

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, APRIL 30, 2019

SESSION OF 2019

203D OF THE GENERAL ASSEMBLY

No. 29

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (MIKE TURZAI)
PRESIDING**

PRAYER

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

Thank you, Mr. Speaker.

I would like to read several verses from I Corinthians: "And now I will show you the most excellent way." "Love is patient, love is kind. It does not envy, it does not boast, it is not proud. It is not rude, it is not self-seeking, it is not easily angered, it keeps no record of wrongs. Love does not delight in evil but rejoices with the truth. It always protects, always trusts, always hopes, always perseveres. Love never fails."

And John 13:34 says this: "A new command I give you: Love one another. As I have loved you, so you must love one another."

Please join me as I pray:

Lord, we give You the first place, for You are the beginning of all things. We have our life in You and we all look to You. Lord, from our hearts in our way we say to You that we love You and we are so thankful for Your love for us. Thank You for Your mercies showered upon us day after day. Lord, teach us to be humble. Show us the way to love one another truly in the way that You have loved us.

And as we undertake on behalf of the 12-plus million people – dear souls, all of them – in this Commonwealth, that we would love one another in such a way to work with one another to find solutions to help the good people of this State. Lord, please hear our prayers. For the love You have for us, we say thanks; for the love that covers us as we undertake the business for today, we say thanks; and for the love that helps us love one another, we say thanks.

We pray these things all in the name of Jesus. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, April 29, 2019, will be postponed until printed.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 937, PN 1068

By Rep. HENNESSEY

An Act designating the bridge, identified as Bridge Key 52896, on that portion of Pennsylvania Route 924 over the Shenandoah Creek in the Borough of Shenandoah, Schuylkill County, as the Edward Kleha Memorial Bridge.

TRANSPORTATION.

HB 1062, PN 1224

By Rep. HENNESSEY

An Act repealing the act of July 16, 1941 (P.L.386, No.149), entitled "An act providing for the establishment, construction, operation and maintenance of a mountain ridge road or parkway in the Pocono Mountains through, bordering or accessible to the counties of Monroe, Northampton, Carbon, Luzerne, Lackawanna, Wayne and Pike, to be known as the "Pocono Mountain Memorial Parkway"; providing for the creation of the Pennsylvania Parkway Commission, and conferring powers, and imposing duties on said commission; authorizing the issuance of parkway revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such parkway; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the parkway; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such parkway shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and other agencies of the Commonwealth to cooperate with the commission; conferring powers and imposing duties on the Department of Highways and authorizing the issuance of parkway revenue refunding bonds."

TRANSPORTATION.

HB 1077, PN 1628 (Amended)

By Rep. HENNESSEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in fees, further providing for annual hauling permits; and, in size, weight and load, further providing for maximum gross weight of vehicles and for permit for movement during course of manufacture and providing for permit for movement of hot ingots or hot boxes.

TRANSPORTATION.

HB 1092, PN 1326

By Rep. HENNESSEY

An Act repealing the act of January 14, 1951 (1952 P.L.2046, No.577), entitled "An act authorizing the Department of Highways to erect and maintain toll bridges over the Susquehanna River at certain points, and to provide the necessary approaches and connections with State highways; empowering counties to pay certain damages; providing for the collection of tolls; and making an appropriation."

TRANSPORTATION.

HB 1237, PN 1471

By Rep. HENNESSEY

An Act designating a bridge, identified as Bridge Key 54683, on that portion of State Route 3009 (Kushequa Avenue) over the Kinzua Creek in Kushequa, Hamlin Township, McKean County, as the Vietnam Veterans Memorial Bridge.

TRANSPORTATION.

HB 1281, PN 1549

By Rep. HENNESSEY

An Act designating the bridge identified as Bridge Key 3522 on that portion of Interstate 376 over the Ohio River in Vanport Township, Beaver County, as the Richard L. Shaw Memorial Bridge.

TRANSPORTATION.

HB 1305, PN 1525

By Rep. HENNESSEY

An Act repealing the act of April 2, 1963 (P.L.16, No.14), entitled "An act authorizing the Department of Highways, with the approval of the Governor, to construct a highway, and to erect and maintain a bridge over the Kiskiminetas River in Westmoreland and Armstrong Counties, and to provide the necessary approaches and connections with State highways; empowering counties to pay certain damages; and making an appropriation therefor."

TRANSPORTATION.

SB 43, PN 20

By Rep. HENNESSEY

An Act designating a portion of U.S. Route 30 in Hempfield Township, Southwest Greensburg Borough, the City of Greensburg, and South Greensburg Borough, Westmoreland County, as the J. Edward "Hutch" Hutchinson Memorial Bypass.

TRANSPORTATION.

SB 441, PN 439

By Rep. HENNESSEY

An Act designating the bridge carrying State Route 2087 over the East Branch Codorus Creek in York County as the Sgt. Christopher M. Wrinkle and Tosca Memorial Bridge.

TRANSPORTATION.

The SPEAKER. At this time I would ask all members to please come to the House floor. We have a number of guests who have traveled some distance to be with us today, so if you could please come to the House floor. We are going to begin with a championship team. Representative Carl Metzgar is invited to the rostrum, please.

All members, please take your seats. Bring the team down here to the well of the House, please. Just come straight down into the well of the House, the whole team. Just come right down along the wall and you are going to come right up in front of all the members. Thank you so much for joining us today. I know you have traveled some distance to be with us.

Okay. I am going to ask all members to come onto the House floor. Please take your seats. We are going to close the doors of the House to honor a team that has come from Somerset County.

Sergeants at Arms, please close the doors of the House. All members, please take your seats. If anybody needs to go off into the anterooms, please feel free. We understand.

BERLIN BROTHERSVALLEY HIGH SCHOOL GIRLS BASKETBALL TEAM PRESENTED

The SPEAKER. Representative Metzgar, please proceed, sir. Mr. METZGAR. Thank you, Mr. Speaker.

It is my pleasure to welcome, from my hometown, the PIAA Class A State Champion Lady Mountaineers from Berlin Brothersvalley School District. They are here today. They racked up an impressive 25-and-5 record, as they pursued the State championship to advance in the title game over Avella, then Kennedy Catholic, Sewickley Academy, and in a strange twist of fate, our friends, neighbors, and worthy opponents in Shanksville-Stonycreek, the Lady Mountaineers prevailed. Great athletes, great sportsmanship, and we are truly proud to have them here today.

Behind me I would like to introduce Brooke Cornell, Maria Engleka, McKena Foor, Zoie Smith, and Zoe Harding, along with the rest of the team in the front and Coaches Prosser and Harbaugh. We are very proud of them for the accomplishments that they have, and congratulations to the Lady Mountaineers on prevailing in the State championship. Thank you.

The SPEAKER. Congratulations, ladies. It is such an honor to be a State champion.

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

GUESTS INTRODUCED

The SPEAKER. We have two guests from back in my district: David Bonvenuto – David, if you will stand – he is the chief executive officer at Oberg Industries and is here with the Manufacturing Caucus today. David, great to have you here. Thank you so much. Please welcome him. Employs a lot of people, employs a lot of people, an outstanding employer. And then from Catalyst Connection, we have the president and CEO, Petra Mitchell. Petra, thanks so much for being with us today. We really appreciate it.

I am going to invite at this time Representative Snyder, Representative Dowling – please come up to the rostrum – to present a citation to a very special guest.

If all members could please take their seats. This young lady has traveled some distance to be with us today.

2018 BITUMINOUS COAL QUEEN PRESENTED

The SPEAKER. Representative Dowling, the floor is yours. Mr. DOWLING. Thank you, Mr. Speaker.

It is my distinct honor and privilege, along with my colleague, Democratic Coal Caucus chairwoman, Representative Pam Snyder, to introduce Holly Lesko, a resident of the 51st Legislative District and the 2018 Bituminous Coal Queen.

Holly is the daughter of Scott and Donna Lesko, who are here with us today as well. She is a senior at Albert Gallatin High School, where she is a member of the National Honor Society and the Ski Club. She has participated in various styles of dance at local studios, where she also serves as an instructor, and she won the prestigious title of Miss Dance of Pennsylvania in 2017.

Holly was chosen as the 2018 Bituminous Coal Queen based on her performance in the interview, talent, evening gown, and impromptu question categories. In addition, she won the top evening gown, top interview, and the Community Bank photogenic awards. She was crowned on August 19, 2018, during the 65th Annual Bituminous Coal Queen Pageant. Holly plans to further her education at Point Park University, where she has been accepted into the elite Conservatory of Performing Arts program and plans to study dance.

The SPEAKER. Representative Pam Snyder.

Mrs. SNYDER. Thank you, Mr. Speaker.

It is a pleasure to be here today with Holly Lesko, the 65th Bituminous Coal Queen. It is no secret that coal is still a very vital part of southwestern Pennsylvania's economy and this entire Commonwealth. We continue to keep everybody warm and keep the lights on.

This pageant would not occur without a lot of hard work by the pageant committee. So today we also have with us in the back, and I would ask them to please stand as I call their name: Lisa Allison, Paddy Pratt, Jean Hockenberry, and Vanessa Buchtan. If you would all please give the committee a round of applause, I would appreciate it.

And I would like you to all join myself and Representative Dowling in congratulating Holly Lesko for being the 65th Annual Bituminous Coal Queen.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

Holly, thanks so much for being with us and all the best at Point Park.

Representative Stephanie Borowicz and Representative Rich Irvin, please come up to the rostrum. They have a championship team.

If the entire team, as soon as it clears there, if the entire team could come down to the well of the House. And I know some of the champions are coming up here on the rostrum. Is the rest of the team here too, Rich? Okay.

Representative Rich Irvin is going to introduce this championship team. We are going to close the doors of the House. This team has traveled a little over 2 hours to be with us today. And I would ask the Sergeants at Arms to close the doors of the House. All members, please take your seats. These young folks have traveled some distance to be with us. Would the Sergeants at Arms ask everybody to please take their seats. Any meetings could just go off the House floor. Members, please, please take your seats.

BALD EAGLE AREA HIGH SCHOOL UNIFIED BOCCE GOLD TEAM PRESENTED

The SPEAKER. Representative Irvin, please proceed. Thank you, sir.

Mr. IRVIN. Thank you, Mr. Speaker.

Today Representative Stephanie Borowicz and myself are proud to honor an outstanding group of championship athletes

from Bald Eagle Area High School. The Bald Eagle Unified Bocce Gold Team captured its first State championship by defeating Columbia High School in the State championship game by a score of 6 to 4.

Sponsored by the PIAA in conjunction with the Special Olympics, unified bocce offers students with and without special needs with an opportunity to participate in a competitive environment that promotes social connectivity, camaraderie, and physical activity.

I know myself, probably – bocce is not the biggest sport in the 81st District, so I was not actually sure what bocce was, so I had to speak with some of my colleagues to find out what it was and do a little googling on that to find it out. So it was very interesting to watch the rules and see the strategy that you had to play with that.

So under the guidance of coaches Erica Milliron and Annette Threton, the team is comprised of Chelsea Butterworth, Alyssa Packer, Nick Zink, Josh Zink, Fay Shaheen, Emily Gardner, Jordan Bonsell, and Bridget Esenwine.

The team is also joined today by members of the Bald Eagle Unified Bocce Blue Team, who was split off of the gold team whenever they were competing for their State championship, and they are here in the well of the House: Madelyn Bailey, Blaine Egan, Judah Eveleth, Emily Gardner, Brooke Hall, Jack Nesmith, Colton Rigg, Connor Roberts, and Thomas Shaheen.

I ask my colleagues to please join me in a warm round of applause to appropriately recognize the achievements of all these student athletes.

The SPEAKER. Thank you so much, bocce players. It is a great championship. We are so honored to have you here today. I play a good bit in my backyard, and I am never very good.

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

Representative Matt Dowling, if you will come up to the rostrum, you will be next with a unanimous-consent introduction.

STATEMENT BY MR. DOWLING

The SPEAKER. Representative Matt Dowling has some guests with us, and he is recognized on unanimous consent.

Mr. DOWLING. Thank you, Mr. Speaker.

Today joining us in the back of the House we have students, teachers, and parents from the Uniontown Area School District who are visiting the Capitol as part of the "What's So Cool About Manufacturing" statewide awards event. I would ask that they please stand.

"What's So Cool About Manufacturing" is an educational media competition where a team of students is paired with a manufacturer within their district to make a promotional video about the company and dive into what is so cool about manufacturing. The annual contest excites students to explore and produce profiles of companies throughout Pennsylvania. This program allows high school students to learn even more about the good, family-sustaining, STEM (Science, Technology, Engineering, and Mathematics)-reliant manufacturing jobs within their regions and throughout our Commonwealth. Judges in each regional contest bestow a variety of awards, including the nomination of Best of PA, where one video is selected from each region to compete with videos across the State. A special panel of judges has been selected to choose the State's top three videos, which will be announced this afternoon, Tuesday, April 30,

during a ceremony at the Forum Auditorium here in Harrisburg. Our group from Uniontown Area School District is one group that is competing as a finalist. Thank you and welcome.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Matt. Representative Dowling, thank you.

GUESTS INTRODUCED

The SPEAKER. Representative Frank Ryan has some guests with us today – they are in the gallery – Lebanon High School students who participated in the American Cancer Society's Relay for Life. Will you please stand. Those students from Lebanon High School, please stand. Okay; maybe they are not here.

To the left, Kathryn Slotterback, a sophomore at Shamokin High School, is here with her dad, Allen, and Representative Kurt Masser. They are from Shamokin. We are so honored to have them. Thank you so much for being with us today. Thank you.

STATEMENT BY MR. GABLER

The SPEAKER. Representative Matt Gabler and Representative Marty Causer have some guests in the rear of the House.

Representative Gabler, on unanimous consent, do you want to introduce the guests? And I know Representative Causer is with them as well.

