. Cassatt Memorial Bridge.

TRANSPORTATION.

HB 758, PN 808 By Rep. HENNESSEY

An Act designating a bridge on that portion of State Route 4018 over the Little Mahoning Creek, South Mahoning Township, Indiana County, as the SP4 Franklin Delano Meyer Memorial Bridge.

TRANSPORTATION.

HB 1065, PN 1226 By Rep. HENNESSEY

An Act designating a bridge on that portion of State Route 3033 over Redbank Creek in Brookville Borough, Jefferson County, as the CPL James Slagle 2nd Ranger Battalion Army Ranger WWII Memorial Bridge.

TRANSPORTATION.

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. The Chair is in receipt of an adjournment motion from the gentlelady, Representative Gaydos, from Allegheny County, who moves that the House do now adjourn until Monday, April 15, 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 4:21 p.m., e.d.t., the House adjourned.