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

It is my pleasure to introduce the Leadership Elk County group facilitated by the Community Education Center of Elk and Cameron Counties – behind here. They have had a great opportunity to join us in the Capitol today, and I appreciate the opportunity to introduce them. Thank you.

The SPEAKER. We are so honored to have the guests from Elk and Cameron Counties with Leadership Elk and Leadership Cameron. We are really honored that you would drive all this way to be with us in the State Capitol.

GUESTS INTRODUCED

The SPEAKER. In the rear of the House, Jimmy Dennis, Corby Johnson, and Kirk Bloodsworth, could you please stand. Come on right over to the railing, everybody; just if you could come up to the railing so we can introduce you. Jimmy Dennis, Corby Johnson, and Kirk Bloodsworth, welcome. They are the guests of Representative Rabb and Representative Stephens. Thanks for being with us today. Thank you.

We have some guest pages with us today:

Anna Leeds and Eric Ashley. Thanks so much. They attend Cedar Cliff High School, and they are the guests of Representative Sheryl Delozier.

Will Tucker Grace please stand. Tucker is a student at Harrisburg Academy and a guest of Representative Greg Rothman. His father, Jason, is with us as well. Jason, thanks for being with us. Thank you.

Jackson Leaman attends West Fallowfield Christian School, and he is here as the guest of Representative John Lawrence. Thanks for being with us, Jackson. His father, Andy, is seated to my left. Thanks so much, Andy Leaman, for being here as well.

We are going to move into uncontested resolutions, so we have to do a roll call first.

LEAVES OF ABSENCE

The SPEAKER. The majority whip, Representative Kerry Benninghoff, has requested a leave of absence for Representative Craig STAATS of Bucks County for the day. Without objection, that will be granted.

The minority whip requests leaves of absence for the following: Liz HANBIDGE of Montgomery County for the day and Representative Movita JOHNSON-HARRELL of Philadelphia County for the day. Without objection, those will be granted.

MASTER ROLL CALL

The SPEAKER. We are now going to proceed to vote on the master roll.

The following roll call was recorded:

PRESENT—195

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

Evans	Kosierowski	Quinn	
Everett	Krueger	Rabb	Turzai,
Farry	Kulik	Rapp	Speaker
Fee			

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Cruz	Harrell	Solomon	Youngblood
Hanbidge	Rader	Staats	

LEAVES ADDED—3

Davidson	Gainey	Ortitay
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LEAVES CANCELED—3

Hanbidge	Ortitay	Staats
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The SPEAKER. There are 195 votes on the master roll, so we have a quorum.

Representative Ed Gainey is going to be recognized on unanimous consent. I am going to ask all members to please take their seats before we do this. We have a lot of guests who are here from out of town, so if you could take your seats at this time. Members, if you could take your seats at this time. We are going to let this group from Leadership Elk and Cameron exit the floor, and we are going to close the doors of the House. Members, if you could clear the back there, we have some guests that we need to introduce. If all members could please take their seats and if you could clear the back just for a second.

STATEMENT BY MR. GAINEY

The SPEAKER. Representative Ed Gainey has guests who have come from Allegheny County, members of the Take Your Father to School Day Committee. And, Representative Gainey, on unanimous consent.

Mr. GAINEY. Thank you, Mr. Speaker.

Colleagues on both sides of the aisle, I just want to thank you for this opportunity, Mr. Speaker. We have a group of gentlemen from Pittsburgh who over the last 20 years has created a program called Take Your Father to School. And every year we are—

The SPEAKER. Representative Gainey, please suspend.

Members, if you could take your seats. Members, please take your seats. These guests have traveled a long distance to be with us. And if they will please stand, come up to the railing. And then Representative Gainey will continue to introduce you.

Mr. GAINEY. I just wanted to say thank you. For over 20 years these gentlemen in the back have created a program under the leadership of Mark Brentley called Take Your Father to School Day. And for the last 20 years they have probably gotten over close to 1500 men every year to come out, plant gardens, do playground activity, read to the kids, every single year just spend the whole day at school with their children. And to me, that is a phenomenal task over 20 years to continue to do this each and every year. So I just wanted to honor them on the House floor today and let them know that your work is greatly

appreciated. I thank you for everything you do, the positives, for our children and thank you for making the trip to be honored on the House floor.

My colleagues, can you give them a big hand for the work they have done in the city of Pittsburgh.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Gainey.

GUESTS INTRODUCED

The SPEAKER. Pat Harkins, Jr., will you please stand. Pat Harkins, Jr., is the son of our good friend, Chairman Pat Harkins. And, Representative, we welcome your son here today. Thank you so much for coming.

In the gallery, we have the GirlGov high school students. Could you please stand. Boy, look at that great crowd of the GirlGov. Thank you so much for being with us. I know that many of the members are being shadowed today by the GirlGov participants.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. EMRICK called up **HR 239, PN 1440**, entitled:

A Resolution recognizing the month of May 2019 as "Preeclampsia Awareness Month" in Pennsylvania.

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Mr. CAUSER called up **HR 249, PN 1504**, entitled:

A Resolution designating the week of May 5 through 11, 2019, as "Conservation District Week" in Pennsylvania.

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Ms. KRUEGER called up **HR 253, PN 1508**, entitled:

A Resolution designating the week of April 21 through 27, 2019, as "Infertility Awareness Week" in Pennsylvania in conjunction with "National Infertility Awareness Week."

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Mr. MATZIE called up **HR 256, PN 1544**, entitled:

A Resolution recognizing May 7, 2019, as "World Asthma Day" in Pennsylvania.

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Mr. MALONEY called up **HR 273, PN 1583**, entitled:

A Resolution designating April 30, 2019, as "Pocono Raceway Day" in Pennsylvania.

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Mr. FRANKEL called up **HR 274, PN 1584**, entitled:

A Resolution designating April 28 through May 5, 2019, as "Days of Remembrance of the Victims of the Holocaust" and recognizing May 2, 2019, as "Holocaust Remembrance Day" in Pennsylvania.

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Mr. BROOKS called up **HR 280, PN 1612**, entitled:

A Resolution designating May 4, 2019, as "Anti-bullying Awareness Day" in Pennsylvania in support of those working hard to raise awareness of bullying and prevent its occurrence.

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Mrs. SCHROEDER called up **HR 284, PN 1613**, entitled:

A Resolution designating the week of May 5 through 11, 2019, as "Tardive Dyskinesia Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Cruz	Harrell	Solomon	Youngblood
Hanbidge	Rader	Staats	

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

STATEMENT BY MR. MALONEY

The SPEAKER. Representative Dave Maloney, you are invited to the rostrum. He has some guests here with respect to HR 273.

Mr. MALONEY. Thank you, Mr. Speaker.

As the chairman of the Motorsports Caucus here in the House, I try to highlight and bring attention to the different aspects of a sport that contributes greatly to the Pennsylvania economy.

I would like to introduce a guest today, Ben May, CEO of Pocono Raceway. Thank you, Ben.

Back in 2010 the Mattioli family had the vision—

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

Members, if you will take your seats. As you know, we ask all members on the resolutions to keep their remarks to 3 minutes. If you could please be seated, and we will be breaking for caucus and committee meetings shortly. If members could please take their seats.

And you may proceed, sir.

Mr. MALONEY. Thank you, Mr. Speaker.

Back in 2010 the Mattioli family had the vision to install a 3-megawatt solar field on 25 acres of an old parking lot. Their goal was to be self-sustained as much as possible. Seventy percent of the waste generated at NASCAR (National Association for Stock Car Auto Racing) race events in 2018 was composted and recycled. Now Pocono Organics, a non-GMO (genetically modified organism) organic farm that utilizes regenerative agricultural practices on 50 acres in Long Pond, has connected to Pocono's solar array to alleviate any additional burden on the local electrical grid. This only enhances the economic power of Pocono and the motorsports in our Commonwealth.

According to the United States Motorsports Association, Pennsylvania is the fourth largest State in the nation for number of racetracks, including over 540 racing events taking place annually. The crown jewel of these, of course, is Pocono Raceway, which is an honor to be able to showcase and to also remind you that we call it the Tricky Triangle. Pocono Raceway contributed \$257 million to the income of northeast residents, created 2,700 jobs, and generated \$23 million in local, State, and Federal tax revenue just in 1 year alone. There is a trickle-down effect also, contributing to more than 35,000 automobile enthusiasts coming into the region attending other events. An estimated 215,000 racing fans attended races at Pocono in a year, significant numbers for Pennsylvania. The average fan spent \$448 attending a Pocono Raceway event, the study has found. And according to the president, over 55 percent of the raceway fans come from out of State, some coming as far as out of country

to visit for a 3- or 5-day event. They fill hotels, camp, fish, gamble, dine, and enjoy everything the northeast has to offer.

Please join me and thank you for recognizing April 30, 2019, as "Pocono Raceway Day" in Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Yes, we have committee announcements.

GAME AND FISHERIES COMMITTEE MEETING

The SPEAKER. Representative Keith Gillespie, committee announcement, the chair of the Game and Fish Committee.

Mr. GILLESPIE. Thank you, Mr. Speaker.

Just a reminder at the end of session today there will be a meeting of the House Game and Fisheries Committee in G-50 Irvis.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

The Game and Fisheries Committee will meet at the end of session today in G-50 Irvis.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

The SPEAKER. Representative Stephen Barrar, Veterans Affairs and Emergency Preparedness.

Mr. BARRAR. Thank you, Mr. Speaker.

The Veterans Affairs and Emergency Preparedness Committee will meet immediately at the break to consider HB 1324, which is the military family education act, and we would like to get all our members to show up. We will be meeting in room 39, East Wing.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

The Veterans Affairs and Emergency Preparedness Committee will meet immediately at the break in room 39, East Wing.

JUDICIARY COMMITTEE MEETING

The SPEAKER. Representative Rob Kauffman, for a Judiciary Committee announcement, the chair of the Judiciary Committee.

Mr. KAUFFMAN. Thank you, Mr. Speaker.

The House Judiciary Committee will meet immediately at the break in Ryan 205; immediately at the break for the House Judiciary Committee in Ryan Building 205. Thank you very much.

The SPEAKER. Thank you, sir.

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

ANNOUNCEMENT BY MR. PASHINSKI

The SPEAKER. Representative Eddie Day Pashinski, on unanimous consent.

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

To provide a great invitation to all my fellow colleagues, hopefully you received your candy bar at your site here in the House. This is presented to you by our own Pennsylvania Fraternal Alliances, over 700,000 constituents throughout the entire State of Pennsylvania. Every year they provide a wonderful lunch out on the balcony. Everyone is invited, both staff as well as colleagues. And help support the PA Fraternal. Today, lunch on the PA Fraternal, and make sure you get your candy bar.

Thank you very much, Mr. Speaker. You are all invited.

The SPEAKER. Thank you so much.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The 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, Mr. Speaker.

The SPEAKER. Thank you, sir.

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

STATEMENT BY MR. RABB

The SPEAKER. Representative Chris Rabb, on unanimous consent.

Mr. RABB. Thank you, Mr. Speaker.

I would like unanimous consent to thank you for introducing my guests today, Jimmy Dennis and Kirk Bloodsworth, two men who were exonerated from death row, and I am thrilled that they are alive today. They were innocent and now they are advocates to repealing the death penalty. I want to thank you again, Mr. Speaker, for acknowledging them as my guests.

The SPEAKER. Thank you, Representative Rabb.

Do we have any other committee announcements before I call on the caucus chairs?

REPUBLICAN CAUCUS

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

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus at 12:45. We would be prepared to return to the floor at 1:15. Thank you.

The SPEAKER. Thank you.

DEMOCRATIC CAUCUS

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

Ms. McCLINTON. Thank you, Mr. Speaker.

House Democrats, we will caucus at 12:45; that is 12:45.

RECESS

The SPEAKER. Members, we will look to be back at 1:15. Be prepared for it to be extended. But right now we are looking to be back at 1:15.

AFTER RECESS

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

LEAVES OF ABSENCE CANCELED

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

Representative Staats is on the House floor and should be placed on the master roll.

BILLS REREPORTED FROM COMMITTEE

HB 430, PN 417 By Rep. SAYLOR

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for procedures for subsequent review of disapproved final-form or final-omitted regulations.

APPROPRIATIONS.

HB 476, PN 1455 By Rep. SAYLOR

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, in general provisions, further providing for powers and duties of the department.

APPROPRIATIONS.

HB 509, PN 495 By Rep. SAYLOR

An Act providing for the administration of permits by State agencies, for a tracking system for permit applications, for the establishment of permit programs and for annual reports.

APPROPRIATIONS.

HB 762, PN 812 By Rep. SAYLOR

An Act providing for regulatory compliance.

APPROPRIATIONS.

HB 806, PN 899 By Rep. SAYLOR

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for definitions, for proposed regulations and procedures for review and for final-form regulations and final-omitted regulations and procedures for review; providing for regulations deemed withdrawn; further providing for procedures for subsequent review of disapproved final-form or final-omitted regulations by the commission; and providing for concurrent resolution required for economically significant regulations.

APPROPRIATIONS.

HB 856, PN 1333 By Rep. SAYLOR

An act amending Title 67 (Public Welfare) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in medical assistance hearings and appeals, further providing for definitions; in public welfare generally, providing for adoption opportunities and for family finding and kinship care; establishing the Kinship Care Program and the Subsidized Permanent Legal Custodianship Program; making related repeals; and making editorial changes.

APPROPRIATIONS.

HB 1055, PN 1407 By Rep. SAYLOR

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for definitions and for existing regulations; and establishing the Independent Office of the Repealer and providing for its power and duties.

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

HB 111, PN 1630 (Amended) By Rep. KAUFFMAN

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, changing and adding provisions relating to selection of justices and judges.

JUDICIARY.

HB 196, PN 168 By Rep. KAUFFMAN

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, organizing the Judiciary into representative districts and further providing for residency requirements.

JUDICIARY.

HB 790, PN 870 By Rep. SAYLOR

An Act providing appropriations from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2019, to June 30, 2020, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2019; providing appropriations from special funds and accounts to the Executive and Judicial Departments for the fiscal year July 1, 2019, to June 30, 2020, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2019; and providing for the appropriation of Federal funds to the Executive and Judicial Departments for the fiscal year July 1, 2019, to June 30, 2020, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2019.

APPROPRIATIONS.

HB 1021, PN 1631 (Amended) By Rep. KAUFFMAN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in matters affecting government units, providing for special standing in constitutional challenges.

JUDICIARY.

HB 1324, PN 1629 (Amended) By Rep. BARRAR

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in military educational programs, further providing for definitions, for eligibility, for grants, for amount of grants, for limitations, for recoupment of grant payments, for regulations, for administration and for Educational Assistance Program Fund and providing for a military family education program; and making editorial changes.

**VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS.**

**BILL REPORTED AND REREFERRED TO
COMMITTEE ON LABOR AND INDUSTRY**

HB 809, PN 902

By Rep. KAUFFMAN

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

Reported from Committee on JUDICIARY with request that it be rereferred to Committee on LABOR AND INDUSTRY.

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

LEAVE OF ABSENCE

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

SENATE MESSAGE

**RECESS RESOLUTION
FOR CONCURRENCE**

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate,
April 29, 2019

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, May 6, 2019, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, May 6, 2019, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.
Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. Would all members please take their seats. Members, please take your seats. I am going to ask everybody to come onto the House floor.

Representative Frankel will be speaking on HR 274. This is with respect to the Holocaust remembrance. So we are going to lead off the afternoon part of today's session with Representative Frankel's remarks on the Holocaust remembrance.

So I am asking all members to please come onto the House floor, take your seats, and I am going to close the doors of the House. If members in the anterooms could please come onto the House floor. Then we will move into the calendar. All members, please take your seats.

Members, we are going to begin with the Holocaust memorial resolution remarks, so I do need everybody to take their seats. Sergeants at Arms, if you could just ask members to please take their seats. The Sergeants at Arms will please close the doors.

STATEMENT BY MR. FRANKEL

The SPEAKER. Representative Frankel, you may begin, sir. Mr. FRANKEL. Thank you, Mr. Speaker.

Before I begin my remarks on HR 274, I want to take this opportunity to thank the members, all of you, for the reception that you gave the survivors and the congregants of the three Tree of Life synagogue congregations and members of the Jewish community from the city of Pittsburgh in my neighborhood of Squirrel Hill last week. They were genuinely moved by that reception, and many of them said it would be one of the most memorable moments in their lives. And they, from the depths of their hearts, are so appreciative, and I want to thank you on their behalf.

And I am asking today that this week on Thursday we will mark the Holocaust Memorial Day, which is called Yom Hashoah in Hebrew, a day where in the State of Israel at noon the entire country comes to a complete halt as sirens ring throughout the country to commemorate those 6 million Jews and Gypsies, homosexuals, who were murdered, and others, in the Holocaust.

And that is why here in Pennsylvania, thankfully to all of you, we have annually done a commemoration here, passed a resolution. And tomorrow at 10 a.m. in the Governor's Reception Room, he will have his annual Holocaust Commemoration Day, where there will be a number of speakers, including our Speaker, Senator Costa, myself, others from the Pennsylvania Jewish Coalition, and we all invite all of you to join us if it fits in your schedule.

The Holocaust stands as an emblem of one of those most terrible events in our history, a genocide; when a State used every resource in its arsenal – technology, science, law, police powers, industry and political institutions – to deliberately destroy its own citizens because of who they are and how they worship.

In the decades since the Holocaust, brave survivors have shared their stories, giving us firsthand accounts of the things they saw, felt, heard, smelled, feared, and prayed. In my own family, there were both liberators – American soldiers – and death camp survivors. Their stories haunt us and they heal.

The end of the Holocaust and the liberation of the death camps took place 74 years ago. This means that most of the witnesses left – those who can still see the cruelty and the suffering in their mind's eye – were still young children in 1945.

Pennsylvania has made a commitment to preserving and sharing stories of the Holocaust as part of a much bigger project. Almost 1,000 Pennsylvanians recorded their Holocaust stories with Steven Spielberg's Shoah project for remembrance. Five years ago we enacted legislation to help ensure that all Pennsylvania's schoolchildren have the opportunity to learn about the Holocaust, its causes and its devastating consequences.

As a Commonwealth we have made a commitment for remembrance so that we would never forget, so that evil would never gain footing in the world like it did during the Holocaust. Never again would people become so blind to others' humanity. Never again would anti-Semitism become embedded in the fabric of the State. Never again would elected leaders propagate hate by calling their own citizens by slurs. Never again.

Except that it was only 6 months ago that hate speech festered into hate crimes and 11 people who were celebrating Shabbat in the heart of my neighborhood were gunned down by a person shouting "all Jews must die." And then it was only days ago that in commemoration of that deadly attack, hate speech led to another hate crime, an attack on a synagogue near the city of San Diego.

People are not born to hate, to hurt, or to discriminate. It is what they learn through what they are told. We must continue to try to tell the true story of humanity – one of universal dignity here, one of love, one of tolerance, one of rebirth. But we must simultaneously fight, and fight hard, against the hateful language that turns Jews, Muslims, Christians, gays and lesbians, immigrants, or any other group from the individual people we all are into a target.

Yisroel Goldstein, the rabbi of Chabad in Poway, which is a city near San Diego, was shot this past weekend in an anti-Semitic attack and marveled at his survival. And he wrote in yesterday's New York Times, quote, "America is unique in world history. Never before was a country founded on the ideals that all people are created in God's image and that all people deserve freedom and liberty. We fought a war to make that promise real. And I believe we can make it real again. That is what I pledge to do with my borrowed time."

In some respects we are all on borrowed time. We as leaders cannot sit passively by. We have the power to act, so we must act.

And in the famous words of Holocaust survivor Elie Wiesel, "We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented."

Thank you again, and I ask for your vote in favor of HR 274.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Frankel.

I myself, my wife, my oldest son, with the majority leader, Representative Kaufer, Representative Carroll and his wife, along with others from the Jewish Federation of Pennsylvania had the blessing of being able to tour, to visit Yad Vashem in Jerusalem, and the horrors and the atrocities of the Holocaust were so explicitly set forth there. I myself have not been to the Holocaust Memorial in Washington, DC, but it is a must-do item for our family this summer.

And, Dan, thank you for your gracious remarks.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1031**, **PN 1178**, entitled:

An Act repealing obsolete laws concerning the Scotland School for Veterans' Children.

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 1210**, **PN 1490**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, repealing provisions relating to report of racial and ethnic groupings, to study of public schools that provide Internet instruction, to corporate seal, to submission of plans, to disapproval of plans, to Department of Public Instruction to prepare plans, to establishment of reorganized school districts, to advance establishment, to special school watchmen-school districts in townships of the second class, to copies of school laws, to educational broadcasting, to residences for teachers and janitors, to heating stoves to be shielded, to ventilation and thermometer, to fireproof construction, to doors to open outward and fire escapes, etc., to completion of abandoned WPA projects in districts of the third and fourth class, to condition of grounds and shade trees, to summer schools, etc., to possession of telephone pagers prohibited, to nonprofit school food program, to antitruancy programs, to medical care for children under six with defective hearing, to report, to care and treatment of pupils, to local wellness policy, to foreign language academies, to monthly reports to school directors of the districts second, third and fourth class, to Read to Succeed Program, to department duties and powers, to schools or classes, supervisors, principals, instructors, etc., to estimate of expenses and reimbursements and appropriations, to teachers of evening schools, to duties of public institutions of higher education, to medical education loan assistance and to special study on the revenue impact of out-of-State tax credits.

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 1079**, **PN 1253**, entitled:

An Act repealing the act of July 11, 1901 (P.L.668, No.337), entitled "An act to amend an act, entitled "An act to provide revenue by taxation," approved the fifteenth day of July, Anno Domini one thousand eight hundred and ninety-seven."

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 1080**, **PN 1254**, entitled:

An Act repealing the act of April 20, 1927 (P.L.311, No.177), entitled "An act providing for a more equitable method of assessing capital stock tax against corporations, limited partnerships, joint stock associations, and companies, in certain cases."

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 1081**, **PN 1255**, entitled:

An Act repealing the act of June 22 1931 (P.L.685, No.250), entitled "An act providing for the settlement of capital stock tax in the cases of corporations, joint-stock associations, limited partnerships, and companies which own assets which are exempted or relieved from capital stock tax."

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 1083**,
PN 1256, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, repealing provisions relating to capital stock and franchise tax reports and payment of tax.

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 1084**,
PN 1257, entitled:

An Act repealing the act of June 17, 1913 (P.L.507, No.335), referred to as the Intangible Personal Property Tax Law.

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 1085**,
PN 1321, entitled:

An Act repealing the act of June 22, 1935 (P.L.414, No.182), known as the State Personal Property Tax Act.

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 1086**,
PN 1258, entitled:

An Act repealing the act of June 5, 1937 (P.L.1656, No.344), known as the Store and Theatre Tax Act.

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 1174**,
PN 1360, entitled:

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."

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 1179**,
PN 1365, entitled:

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."

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 1180**,
PN 1366, entitled:

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 of the electors; and providing penalties; and repealing inconsistent laws."

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 1065**,
PN 1226, entitled:

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.

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

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 856, PN 1333**, entitled:

An act amending Title 67 (Public Welfare) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in medical assistance hearings and appeals, further providing for definitions; in public welfare generally, providing for adoption opportunities and for family finding and kinship care; establishing the Kinship Care Program and the Subsidized Permanent Legal Custodianship Program; making related repeals; and making editorial changes.

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—196

Barrar	Fiedler	Lawrence	Readshaw
Benninghoff	Fitzgerald	Lee	Reese
Bernstine	Flynn	Lewis	Rigby
Bizzarro	Frankel	Longiotti	Roae
Boback	Freeman	Mackenzie	Roebuck
Borowicz	Fritz	Madden	Rothman
Boyle	Gabler	Mako	Rozzi
Bradford	Gainey	Malagari	Ryan
Briggs	Galloway	Maloney	Sainato
Brooks	Gaydos	Markosek	Samuelson
Brown	Gillen	Marshall	Sanchez
Bullock	Gillespie	Masser	Sankey
Burgos	Gleim	Matzie	Sappey
Burns	Goodman	McCarter	Saylor
Caltagirone	Gregory	McClinton	Schemel
Carroll	Greiner	McNeill	Schlossberg
Causar	Grove	Mehaffie	Schmitt
Cephas	Hahn	Mentzer	Schroeder
Ciresi	Hanbidge	Merski	Schweyer
Comitta	Harkins	Metcalfe	Shusterman
Conklin	Harris	Metzgar	Simmons
Cook	Heffley	Mihalek	Sims
Cox	Helm	Millard	Snyder
Culver	Hennessey	Miller, B.	Sonney
Cutler	Hershey	Miller, D.	Staats
Daley	Hickernell	Mizgorski	Stephens
Davidson	Hohenstein	Moul	Struzzi
Davis, A.	Howard	Mullery	Sturla
Davis, T.	Innamorato	Mullins	Thomas
Dawkins	Irvin	Murt	Tobash
Day	Isaacson	Neilson	Toepel
Deasy	James	Nelson	Toohil
DeLissio	Jones	Nesbit	Topper
Delloso	Jozwiak	O'Mara	Ullman
Delozier	Kail	O'Neal	Vitali
DeLuca	Kaufer	Oberlander	Walsh

Dermody	Kauffman	Otten	Warner
Diamond	Keefe	Owlett	Warren
DiGirolamo	Keller, F.	Pashinski	Webster
Donatucci	Keller, M.K.	Peifer	Wentling
Dowling	Kenyatta	Petrarca	Wheatley
Driscoll	Kim	Pickett	Wheeland
Dunbar	Kinsey	Polinchock	White
Dush	Kirkland	Puskaric	Williams
Ecker	Klunk	Pyle	Zabel
Emrick	Knowles	Quinn	Zimmerman
Evans	Kortz	Rabb	
Everett	Kosierowski	Rapp	Turzai,
Farry	Krueger	Ravenstahl	Speaker
Fee	Kulik		

NAYS—0

NOT VOTING—0

EXCUSED—6

Cruz	Ortitay	Solomon	Youngblood
Harrell	Rader		

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 476, PN 1455**, entitled:

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, in general provisions, further providing for powers and duties of the department.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Vitali, on HB 476.

Mr. VITALI. Thank you, Mr. Speaker.

Just wanted to mention that although this bill is part of a very objectionable regulatory package, this particular bill is not opposed by the Department of Environmental Protection or the administration, and because after it was amended in committee, it came to a point where I would support it and suggest to other members that there are really no problems with supporting it.

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—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Cruz	Ortitay	Solomon	Youngblood
Harrell	Rader		

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 509, PN 495**, entitled:

An Act providing for the administration of permits by State agencies, for a tracking system for permit applications, for the establishment of permit programs and for annual reports.

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?

I see Representative Vitali has risen and I see Representative Rothman. I will call on Representative Vitali and then call on Representative Rothman.

Mr. VITALI. Thank you, Mr. Speaker.

I rise in opposition to HB 509. This contains a number of objectionable provisions with regard to permitting, including third-party permitting – in other words, farming out permits to third-party nongovernmental entities – and the imposition of a 30-day time period for the issuance of a permit.

This is opposed by the administration. They cite reasons such as, and I will quote, "Third-party permit review presents issues with conflicts of interest and possible labor relations/union issues, and is arguably an unlawful delegation of essential government functions." It points that this bill, and I will quote, "...effectively...eliminates public participation...."

I would note that this is also opposed by PEC (Pennsylvania Environmental Council) and the Environmental Defense Fund, and I will quote from their opposition: "The General Assembly should instead prioritize ensuring that agencies have the resources needed to perform their mission and meet the needs of both the public and regulated community." In other words, give these agencies more money so they can have personnel to turn these permits around in a timely fashion. You cannot continually cut certain agencies and then expect them to turn around permits in a timely fashion.

This is also opposed by a whole host of other environmental groups. I will read one of their objections: "This bill would virtually mandate third-party permitting in many cases because the General Assembly has deprived DEP of the resources to do its job." Again noting the fact that over the years since about 2004 we have cut and cut the Department of Environmental Protection over 900 positions, so you are starving an agency of resources and expecting them to turn around permits.

This is the wrong approach. I would also note that the Pike County Conservation District in a letter dated April 24 also opposes this. And I would ask for a "no" vote.

The SPEAKER. Representative Rothman. Oh, I am sorry. Yeah; Representative Mike Carroll and then I will go to Representative Rothman.

Representative Mike Carroll.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, this bill should be opposed for other reasons besides those just enumerated by the gentleman from Delaware County.

This bill comes at a cost, Mr. Speaker; a real cost in terms of dollars for PennDOT. PennDOT estimates that the tracking systems necessary and the associated changes are going to cost PennDOT in the neighborhood of \$10 million. That is a bridge in some district across this State that will not get done because of compliance with these new onerous regulations. And by the way, these are regulations, because what PennDOT is going to have to do as with the other agencies is to create a whole new bureaucracy to provide information that is readily available by having a coordinated conversation with folks in the various PennDOT district offices across this State.

And while I understand the desire to speed up the permit process and to make sure it is more streamlined, I would offer, Mr. Speaker, that we have really good people across the PennDOT district office system and a compliance requirement of \$10 million really is onerous. It should not be discounted at the altar of expediency. And I would simply say that this does not come for free. This compliance and the compliance required just with PennDOT alone, \$10 million.

The SPEAKER. Does anybody else wish to speak before I call on the prime sponsor of the bill?

Representative Greg Rothman.

Mr. ROTHMAN. Thank you, Mr. Speaker.

This bill which this body passed last session when it was then 1959 is about permit transparency; about when you apply for a permit in the Commonwealth of Pennsylvania, that you have a right to know where it is in the process. Just like when you buy a gift on Amazon, you can find out where it is in the delivery process. We owe that to the people of Pennsylvania who are seeking the permits, whether it is to open up a business or do a development, or put an addition on their house, or add a driveway, or open a school.

I think it was interesting that my good friend used the term "onerous regulations." Imagine, imagine State agencies are going to have to face onerous regulations. That is what we are talking about this week, about regulatory reform.

Let me tell you a story about third parties, which have been vilified that, oh no, we have third-party reviewers; someone else is going to be looking at something who is not a government employee. Let me tell you about a street in my district. It is called Brentwater Road. And on one side of the road there is a gentleman who went to Penn State to get his undergraduate and master's degree in engineering. On the other side of the road there is another gentleman who also went to Penn State. Same years. They took classes together. Same license. Same certifications. Same classes. Same exams. Same qualifications. One of them works for PennDOT; one of them works for a private engineering company. There is another street in my district. One side of the road, a gentleman who worked for 40 years at PennDOT, now he works for a private engineering company.

The same people— I have more State employees in my district probably than almost anybody with the exception of my friend from Harrisburg or maybe a couple of the other Cumberland County legislators. They are great, hard employees, but they are not any more or less qualified than a private third-party reviewer.

Look, the number one safety issue that most of us face, the number one certification and license and inspection that we have done every year is of your car. Who in this body, who takes their car to PennDOT to have it inspected? You go to a third-party reviewer. PennDOT is already doing it with the bridges that we travel on; they are doing it with the roads. All, all PennDOT

plans, almost all road plans are reviewed by a third party. All we are saying is if the government of Pennsylvania cannot get the permits done in time, that they should be required to engage third-party reviewers, which they are already doing. You are already doing it. When you have your physical for your child to play sports in our public schools, you do not go to the State Department of Health and have their doctors do the physical; you go to your doctor.

So this idea that third parties are some – you know, there is some conflict of interest, someone said. If I own an engineering company and I miss something in a plan review, not only do I get sued civilly, I probably lose my license, I probably could go to jail, I can be prosecuted criminally. The same inspector at DEP if they miss something, are they any more or less accountable? They probably do not lose their business. They may not even lose their job.

So this is common sense. Governor Wolf said in January that we need commonsense permit reform. There is a paralysis. All this is saying is you ought to know where you are in the process. This is not controversial. And it actually is budget-neutral in the sense that any fee that would be paid to the third-party reviewer is being paid by the applicant anyway. And it is going to end the permit paralysis.

And I heard a question about public input. There will be plenty of public input. There is transparency. Now you will be able to go online and see what your neighbor is doing. Right now you cannot do that. There is transparency which will allow the applicant to know where it is in the process but also for the rest of the community to know.

So, Mr. Speaker, this is common sense. I urge my colleagues to vote for it to give a little relief to those who invest in Pennsylvania. Thank you.

The SPEAKER. Representative Conklin, on the bill.

Mr. CONKLIN. Thank you, Mr. Speaker.

I just have one question for the maker of the bill, if he would just stand.

The SPEAKER. Representative Rothman, will you so stand? He will.

Mr. CONKLIN. I was just curious because we all understand car inspections and you said this would be much like a car inspection agency. Now, my curiosity is, does your bill address such as your local car inspection agency that PennDOT will be stopping in periodically to check everything, to make sure it is done properly? Will PennDOT be overseeing the procedure to make sure that all the paperwork is done properly? Will PennDOT be stopping in to these third-party inspectors to make sure that they are compliant, or will we just trust their compliancy? DEP; I am sorry.

Mr. ROTHMAN. So right now using my analogy and I appreciate it, yes, you would have to be licensed. My bill actually says that the engagement of the third-party reviewers would be based on procurement contracts already used. And so what would happen is the review would be done, it would be submitted to PennDOT or DEP or whatever the agency is, L&I, Labor and Industry, and then they would have to already be approved and already be licensed and certified.

I mean, I can speak to at least in the real estate appraisal business where we do a lot of third-party reviews on behalf of PennDOT. We do appraisals on behalf of PennDOT. We have to go through continuing education and maintain licensing. There is a board of State certified appraisers that regulates and governs their industry. But we are talking about engineers who are

licensed with the State of Pennsylvania who have, I assume, continuing education requirements. And yes, I do not know if they do inspections of offices necessarily, but I know in the same sense that we do car inspections, they have to be a licensed car inspector but they are doing the work of the Commonwealth to inspect those cars. They are just as a third party. If that answers your question.

Mr. CONKLIN. On the bill, Mr. Speaker?

Yes. Thank you.

On the bill, Mr. Speaker?

The SPEAKER. Yes, Representative Conklin, you may speak.

Mr. CONKLIN. I appreciate what the gentleman is trying to do to speed up, but at the same time, one of the things that he used for having your local car inspected, that we still do come in every year and periodically stop in to check the paperwork, to make sure it is done properly, and I think what he is doing is admirable, but at the same time, that inspection will not be taking place. Basically once they are licensed, we are going to hope that everything is done properly. So using his analogy, I believe that if there was more oversight to this to make sure every year that it was done properly, I would say it is okay.

But, Mr. Speaker, I am asking my colleagues to vote "no" to this, just for the simple fact that I really believe that when we are looking at what is going to be happening for our next generation is happening today, I think it is very important that we do have that oversight. Thank you.

The SPEAKER. Representative Rothman, do you wish to go a second time, sir? Okay. Let me just see if anybody else wants to speak.

Does anybody else wish to speak before the prime sponsor speaks for a second time?

Representative Rothman.

Mr. ROTHMAN. The gentleman from Centre County, I just wanted to read from my bill: "A State agency shall contract with a third-party professional to administer a permit program established under subsection (a) in accordance with 62 Pa.C.S. Pt. I (relating to Commonwealth procurement code). Payments to a third-party professional under this subsection shall consist of the remittance of any fees collected by a State agency from applicants whose applications are subject to a permit decision delay."

So under the current Procurement Code is how you would select these experts, these professionals. 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.

The following roll call was recorded:

YEAS—109

Barrar	Gillespie	Marshall	Ryan
Benninghoff	Gleim	Masser	Sainato
Bernstine	Gregory	Mehaffie	Sankey
Boback	Greiner	Mentzer	Saylor
Borowicz	Grove	Metcalfe	Schemel
Brooks	Hahn	Metzgar	Schmitt
Brown	Heffley	Mihalek	Schroeder
Burns	Helm	Millard	Simmons
Causar	Hennessey	Miller, B.	Snyder
Cook	Hershey	Mizgorski	Sonney
Cox	Hickernell	Moul	Staats

Culver	Irvin	Nelson	Stephens
Cutler	James	Nesbit	Struzzi
Day	Jones	O'Neal	Thomas
DeLozier	Jozwiak	Oberlander	Tobash
Diamond	Kail	Owlett	Toepel
Dowling	Kaufar	Peifer	Toohil
Dunbar	Kauffman	Petrarca	Topper
Dush	Keefe	Pickett	Walsh
Ecker	Keller, F.	Polinchock	Warner
Emrick	Keller, M.K.	Puskaric	Wentling
Everett	Klunk	Pyle	Wheeland
Farry	Knowles	Rapp	White
Fee	Lawrence	Reese	Zimmerman
Fritz	Lewis	Rigby	
Gabler	Mackenzie	Roae	Turzai,
Gaydos	Mako	Rothman	Speaker
Gillen	Maloney	Rozzi	

NAYS—86

Bizzarro	Donatucci	Kortz	Pashinski
Boyle	Driscoll	Kosierowski	Quinn
Bradford	Evans	Krueger	Rabb
Briggs	Fiedler	Kulik	Ravenstahl
Bullock	Fitzgerald	Lee	Readshaw
Burgos	Flynn	Longietti	Roebuck
Caltagirone	Frankel	Madden	Samuelson
Carroll	Freeman	Malagari	Sanchez
Ciresi	Gainey	Markosek	Sappery
Comitta	Galloway	Matzie	Schlossberg
Conklin	Goodman	McCarter	Schweyer
Daley	Hanbidge	McClinton	Shusterman
Davidson	Harkins	McNeill	Sims
Davis, A.	Harris	Merski	Sturla
Davis, T.	Hohenstein	Miller, D.	Ullman
Dawkins	Howard	Mullery	Vitali
Deasy	Innamorato	Mullins	Warren
DeLissio	Isaacson	Murt	Webster
Delloso	Kenyatta	Neilson	Wheatley
DeLuca	Kim	O'Mara	Williams
Dermody	Kinsey	Otten	Zabel
DiGirolamo	Kirkland		

NOT VOTING—1

Cephas

EXCUSED—6

Cruz	Ortitay	Solomon	Youngblood
Harrell	Rader		

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 762, PN 812**, entitled:

An Act providing for regulatory compliance.

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?

Now I see Representative Krueger, I see Representative Vitali. Before I call on the prime sponsor, anybody else? Representative Krueger, I will have you go first; then Representative Vitali will go second.

Representative Krueger.

Ms. KRUEGER. Thank you, Mr. Speaker.

I rise today in opposition to HB 762. This bill would have a negative impact on commonsense rules that protect public safety. Under this bill, all departments are mandated to hire a new agency compliance officer who must then respond to requests within 20 days, and if they do not, the corporation or person who is submitting the request gets out of jail free. But not every question can be answered that quickly and we have heard from the departments that they do not currently have the staff to fulfill this new legislative mandate.

For example, let us say that a registered sex offender contacts the new government mandated compliance officer at the State Police. This sex offender could request that they move to a lower tier of offense that requires less time on the Megan's Law registry. If the State Police do not have the ability to respond with an opinion within 20 days, that sex offender would not be responsible if he failed to register or even moved close to one of our kids' elementary schools.

There is a reason why laws like Megan's Law exist. There is a reason why we have commonsense public safety regulations. They keep our kids safe.

We should not pass a bill that gives safe harbor to sex offenders here in Pennsylvania. This is an expensive taxpayer-funded mandate that we do not need. I ask my colleagues to join me in voting "no" to this bill today.

Thank you, Mr. Speaker.

The SPEAKER. Representative Greg Vitali, on the bill.

Mr. VITALI. Thank you, Mr. Speaker.

I also rise in opposition to this bill and agree with the arguments made by the gentelady from Delaware County.

I would just like to add that the administration also opposes this legislation. They point out a number of things: one, that the Department of Environmental Protection already has an office dedicated to helping small businesses with regulatory compliance called the Small Business Ombudsman's Office. They also point out that the DEP regulates tens of thousands of businesses, local governments, and individuals and receives thousands of permit applications each year. And I will quote, "DEP almost certainly could not handle such a volume of requests and the failure to get an opinion within 20...days also counts as a complete defense."

Again, this is a resource issue. We are starving, we are starving these agencies, in particular the Department of Environmental Protection, of staffing and then imposing additional burdens.

This is also opposed by a host of environmental groups. It points out giving this compliance officer the authority to waive fines and penalties, and they say, quote, "It is not appropriate for a staff regulatory compliance officer to be making these decisions," referring to the waiving of fines and penalties.

PEC and the Environmental Defense Fund say, quote, "...this legislation oversteps appropriate agency function and authority."

And I would request for these and other reasons a "no" vote.

The SPEAKER. Does anybody else wish to speak before I call on the prime sponsor?

Representative Tim O'Neal, on the bill.

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

Mr. Speaker, HB 762 requires each State's agency to appoint a regulatory compliance officer, not hire, appoint a regulatory compliance officer. Each agency will have to decide the avenue they take and what is appropriate for them, but there is no requirement to hire additional employees.

In addition to that, this bill simply aims to improve Pennsylvania's regulatory climate through greater communication and understanding between regulators in the communities they oversee. The officers' duties are to educate their regulated community about new or amended statutes and regulations prior to the effective date, acting as a liaison through which regulated communities can contact their appropriate agency representatives with questions or concerns about regulations.

Again, it is to work with regulated industries to resolve self-reported noncompliance issues before imposing penalties. But let me make myself clear, there is no requirement to hire additional employees. The timeframe is 20 business days, 20 business days to respond, and as a matter of fact, for good cause it can be extended beyond that. The get-out-of-jail-free reference that my colleague said earlier is absolutely ridiculous. This bill does not give the compliance adviser the authority to excuse any penalties. They will have the ability to issue an advisory position on behalf of the agency for the community that they regulate.

This is commonsense legislation that will foster cooperation between the business environment and the agencies that regulate them. I would encourage an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bryan Cutler, the majority leader.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this bill and would like to hit a couple other points that I think are important regarding the construction of the statute.

As the prime sponsor has already outlined, this involves the regulatory compliance officer and the appointment of someone with these duties. It does not require the hiring of new employees. It is merely the assignment of those duties as these issues are considered.

Furthermore, the assumption that they will have the power to waive any crimes or penalties or anything else that was alluded to earlier is simply inaccurate. Mr. Speaker, I do not believe, and if you read the plain language of the bill, that it can land you in that position.

Furthermore, I believe the bill is equally clear that the officer is tasked with establishing the guidelines by which the agency would then consult when considering the waiving of fines or penalties. That is a fundamental difference between actually waiving the penalties and merely advising the departments on where they are at and what they are doing.

I think that it is important to recognize additionally that failure to have consistent guidelines within an agency as it operates unfortunately creates a patchwork quilt all across the Commonwealth on how laws are applied. We have heard of some instances where permits or laws are interpreted in such a way that while they would easily pass in one sector, it would not pass in

another based on the regions, and for that reason I do believe it would be beneficial for government to have these guidelines as they go forward so that there is a consistent application all across the Commonwealth, whether you are working in Lancaster County or Allegheny County, because the law is the law and therefore should be followed and applied consistently.

I urge the members to please vote "yes" because I think it makes common sense to make sure that that law is applied as such. Thank you.

The SPEAKER. Representative Krueger, for the second time. Ms. KRUEGER. Thank you, Mr. Speaker.

I just want to read a portion of the bill in response to the debate we have heard on the floor.

Page 3, line 6, reads: "The opinion, or the agency's failure to provide an opinion upon request, shall be a complete defense in any enforcement proceeding initiated by the agency and evidence of good faith conduct in any other civil or criminal proceeding if the requester, at least 20 business days prior to the alleged violation, requested written advice from the agency's regulatory compliance officer in good faith...."

Mr. Speaker, I am not sure how my colleagues interpret the term "complete defense," but this is not a bill that I am comfortable supporting and I ask my colleagues to vote "no."

Thank you, Mr. Speaker.

The SPEAKER. Does anybody else wish to speak before I call on Representative O'Neal for the second time?

Representative O'Neal, for the second time.

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

Again, Mr. Speaker, this is a commonsense approach to foster an environment between the regulatory community and the businesses that they are regulating – or excuse me; the agencies and the regulatory community that they are regulating. What was just cited as far as a complete defense is an outright failure of the agency, and I would contend that that employee is not actually doing their job and should lose their job if they are failing to do so. So again, the timeline is 20 business days, which the last time I checked is just about a month, and in addition to that, can be extended for extenuating circumstances.

For these reasons, Mr. Speaker, I ask for an affirmative vote. Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—102

Barrar	Gillen	Mackenzie	Reese
Benninghoff	Gillespie	Mako	Rigby
Bernstine	Gleim	Maloney	Roae
Boback	Gregory	Marshall	Rothman
Borowicz	Greiner	Masser	Ryan
Brooks	Grove	Mehaffie	Sankey
Brown	Hahn	Mentzer	Saylor
Causar	Heffley	Metcalfe	Schemel
Cook	Helm	Metzgar	Schmitt
Cox	Hennessey	Mihalek	Simmons
Culver	Hershey	Millard	Snyder
Cutler	Hickernell	Miller, B.	Sonney
Day	Irvin	Mizgorski	Staats

Delozier	James	Moul	Struzzi
Diamond	Jones	Nelson	Tobash
Dowling	Jozwiak	Nesbit	Toepel
Dunbar	Kail	O'Neal	Toohil
Dush	Kaufer	Oberlander	Topper
Ecker	Kauffman	Owlett	Walsh
Emerick	Keefer	Peifer	Warner
Everett	Keller, F.	Petrarca	Wentling
Farry	Keller, M.K.	Pickett	Wheeland
Fee	Klunk	Polinchock	Zimmerman
Fritz	Knowles	Puskaric	
Gabler	Lawrence	Pyle	Turzai,
Gaydos	Lewis	Rapp	Speaker

NAYS—94

Bizarro	Donatucci	Krueger	Readshaw
Boyle	Driscoll	Kulik	Roebuck
Bradford	Evans	Lee	Rozzi
Briggs	Fiedler	Longietti	Sainato
Bullock	Fitzgerald	Madden	Samuelson
Burgos	Flynn	Malagari	Sanchez
Burns	Frankel	Markosek	Sappery
Caltagirone	Freeman	Matzie	Schlossberg
Carroll	Gainey	McCartner	Schroeder
Cephas	Galloway	McClinton	Schweyer
Ciresi	Goodman	McNeill	Shusterman
Comitta	Hanbidge	Merski	Sims
Conklin	Harkins	Miller, D.	Stephens
Daley	Harris	Mullery	Sturla
Davidson	Hohenstein	Mullins	Thomas
Davis, A.	Howard	Murt	Ullman
Davis, T.	Innamorato	Neilson	Vitali
Dawkins	Isaacson	O'Mara	Warren
Deasy	Kenyatta	Otten	Webster
DeLissio	Kim	Pashinski	Wheatley
Delloso	Kinsey	Quinn	White
DeLuca	Kirkland	Rabb	Williams
Dermody	Kortz	Ravenstahl	Zabel
DiGirolamo	Kosierowski		

NOT VOTING—0

EXCUSED—6

Cruz	Ortitay	Solomon	Youngblood
Harrell	Rader		

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 1055, PN 1407**, entitled:

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for definitions and for existing regulations; and establishing the Independent Office of the Repealer and providing for its power and duties.

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?

So Representative Vitali I see has risen. Does anybody else wish to speak on the bill before I call on the prime sponsor?

Representative Greg Vitali, on HB 1055.

Mr. VITALI. Thank you, Mr. Speaker.

I rise in opposition to this bill for at least two reasons. One, it is a requirement that when an agency promulgates a regulation, it has to identify two others for repeal. I personally think that is ridiculous on its face, but I understand that is probably not a complete enough argument. Second, it establishes something called the Independent Office of the Repealer.

Mr. Speaker, this is opposed by the administration. Their reasoning is as follows: "This bill would essentially create an untouchable bureaucracy with poorly defined powers, unlimited ability to hire outside staff or counsel, with no obligation to consider public input or to coordinate with Commonwealth agencies." That is what the DEP (Department of Environmental Protection) said in opposition to this.

This is also opposed by the Pennsylvania Environmental Council and the Environmental Defense Fund. Their reasoning is – and they go to the two-for-one provision, requiring two regulations to be canceled to promote one – and I quote, "Requiring agencies to catalog duly promulgated regulations for repeal merely so they may promulgate a new..." one "...is an unjustifiably burdensome hurdle that could impede much-needed public health protections." They also say, "This legislation is wholly unnecessary and would create more delays than it would solve, primarily at the expense of public health protections."

Mr. Speaker, I would urge a "no" vote.

The SPEAKER. Representative Kate Klunk, on the bill.

Ms. KLUNK. Thank you, Mr. Speaker.

It is spring here in Pennsylvania. The sun is shining, the birds are chirping, and it is a perfect day to start some spring cleaning here in Pennsylvania. Thanks for the effect, Mr. Speaker; thanks. It helps create that picture of what I am getting at.

Like many of you, I have spent the past few weekends doing some spring cleaning of my own at my own home. We have combed through closets, we have gone through drawers, we have gone through the garage, and our goal has been to get rid of some of that clutter and the unneeded, unused, outdated things that are in our house. I had a pile of items to donate to charity, a pile for those items to sell at a future yard sale, and a pile of those things that you just need to throw into the trash, like my teal blue 1990s platform sandals that I have been clinging on to since—

The SPEAKER. Stop, please. Quit interrupting, please. The good lady is just using an analogy. She is perfectly okay. Please, let us just be courteous.

Representative Klunk, you may continue.

Ms. KLUNK. Thank you, Mr. Speaker.

So those 1990s platform teal blue sandals that I have been holding on to since high school, they really no longer have any other purpose other than to make me another 2 inches taller. They actually give me blisters. So as I was going through my house, that was one of the items that I threw into the trash. My husband is now much happier, and our house is much more tidy, orderly, and efficient.

Now, our homes here in Pennsylvania are not the only things that need a good spring cleaning. Our Commonwealth has thousands of regulations on the books, and many of these were

enacted before many of us here in this room were even born. Many of them have yet to be reexamined and evaluated to gauge their relevance, appropriateness, cost, and effectiveness. And, Mr. Speaker, I think some of the bills today are a great example of some of those laws that we have on the books that have been outdated that need repealed. We had a bill today that was brought up on second consideration, Representative Rader's bill. Representative Mako had a repeal bill on this capital stock assessment tax. Representative Kaufer had a repeal on the capital stock settlement. Representative Sankey had a repeal on the CSF (capital stock and franchise) tax reports. Representative Bernstine, another repeal. Representative Greiner, another repeal. Representative Grove, another repeal on the Store and Theatre Tax Act. Representative Dowling, another repeal on Sunday Baseball and Football Law, which I am sure many of you in this room would agree with. Representative Fritz had one on the Sunday Music Act. And again, Representative Fritz, one on the Sunday Motion Picture Act. Just some examples of where Pennsylvania needs to take a good hard look at laws and regulations that are just not working for the people of Pennsylvania.

Our Commonwealth does not undertake a regular and systematic independent review of existing regulations, nor does it possess an organized system to receive recommendations from the public. Educators, businesses, government entities, nonprofits, and others on recommendations for repeal, modification, or revision of existing statutes and regulations. With well over 153,000 – let me say that again – 153,000 regulations on our books, our State's regulatory system has become the equivalent of extreme hoarding. We do not get rid of anything in this State when it comes to regulations that are just not working for the people of Pennsylvania. We should probably call the A&E channel and we could be on their next episode of "Hoarders" when it comes to regulations. Essentially, we have a whole lot of clutter on our books and we need a Marie Kondo-type of person to step in, review the regulations on the books—

The SPEAKER. Please suspend. Members, please take your seats. Representatives Kenyatta, Comitta, and Sturla wish to speak after the prime sponsor. The prime sponsor will of course have a second opportunity to speak. Please provide her with the courtesy of being heard. If all members could please take their seats. All members, please take your seats. I do not mean to call out the whistling, but please.

Representative Klunk.

Ms. KLUNK. Thank you, Mr. Speaker.

Again, we need a Marie Kondo-type person to step in, review the regulations on the books, and provide recommendations to us as to what acts might need some additional review and repeal. This is exactly what Senator Kristin Phillips-Hill and I intend to do with the Independent Office of the Repealer within the Independent Regulatory Review Commission. I truly want to thank Senator Kristin Phillips-Hill for drafting this legislation in the House the last session. Since being elected to the Senate, she has introduced a version of this bill over there, which is SB 251, and she has entrusted me with HB 1055 this session.

Now, many of you know or have heard of Marie Kondo. Now, her method of determining an item's worth is that emotional connection to it or how much joy it brings to your heart. Now, that is not what we are looking at with the Office of the Repealer. The Office of the Repealer, though, would take a good hard, analytical look at the value of an act or regulation. Nothing in this

legislation states that any particular regulation must be repealed. Let me say that again. Nothing in this bill says that a particular regulation must be repealed.

The Office of the Repealer would adopt a quantitative and qualitative rubric to assess whether an existing statute or regulation is reasonable, unduly burdensome, detrimental to the economic well-being of our State, duplicative, onerous, defective, or in conflict with another statute or regulation. Then it would get to work performing a full systemic view of existing statutes and regulations to identify those that may be appropriate for modification, revision, or repeal. The people of Pennsylvania would also have input as the office would have an online suggestion box for the public to provide suggestions on regulations or acts for the office to review.

To ensure transparency in the process, the Office of the Repealer would be subject to the Right-to-Know Law. The office would also provide an annual progress report to the General Assembly and to the Governor. These reports would provide recommendations of statutes or regulations needing special attention, including changes to increase efficiency and to eliminate those wasteful practices within our government. These recommendations would be provided to both the General Assembly and the agency that originally promulgated the regulation.

Now, the Office of the Repealer, they do not actually repeal anything. That would be left up to us, the General Assembly. In addition to reviewing existing regulations, a provision in the legislation states that for every new regulation added by an agency, two must be repealed by that agency. Now, this is very similar to the Federal government's approach that has been working over the past 2 years to eliminate red tape at the Federal level. In the first year of this Federal policy, for every one regulation created there were 22 removed from the books. The Federal government estimated a lifetime net regulatory cost savings of over 8.1 billion – yes, billion with a "b" – dollars under this new policy. We would hope to see something maybe not that great here in Pennsylvania, but certainly a cost savings to the people of Pennsylvania.

Now, this spring cleaning approach, it is not novel, it is not new. Again, the Federal government has been doing it and our States like Kansas, Rhode Island, Tennessee, North Carolina have all created offices similar to the Office of the Repealer.

Now, these restrictions and regulations on the books create impediments for our individuals, our local county governments, our school districts, our nonprofits, and businesses of all shapes and sizes, limiting economic development and growth across the State. Pennsylvanians are drowning in red tape. Now, this is certainly a priority in my own home community. We have heard from our local businesses and organizations that this is one of their top priorities. We truly have a responsibility to make sure that government is working for the people of Pennsylvania, not against them. The Office of the Repealer—

The SPEAKER. Members, please, please take your seats. Please take your seats. We have five more speakers. Okay. Then six, Representative Flynn. Please take your seats. Sergeants at Arms, if you could close the doors of the House. We are all trapped. No, I am kidding. I am teasing. Okay. Please, everybody take your seats.

Representative Klunk, you may proceed.

Ms. KLUNK. Thank you, Mr. Speaker.

We have the responsibility to make sure that government is working for the people of Pennsylvania, not against them. The Office of the Repealer will work for the people of Pennsylvania to ensure that our rules and regulations are not duplicative, not inefficient or overly burdensome. Ultimately, we need to start cutting the regulatory red tape so that we can roll out the red carpet to welcome businesses and jobs to Pennsylvania. Thank you.

The SPEAKER. Representative Kenyatta.

Mr. KENYATTA. Thank you, Mr. Speaker.

I rise in fierce opposition to this bill, but I would like to thank the gentelady for – I would like to assume some goodwill on her part. I think that everybody in this body when we take a look at it we recognize that there are ways that government can work more efficiently, but I think what we are talking about is a lot more serious than cleaning out our garage.

The SPEAKER. Sir, sir, Representative. You cannot ascribe to somebody's motives.

Mr. KENYATTA. I am not ascribing anything, Mr. Speaker.

Mr. DERMODY. Mr. Speaker? Mr. Speaker?

The SPEAKER. Please, just give me a second, Representative Kenyatta, because I am having some— The good minority whip is being somewhat vocal over here.

Mr. DERMODY. Well, I am just—

The SPEAKER. Leader, hold on—

Mr. DERMODY. The Representative from Philadelphia is commenting on the speech that was given right here on the floor.

The SPEAKER. Representative Dermody, the leader, and Representative Harris, the whip, here is my perspective, and up here I have to make a call and I am going to make a call. The fact of the matter is, if somebody uses an analogy, that does not mean that you get to criticize them or demean their perspective by use of an analogy, which is arguably where we are headed. It is best to just stay positive and focus on the facts. If you want to use an analogy of your own, please feel free, and you may proceed, Representative Kenyatta.

Mr. KENYATTA. Thank you, Mr. Speaker.

I think what unintentionally we are doing here is the opposite of what this bill, according to the maker, is intended to do. Instead of cleaning out the garage, I think we are actually dirtying up the garage, and we are filling the garage with an unaccountable bureaucrat who will be able to do the bidding of big business. I think that we are completely cutting ourselves out of our constitutional responsibility to govern this Commonwealth, and I think that that is a mistake. As I said, I want to assume goodwill, and I know that colleagues on both sides of the aisle when we take some time and sit down, we recognize there are ways that government can work more efficiently and effectively, so you will not hear an argument from me on that. But I think that we can do better than an Office of Repealer.

We have a duty to ensure that we have clean water and clean air. We have a duty to ensure that we keep people safe, and this is ultimately about public safety. And I would encourage my colleagues on the other side of the aisle to think about that, to think about the safety of our kids, to think about the safety of our environment, and we should not have somebody that is unaccountable to anyone come in and cut, cut, cut, cut at the expense of the future of this Commonwealth, and I think that that

should be readily apparent. We can do better than this, and I know that when we often come in this body, everybody's mind is already made up and we look at this board and we say, "We are going to vote the way our party is going to vote." That is what so often happens here, but I would encourage my colleagues on the other side of the aisle to sit down and have a conversation about meaningful, thoughtful reform and not give that responsibility to somebody else.

We got elected to these positions to govern; we ought to govern. If there are regulations that we need to get rid of, we ought to have a conversation about those specific regulations. We should not appoint somebody to do our jobs. That is why we were elected, and if we cannot do our jobs, I am sure there are other people who will run for these seats, but we have a responsibility to keep our planet safe, to keep this Commonwealth safe, and I think we can do it if we are up to the task to actually sitting down and getting to work. This is the wrong way to go. I would encourage my colleagues to search their hearts, to actually think about this, and to vote "no" on this and get serious about regulatory reform.

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

Representative Comitta, Representative Comitta.

Mrs. COMMITTA. Thank you, Mr. Speaker.

Mr. Speaker, I note that the maker of this bill cited, gave some examples and anecdotes about tidying up, suggested that tidying up is an appropriate response to our regulatory system. Mr. Speaker, I do not claim to speak for Marie Kondo. She is the author of the very popular life-changing magic of tidying up. I do not claim to speak for this author, Marie Kondo, but I think she makes a good point when she assesses something. She asks, "Does the item spark joy?" What does that mean, "spark joy"? Mr. Speaker, sparking joy is a benefit. It is something positive from that item.

Mr. Speaker, I urge every member of this chamber to read HB 1055. In HB 1055 you will find an Office of the Repealer. Mr. Speaker, in HB 1055 you would find criteria when this office should recommend a rule should be repealed, including terms like "detrimental to economic well-being" or "duplicative," "onerous," or "defective." Mr. Speaker, you do not find in HB 1055 any recognition of the benefits of the particular rule or any recognition of judging what may be the harm of repealing a rule.

Mr. Speaker, Marie Kondo says that you should judge items on their benefits, on bringing joy. HB 1055 has no criteria that judges the benefits of the rule, the same thing as the criteria that is at the heart of Marie Kondo's sparking joy. Mr. Speaker, if the good lady, the maker of this bill, wants to use Marie Kondo as an inspiration, let me finish with an interesting comment that she made, Marie Kondo. A fan on Reddit asked her, "What do you recommend to your clients when something does not bring joy, but is necessary and can't simply be discarded? For example, a winter coat if you live in a cold climate, or a set of dishes." Kondo replied, "Those things are helping you every single day. So you should appreciate how they are contributing to your life. Change the relationship with those items, by appreciating their contributions to your life."

Mr. Speaker, if we have regulations that save lives, protect our environment, allow workers to have representation, the people behind this bill do not seem to recognize how these regulations do contribute to our lives and this bill does not seem to recognize that. Maybe the other side needs to be like Marie Kondo and

change the relationship with them and appreciate their contributions.

Please vote "no" on HB 1055. Thank you, Mr. Speaker.

The SPEAKER. Okay. Representative Mike Sturla and then— If I might, let me just give everybody what the list is of speakers: Representative Sturla, then Representative Dush, then Representative Fiedler, then Representative Frank Ryan, then Representative Flynn, then Representative Grove.

So right now Representative Mike Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, the majority of regulations that are on the books in the State of Pennsylvania deal with the health, safety, and welfare of Pennsylvanians, and some of the most heavily regulated industries in the State of Pennsylvania are day-care facilities that take care of our young children, nursing homes that take care of our seniors and the weak and frail, restaurants that feed us every day.

So now let us think about this. You pass a new regulation for a restaurant. Which one do you get rid of? The one that says you cannot have rodent feces where you prepare food? Do you get rid of the one that says you cannot keep meat when it starts to turn green? How about nursing homes? Do you add a new regulation? Which one do you get rid of? You can leave somebody on a bedpan for 3 hours? You do not need to change sheets more than once a week. What regulation do you get rid of there with nursing homes? Or day-care facilities for children? The one that says you have to have people watching them? You get rid of that one and let them just roam aimlessly out on the street? Which regulation do you get rid of? These regulations are in place for purposes.

We saw earlier today there were a number of rules and regulations that were old and obsolete and did not make sense, and we all voted to get rid of them. That is not the issue. You will not see people voting against this piece of legislation because we are not willing to get rid of obsolete or inaccurate or regulations that make no sense, but what we will vote against is simply saying, you get rid of two for every one you add because we do not know what the two are that you are going to get rid of and we do not know what somebody is going to decide that gets appointed to some position and we do not know who is going to be adding or subtracting when and where. I am not even sure this is constitutional, but if it is, it is foolhardy.

Think about your own home. You are going to add smoke detectors. Do you get rid of the fire extinguishers then? You want to add a new toilet so that your house is clean and safe. Do you get rid of your furnace that works? What do you get rid of? If you can tell me, maybe I will vote "yes." But you are saying there is this imaginary regulation that certainly must be terrible and not protecting someone. Well, bring it here and we will get rid of it, but do not just say, there is carte blanche to get rid of regulations simply because we know that the words "regulations" are bad and they must be bad for people. They are good when it comes to making sure that the foods you eat in a restaurant do not give you food poisoning. They are good when we make sure that your parent who is in a nursing home does not lie in their own feces for days. They are good when the day-care facilities actually protect your children.

This is not good legislation, and I encourage a "no" vote.

The SPEAKER. Representative Cris Dush.

Mr. DUSH. Thank you, Mr. Speaker.

Mr. Speaker, we are set up to be a republic, and unfortunately, ever since the time of President Woodrow Wilson and his favorite book, "Philip Dru: Administrator," where he convinced the

U.S. Congress to go and write broad-scope bills to allow the bureaucrats to create things that have the force of law, the use of force against the citizens of the United States through regulation, through fines, through fees, and yet they are not accountable. Wilson sold that to the U.S. Congress saying that you write those things in those broad manners and you can sit back and say, "Hey, I didn't vote for that. That's not what I intended."

But all of the comments from the other side about unaccountable – the bureaucrats are the ones that are unaccountable. We have to go back before the people every 2 years. We are supposed to be writing clearly defined laws that outline the things that are done to protect and defend the environment, the people of this Commonwealth, and we are not doing that. The States learned very quickly from the Federal examples and started doing exactly the same thing. We are supposed to be the ones who are accountable, and we have not been doing it for over 100 years. The previous speaker said, well, we do not know which one of these regulations they are going to get rid of. Well, actually this bill is exactly that, to bring it back before the legislature. In fact, he said that, "...bring it here and we will get rid of it..." Well, that is exactly the intent of this bill. It is not to have one person unaccountable; it is to bring these regulations back into this body to the people who should be held accountable and are accountable every 2 years. That is the way these republics that we call the United States of America and the several States, which our U.S. Constitution says that every State shall guarantee a republican – small "r" republican – form of government, this is what we are supposed to be doing. This is getting the responsibility back to the people who are actually accountable.

British Columbia was the one State or provincial government that started this whole process of reducing two regulations for every one promulgated. Their economy took off afterwards. The Trump administration actually duplicated theirs and they are up to 22, and it is benefiting other States, and Pennsylvania is lagging behind because we do have 153,000 regulations in this Commonwealth that nobody, nobody in this Commonwealth can tell you whether they are violating the law on any given day. This is the time when our citizens can bring these things to the people who are in the legislature, bring it to the Office of the Repealer and start bringing this back to this body so that we can start deciding whether or not these regulations should have the force of government, the force of law.

Thank you, Mr. Speaker.

The SPEAKER. Representative Fiedler.

Ms. FIEDLER. Thank you, Mr. Speaker.

I do not believe the regulations we have in place to protect our health and our safety are unnecessary clutter that we should just toss out with the trash, and I will choose not to use a metaphor or an analogy. I will simply say that I think this legislation is about our economy and our lives and we ought to take it quite seriously. I believe that blindly chopping away at our government is reckless, and I urge a "no" vote on this troubling legislation. Thank you.

The SPEAKER. Thank you.

Representative Frank Ryan. If I might, Representative Ryan, come on up.

GUESTS INTRODUCED

The SPEAKER. But I want to introduce two guests. I apologize. To my left, Larissa Simko and Antoinette Yelenic. Thank you so much for joining us here today and coming to visit. They are from the Pittsburgh area. Thank you for joining us.

CONSIDERATION OF HB 1055 CONTINUED

The SPEAKER. And I apologize. Representative Frank Ryan, on the bill.

Mr. RYAN. Mr. Speaker, thank you so much for allowing me to speak today. You know, I had not really originally intended to speak on this legislation today, even though I am a cosponsor, until I heard a couple of comments that are troubling for me. I think over the past 2 years since I have been in this body, I think I have demonstrated along with a number of my members on both sides of the aisle that we are willing to work in a bipartisan, nonaccusatory way about motives. I do not necessarily believe that people come in here with a preconceived notion about what they are and what they are not going to do. Just yesterday a dear friend of mine from Philadelphia and I cosponsored a bill where we were on opposite sides and people were somewhat surprised. But I do have to tell folks that are vehemently opposed to the Office of the Repealer, appreciate what happens in our part of the State where these regulations that are frequently perceived as being helpful are in fact detrimental.

I recently had to take a time to go out – it took a number of months to schedule with DEP – to go out and have a regulatory review about a water well system that was not a well, it was a spring, but the regulation did not necessarily understand what a spring was. My client – or my constituent spent about \$20,000 in legal fees, got me involved. We finally were able to get to the appropriate person, and when the appropriate person from DEP came out to look at it, they said that it was probably the cleanest water and the best-run operation that they had seen and it had been built over 100 years earlier. We have a number of situations in this Commonwealth where an unbelievable amount of damage is done by unelected leaders.

A Representative from Philadelphia made the comment that we have a legislative responsibility, and I agree with that, and HB 1055 in fact does provide that type of legislative control and review. We had a bill, a revenue proclamation 2017-02, that had it not been rescinded by this body and by the Pennsylvania Senate, it would have done irreparable damage to the Commonwealth. We need to have some ability to rein in and restore the regulatory powers and responsibilities of the legislative body. A 1099-miscellaneous bill is currently under review. My dear friend, Representative Greiner, has got a bill as do I to bring it back under control. HB 1055, for the Office of the Repealer, has sufficient legislative controls and capability built into the system of internal controls to ensure that it is we who are involved with this process.

We recently had bipartisan support, unanimous, out of the House Finance Committee – excuse me – State Government Committee relative to an Auditor General responsibility. We have had a relatively strong amount of support for a lean initiative. We need to recognize that what many people think is

absolutely great public policy being effected by those people who are not elected may in fact have the exact opposite effect. My area lives in an area that has been struggling with the economic damages that have been done by a regulatory process that was completely out of control, and we are still attempting to clean up the mess that took place in the 1940s, 1950s, and 1960s under the guise of a DEP that said these were okay.

We need to make sure that we have some commonsense ability to ensure that we as a legislative body can protect all of the citizens of the Commonwealth and not just pass some feel-good piece of legislation and regulatory process that we think will work. The Office of the Repealer will in fact have the desired effect of providing that type of legislative oversight, good governance, and the capability internally for us to reestablish the controls and the capability of this legislative body as was enumerated in the Constitution of the Commonwealth of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Representative Marty Flynn.

Mr. FLYNN. Mr. Speaker, I rise in opposition to HB 1055. The strongest argument against this bill is tomorrow's calendar. We are voting on at least 13 bills repealing statutes.

Mr. Speaker, I appreciate the Representative from York County's intentions, although I do not necessarily agree with her cleaning habits. When it comes to spring cleaning in the Flynn household, we call 1-800-GOT-JUNK? I actually just called them to pick this bill up. I am out.

The SPEAKER. Representative Seth Grove.

Mr. GROVE. Thank you, Mr. Speaker.

Would the prime sponsor of the bill stand for some questioning?

The SPEAKER. Yes, the good lady has indicated she will stand for interrogation.

Mr. GROVE. Thank you, Mr. Speaker.

We have heard today a little bit about an unelected bureaucrat wielding a lot of power and just sweeping away regulations unilaterally. I did not read that in the bill, so I want to make sure my understanding is clear. Could you kind of go over the process for the Office of the Repealer to go through and do the recommendations or how they utilize the system built into HB 1055?

Ms. KLUNK. Sure. Thank you, Mr. Speaker.

Mr. Speaker, the Office of the Repealer is created in a nonpolitical, very bipartisan fashion with the selection of the repealer through a couple of different entities. First, one member of this committee that establishes the Office of the Repealer and selects the person, one member is appointed by the Governor, one member is appointed by the President pro tempore of the Senate in consultation with the majority leader and the minority leader of the Senate, and then the third member of the committee is appointed by the Speaker of the House of Representatives in consultation with the majority leader and the minority leader of the House of Representatives.

So that committee is established and that committee will put out a request for résumés; they will review those. Again, in the bill it says, "The appointment may not be made on the basis of political affiliation." So we are trying to make this as apolitical as possible to make sure that this review is purely quantitative, qualitative in nature and does not have any particular political bent to it. So once the Office of the Repealer is set up, the Office of the Repealer, the director has been named, a deputy director

can be appointed and then staff to then systematically go through any requests that are received from individual members here of this General Assembly, members of the Senate, members of the public.

Again, the bill has a provision to create a Web site to have an online submission form for the public to submit those recommendations. Once the Office of the Repealer goes through those requests to review regulations to see if they are working or not working, they may find that regulations are working, and then that would be noted to us in a report or the regulation might not be working and that would be given to us in a report in addition to the Governor.

Mr. Speaker, I would note that that Office of the Repealer purely makes recommendations and files reports with us, the General Assembly. The Office of the Repealer does not actually, again as I said before, does not actually repeal anything. We, the General Assembly, those here in this building and across the Capitol in the Senate, we have that statutory authority then to introduce bills much like Mr. Speaker did here today on second consideration to repeal laws on the books that are antiquated or not working for the people of Pennsylvania.

So that is kind of how that process would work. Ultimately, it would be us, here in the body, to decide whether or not we would actually repeal anything.

Mr. GROVE. So, Mr. Speaker, no matter what, this body will not lose its ability to move legislation. The report will go to the General Assembly, it will go to the Governor. Obviously, with the regulation the Governor will have the ability to remove that regulation through current regulatory process, through the IRR (Independent Regulatory Review Commission) process. We, as a body, can move a piece of legislation to repeal that, and the Office of the Repealer has absolutely no unilateral ability just to wipe out a regulation based on their own decision, correct?

Ms. KLUNK. That is correct, Mr. Speaker.

Mr. GROVE. Thank you.

Are you aware of a current process in State government that actually does a review of current regulations?

Ms. KLUNK. Yes, that process does exist. No; sorry. The what process—

Mr. GROVE. Are you aware of—

The SPEAKER. Please suspend. Please suspend. Please suspend.

Mr. DERMODY. Mr. Speaker?

The SPEAKER. Wait; just give me a second.

Members, I am sorry; I am having difficulty hearing myself. If everybody could please take their seats. I know that the gentelady did not hear the interrogator's question, and I could not really hear it either. If everybody could take their seats.

POINT OF ORDER

The SPEAKER. Leader Dermody, go ahead.

Mr. DERMODY. Thank you, Mr. Speaker.

The SPEAKER. Point of order, I believe.

Mr. DERMODY. Yes, point of order, Mr. Speaker.

Mr. Speaker, many times you have noted that the purpose of interrogation is to ask questions you do not know the answer to. I believe it is clear that the interrogator knows the answers to all of these questions and it is improper interrogation.

The SPEAKER. Mr. Leader, the majority leader, Bryan Cutler, please.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, respectfully, he asked about an integral component of the bill and then asked the gentlelady if she was aware of the current IRRC process and what it does. He would have no way of foreknowledge regarding her awareness in the current process and how it works. I believe it is an appropriate line of interrogation.

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 1055 CONTINUED

The SPEAKER. Representative Grove, do you have any more questions or did you want to speak on the bill?

Mr. GROVE. Just one follow-up question, Mr. Speaker. I am personally not aware of any current process that looks at current regulations. I was not sure if the gentlelady, prime sponsor of the bill, is aware of any current internal processes to look at current regulations?

Ms. KLUNK. So under the bill, we would have an internal process under the Office of the Repealer, but now under IRRC, there is nothing comprehensive like this going on right now.

Mr. GROVE. Thank you.

Mr. Speaker, on the bill?

The SPEAKER. On the bill, you may proceed.

Mr. GROVE. Thank you, Mr. Speaker.

Obviously through the question of the prime sponsor of the legislation, this bill does not unilaterally give any power to any unelected bureaucrat to do anything that statute or the Governor does not wish. It is a recommendation process to look back at current regulations and ensure that you are still meeting the goals. That is a healthy thing to do within State government because things enacted many, many years ago may not still be prudent today, whether technological advances are easier or more efficient ways to do things.

Mr. Speaker, this is a smart bill that reinvents government in a way that makes it easier for people to interact and make solid recommendations on government interactions through regulation that may not have – that are not normally looked at through normal government procedures, Mr. Speaker.

It is a smart bill. It is a good bill. It lets individuals know, particularly individuals, the residents of the Commonwealth, that we are reviewing what we do and what has passed and what has been acted many, many, many years ago into law to make sure it is still viable moving forward.

Mr. Speaker, I urge my colleagues a "yes" vote on this very good bill. Thank you.

The SPEAKER. Representative Steve Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

So here we are in the House of Representatives debating a bill to create a new office, the Office of the Repealer. The Office of the Repealer, I am having— I am trying to envision the future State employee that is going to put on their door "The Repealer." It sounds like it is straight out of the "Game of Thrones."

I have to say, I started listening to this debate today very concerned that this unelected person, the repealer, would have the power to decimate workplace safety regulations in Pennsylvania, fire safety regulations in Pennsylvania, environmental standards,

labor laws, child labor laws, food safety regulations with no limit. You could go back 100 years and take a regulation that has worked well to protect the public safety for a century and get rid of that regulation. So I had that concern and then I heard the prime sponsor say that this office does not have the power to repeal any regulation. Let me get that straight. The Office of the Repealer does not have the power to actually repeal the regulation. What this new office would do, this new bureaucracy would do, is make recommendations to the General Assembly. So the House and the Senate would still have to vote on whether we should continue to have a regulation or not have a regulation. The Office of the Repealer would not have the power to repeal. This would be like an advisory committee.

I want to direct your attention to a two-page document that you all have on your computer. It is called the fiscal note. It is prepared by the majority Appropriations chair, the staff of the majority Appropriations chair, a two-page note on how much this Office of the Repealer would cost. This has been presented as a very fiscally conservative idea, mind you. So this Office of the Repealer would be three people. It would be the repealer, the deputy repealer, and administrative support staff. Now, in the first year it would only be 9 months. How much would that cost for 9 months? Six hundred and ninety-five thousand dollars; \$695,000, that cannot be all salary, can it? No, no, no; there is furniture, \$105,000 – wait a second; \$105,000 for furniture and equipment? I am sorry, and a Web site too. Now, if you are going to repeal all of the regulations, I cannot vouch for the safety of that furniture. However, that seems to be an excessive amount for one office with three people to spend \$105,000 on furniture, equipment, and a Web site.

The SPEAKER. Representative Samuelson, I apologize. To what are you referencing? I apologize.

Mr. SAMUELSON. I am referring to the fiscal note to this legislation, HB 1055. I found it on the Web site, prepared by the majority Appropriations staff.

The SPEAKER. You may proceed.

Mr. SAMUELSON. That was year 1, \$695,000. Well, year 2 must be cheaper because the one-time cost of buying \$105,000 of furniture, equipment, and a Web site. Year 2 it is \$783,000 when you factor in I guess the full salary of the repealer, the deputy repealer, and the administrative support staff. But then there is a sentence that says that the repealer could actually say that additional staff persons are needed to perform the functions of the office. So I guess the estimate could go up. Also, the repealer, himself or herself, would have the authority to hire and fix compensation. They could decide by themselves the compensation of their deputy and their administrative support staff.

So I put this in context because we have heard, we have heard from the prime sponsor that the Office of the Repealer does not have the power to actually repeal; they just have the power to make recommendations to the General Assembly. The gentleman from York County just spoke and he was very eloquent, this does not give any power to any unelected person to do anything unilaterally. It is an advisory committee, Mr. Speaker. This new bureaucracy coming in at six hundred, seven hundred, eight hundred thousand dollars a year is basically an advisory function.

I want to close by quoting the eloquent Representative Flynn from Lackawanna County who pointed out that on tomorrow's calendar we are actually already making repeals. We have 11 bills. We have 13 bills scheduled to vote tomorrow; 11 of them are to make repeals of laws and we did not even have the help of

an Independent Office of the Repealer. I think this is a wasteful bureaucracy that the majority is seeking to create. We have the power right now to review laws, and as we are doing tomorrow, we have that power already.

Thank you, Mr. Speaker.

The SPEAKER. Representative Merski and then Representative Comitta will be on the second time.

Representative Merski, you may proceed.

Mr. MERSKI. Thank you, Mr. Speaker.

If I may, I just have a couple questions for the maker of the bill.

The SPEAKER. Representative Klunk will stand for interrogation. You may proceed.

Mr. MERSKI. Thank you.

In your legislation you use words such as "unreasonable" and "unduly burdensome." How do you quantify those and who makes those decisions on what something is – whether it is reasonable or unreasonable?

Ms. KLUNK. Mr. Speaker, that would be, again, left up to the repealer. The repealer, if you look in the legislation, comes up with a particular rule and rubric on the quantitative and qualitative assessment of a particular regulation and then they would apply those particular items to that particular regulation to see if they would be unreasonable. Again, you can pull off your Webster's dictionary and pull up your definition as well to get a common definition of what that exactly means.

Mr. MERSKI. Who generates that rubric?

Ms. KLUNK. The repealer would, again, undertake that particular review and then provide a recommendation to the General Assembly as to that particular question about a regulation.

Mr. MERSKI. So can you give me an example of a rubric for "unreasonable," to help me understand this?

Ms. KLUNK. Again, that would be determined by the Office of the Repealer. Again, they can pull off the Webster's dictionary and come up with, you know, an example of "unreasonable."

Just to give you an example of how this process would work: You yourself, Mr. Speaker, could submit a request for review to the particular repealer and say, XYZ regulation is unreasonable because – could you perform a review? And then the Office of the Repealer would perform a review based on that particular request.

Mr. MERSKI. And the same would go then for – in the legislation it says something that is determined to be detrimental to the economic well-being. Who determines whether it is detrimental or not? Detrimental to whom? So, for example, it might be detrimental for me if I run a child-care facility with infants to have staffing ratios of one adult for every four children. However, anyone who has worked in child care knows when you have babies you need hands on those babies. So who determines – even though it is detrimental to the economic well-being of that organization, would that then qualify as something to be repealed?

Ms. KLUNK. So the Office of the Repealer, if you look in the legislation, the Office of the Repealer has the ability to hire individuals who have experience: you know, accountants, anyone with a financial background, much like our Appropriations staff who determine, say, fiscal notes, to determine that economic impact, and that could be, you know, assessed in a variety of different areas of economic impact to a particular industry, and then taking into account, you know, also balancing that with

ensuring, you know, the well-being of the child. And then ultimately, again, the report comes to us in the General Assembly and the information could say, "Here's the information, here's the economic impact. You make the decision, General Assembly, about whether or not that particular regulation needs adjustment."

So again, it would be up to us, ultimately, in the General Assembly to make that ultimate decision as to whether or not it truly does have a detrimental economic impact. The Office of the Repealer, again, purely makes a recommendation.

Mr. MERSKI. So if I am hearing you correctly, the way this would work is the repealer would hire experts in each field: Department of Environmental Protection, education, health and welfare, those types of things. So we would hire people – the repealer would hire people, experts in those fields, to help him or her make these determinations?

Ms. KLUNK. Yes. If you actually look at page 5 of the bill, lines 20 through 22, it says, "Procure the temporary intermittent service of attorneys, experts, consultants or organizations by contract." So yes, they could undertake that.

Mr. MERSKI. Okay. So then it is possible then that the budget could be used up rather quickly if citizens feel or this body reports many legislative things that they think should be up for repeal or regulatory review?

Ms. KLUNK. Sorry, Mr. Speaker—

Mr. MERSKI. So, for example—

Ms. KLUNK. —sorry, I could not hear because of the background noise; sorry.

Mr. MERSKI. —if everyone in this body, all 200-plus of us, all came in with a regulation that we wanted repealed, the repealer would then have to address all of those in a timely fashion – according to the legislation – and that would break the budget, correct?

Ms. KLUNK. Mr. Speaker, this has occurred in other States and they have not broken the budget. A number of their requests – if you look at Kansas – a number of their requests that they have received have been, you know, duplicative in nature, again, because certain areas of the State or certain industries seem to have maybe one particular regulation that seems to be the most burdensome. So I could see the Office of the Repealer taking those duplicative, if you will, requests, focusing on those first, and then using resources appropriately to make sure that those that were the most common were reviewed first. And again, the office will be able to hire those particular experts when necessary.

The particular Office of the Repealer, again, is created through a committee that is bipartisan in nature, in that the Governor, the House member – Speaker, minority leader, majority leader, same in the Senate, get to pick members, the three members that oversee the selection of that particular director of the Office of the Repealer, and I am sure, knowing both the House and the Senate and our leadership, that that process would ensure that whoever is running that office is fiscally responsible, because I know members here in the General Assembly are and we would want that to continue with that particular office.

Mr. MERSKI. And just a few more questions. Most of our regulations were put in not – they were not just made out of the air, they were created because there was a condition that required remediation, and so will those reasons why the regulation was put into effect be taken into account by this repealer in their determination?

Ms. KLUNK. Again, the repealer can look at a variety of different inputs—

Mr. MERSKI. But they do not have to, correct?

Ms. KLUNK. Again, they can take a variety of different inputs to come up with a recommendation. They can consult different experts, they can take public input, and take public input from members, Mr. Speaker, here of this body, and any information that is submitted can, you know, certainly be considered.

Mr. MERSKI. So it is possible that with citizen input you can have someone who is an anarchist who does not believe in regulations and government at all who could jam the system, potentially, correct?

Ms. KLUNK. Mr. Speaker, again, if you read the particular bill, the top priority for those requests and the focus, the primary focus of the Office of the Repealer is to take requests from this body, the House and the Senate, the General Assembly, so we get top priority in review of those particular regulations that we would like review and then all of those other particular requests will come later. And again, the office will use those particular resources to determine, you know, what rises to the top, as to what particular areas they are getting the most, you know, questions about or requests for review—

Mr. MERSKI. So it is subjective on their part then.

Ms. KLUNK. Sorry, Mr. Speaker, I could not hear that question.

Mr. MERSKI. So it would be subjective on their part as to — they would determine what rises to the top and what does not?

Ms. KLUNK. Again, Mr. Speaker, focusing on the language of the bill, the primary request and the primary focus of the Office of the Repealer are requests from the legislative body. So those would be the primary focus of the Office of the Repealer.

Mr. MERSKI. Thank you.

THE SPEAKER PRO TEMPORE (TINA PICKETT) PRESIDING

The SPEAKER pro tempore. Representative Comitta, you are acknowledged.

Mrs. COMMITTA. Thank you, Ms. Speaker pro tempore.

I appreciate having an opportunity to speak for a second time on HB 1055, this time on a more serious note. I echo my previous opposition to HB 1055 that would amend the Regulatory Review Act to establish the Independent Office of the Repealer to review existing statutes and regulations to recommend revisions or repeal.

I want to share a couple of features of this bill. We have been talking about this for a long time here and let us not forget what is in this bill.

This bill would essentially create an untouchable bureaucracy with poorly defined powers, unlimited ability to hire outside staff or counsel, with no obligation to consider public input or to coordinate with Commonwealth agencies.

Further, Ms. Speaker pro tempore, this bill could easily result in constitutional violations, particularly Article I, section 27, known as the Environmental Rights Amendment, and could jeopardize primacy and delegation of Federal programs, which could result in the Federal government withholding Federal highway dollars that Pennsylvania receives annually, approximately \$1.7 billion.

Not only are DEP regulations subject today to the Independent Regulatory Review Commission, but they are additionally subject to review by the Environmental Quality Board, which has been in place since 1970. There are already well-established

processes that provide for the revision or repeal of regulations while still ensuring transparency and many opportunities for input from the General Assembly and the public at large.

You might say — I might say this is a bill in — a solution in search of a problem. The bill would create regulatory uncertainty and have potentially drastic consequences for the environment and the economy.

To my colleagues, I believe that each of us as public servants sincerely wants to protect the people who elected us to the Pennsylvania House of Representatives. I leave you with a question: When a bill is opposed by the Governor, by the Pennsylvania Department of Environmental Protection, the long list of environmental organizations, and the League of Women Voters, does this raise a red flag for you? It raises a huge red flag for me, and I urge you to vote "no" on HB 1055.

Thank you, Ms. Speaker pro tempore.

THE SPEAKER (MIKE TURZAI) PRESIDING

The SPEAKER. Okay. Representative Bradford and then Representative Sturla wants to speak a second time and then the majority leader. That is who I have on the list.

So the Democratic Appropriations chair, Representative Matt Bradford.

Mr. BRADFORD. Thank you, Mr. Speaker.

I obviously rise in opposition to HB 1055, but I would first ask if the gentlelady would please stand for interrogation.

The SPEAKER. Stand for interrogation?

Mr. BRADFORD. Yes, please.

The SPEAKER. Representative Klunk will so stand.

Ms. KLUNK. Mr. Speaker, I would be happy to stand for interrogation.

Mr. Speaker, the gentleman — just an FYI, this—

The SPEAKER. Okay. Members, please, if you could, take your seats.

Representative Bradford, I am sorry. You may proceed and, Representative, can you repeat the question, sir.

Mr. BRADFORD. I just asked if the gentlelady would stand for interrogation. I believe she—

The SPEAKER. The answer was yes.

Ms. KLUNK. So yes; thank you, Mr. Speaker.

I would be glad to stand for interrogation. Just wanted to let Mr. Speaker know, though, that this bill is the same exact bill that was voted out of the House last session and went through the committee that he chaired last year. So he should be familiar with this particular issue and many of his questions were answered last session.

Mr. BRADFORD. The gentlelady would also recall I voted "no," resoundingly "no." I believe it was a party-line vote. But it is good that you bring this up, because I was intrigued by the fiscal note then, as I am now, and I would like you, if you could, to explain to me the \$105,000 cost for furniture, equipment, and the development of a Web site. I know we are talking fiscally conservative budget matters, and I would like to hear the gentlelady explain why we are spending \$105,000.

Ms. KLUNK. Mr. Speaker, again, technology is expensive, with coming up with a Web site, but I would certainly love to meet the Office of the Repealer director, whom our Governor, our House leadership, and Senate leadership would ultimately hire, and I would be happy to go find some cheap furniture for

them at a local thrift store, if the gentleman has some concerns about the furniture, like I did with my office.

Mr. BRADFORD. For \$105,000, I fear we may be at Pottery Barn or Ethan Allen.

Now, real quick, \$105,000 for furniture and equipment, you say it is expensive. Now, my understanding is we are talking about stacks of paper and mindless bureaucrats that have acquired these stacks of paper. Why would it cost \$105,000 to read through paper?

Ms. KLUNK. Mr. Speaker, what was that question again? Why would—

Mr. BRADFORD. My understanding, from the representations that have been made by the gentelady, is that we are just reading through years of stacks of paper of regulations, mostly outdated or redundant; none that protect the water, the air, the quality of everything from food safety to our streams and the access to everything that we want to protect in the Commonwealth. None of those things are at issue. The only thing is reading through these stacks of paper. It is just going to be a person reading through and just repealing; you are the Office of the Repealer. So you take the paper and you go, "Uh, redundant," put it aside, "it should be repealed." Why do we need \$105,000 of furniture, equipment, and a Web site?

Ms. KLUNK. Mr. Speaker, I hope the Office of the Repealer, again, to ensure the health and safety and well-being of Pennsylvanians, would not just flip over a piece of paper very quickly upon reviewing of these regulations. Again, just like our staff here, it costs money to have a Web site, it costs money to have staff, it costs money to provide health benefits, pension costs, and I am sure the pension costs are a large chunk of that fiscal note.

Mr. BRADFORD. Well, let us talk about that staff cost, because I think that is important as well.

The SPEAKER. Representative Bradford, if you could just hold on and suspend for a moment.

I think with respect to the fiscal note – and I do not mean to interfere with the prime sponsor – probably either the Appropriations chair or the vice chair would be better suited to answer questions on the fiscal note, and that is your colleague—

Mr. BRADFORD. Well, I appreciate the lady being willing to stand for interrogation, but if you want to bring in the reliever, feel free.

The SPEAKER. Representative Dunbar is the vice chair. I do not see – I know the majority chair is nearby. If you do have any other questions on the details of the bill, we understand, but on the fiscal note—

Mr. BRADFORD. No; I do, Mr. Speaker. If I could, I would like to continue my interrogation.

The SPEAKER. Representative Dunbar, on the fiscal note.

Mr. BRADFORD. So yes, my next question, Mr. Speaker, obviously, goes to the staffing of this office. My understanding is that there are three employees: there is going to be a repealer, an assistant repealer, and a secretary. My understanding is that the salary for those three folks is in the neighborhood of about \$770,000. Is that accurate?

Mr. DUNBAR. As per the fiscal note, it is accurate, but that does not necessarily mean it all has to be spent, Mr. Speaker. That is just a ballpark, I guess, estimate, and I believe everybody in the committee voted "yes" on the bill. So yes.

Mr. BRADFORD. No, actually, Mr. Speaker, and I appreciate the gentleman in the peanut gallery, he actually says, "the repealer determines. It may be higher." It may be higher. So \$770,000 for what is largely, what I believe to be a political stunt; \$770,000—

POINTS OF ORDER

Mr. CUTLER. Mr. Speaker, point of order.

The SPEAKER. Yes.

Mr. BRADFORD. —for three employees and larger than the salary of the Governor of Pennsylvania.

Mr. CUTLER. Mr. Speaker, I believe verbiage such as "a political stunt" is inappropriate and goes to motives.

Mr. DERMODY. Mr. Speaker?

Mr. CUTLER. I think he should stay on point on the bill and the underlying piece.

The SPEAKER. I am going to allow the minority leader, who has a point of order, and then I am going to return to the majority leader.

You may proceed.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman is talking about the cost to run the proposed Office of Repealer. It is absolutely relevant. There is nothing to do with motive. He is talking about the cost of over \$700,000 that is going to be appropriated for something that is absolutely unnecessary.

The SPEAKER. Okay.

And to the majority leader, do you have an additional point, sir, or no?

Mr. CUTLER. No. I already made my point of order, but I do have some additional information, at the appropriate time.

The SPEAKER. I would just intimate, if you have a question with respect to the fiscal note, just in terms of what the amount would go for and how it was assessed, I would presume, as the Democratic Appropriations chair, you would already know that, but—

Mr. BRADFORD. Mr. Speaker, with all due respect, I feel you are actually questioning my motives. I have every right to ask the gentleman. The chairman is here. If they do not want to defend their three-quarter-of-a-million-dollar boondoggle, that is their right, Mr. Speaker.

The SPEAKER. Sir, we are not arguing here. Let us just – if you want to speak on the bill or on the fiscal note, you certainly are welcome to do so and – just give me a second – my understanding is that the vice chair of the Appropriations Committee is glad to work with his colleague, and if you want to – just not argumentatively – if you want to just ask a question about the fiscal note and the bill, please feel free to do so.

Mr. BRADFORD. Thank you, Mr. Speaker. I am glad to resume.

So why is it three-quarters of a million dollars for two employees and what is basically an assistant, a secretarial position? Why does that cost three-quarters of a million dollars? These salaries are higher than what the Governor of the Commonwealth makes, and I would note that he actually donates his salary back.

Mr. DUNBAR. Thank you, Mr. Speaker.

These estimates were based upon comparable positions that the administration is presently paying.

Mr. BRADFORD. What would be comparable to the repealer that currently exists in State law?

Mr. DUNBAR. Office of a director of \$145,000, a deputy director at \$125,000, and an administrative support person at \$48,000.

Mr. BRADFORD. I would suggest this: this bill has—

The SPEAKER. Sir, do you wish to speak now on the bill? Sir, do you wish to speak on the bill?

Yes. So interrogation has been completed and you may speak on the bill.

Mr. BRADFORD. Mr. Speaker, no, interrogation is not.

My understanding is, those positions are paid about \$150,000 apiece you are saying, less than \$150,000 apiece?

Mr. DUNBAR. Mr. Speaker, this is based upon comparable positions: director, \$145,000—

Mr. BRADFORD. Director of what? I am sorry.

Mr. DUNBAR. I am sorry?

Mr. BRADFORD. Director of what?

Mr. DUNBAR. A comparable position of a director of—

Mr. BRADFORD. A similar position in State government?

Mr. DUNBAR. A similar position in State government.

Mr. BRADFORD. Thank you, sir.

Mr. DUNBAR. A deputy director, \$125,000; administrative support person at \$48,000; and then you have to add the benefits on top of that, which the director's total cost would be \$253,000, the deputy director's total cost is \$218,000, and the administrative support person is \$84,000. That is what the administration is presently paying.

Mr. BRADFORD. Mr. Speaker, on the bill now, if I could? I do not want to interrupt. Your call.

The SPEAKER. Representative, you may proceed.

Mr. BRADFORD. Thank you, Mr. Speaker. On the bill.

I rise in opposition to HB 1055 now more so than ever, because the simple reality is I think what this interrogation has demonstrated is that this is a very high-priced, not particularly well-thought-out idea that its time has not come. An attack on safe water and clean air, that is bad enough, but this bill, as currently constituted, does not protect the taxpayer of Pennsylvania. In fact, it has us spending \$105,000 in fancy furniture that we cannot afford; it has us paying three largely bureaucrats to read paper; paying \$100,000 for a Web site that I have yet to be explained what possible purpose it has. This is about a million dollars a year — and as the fiscal note that the majority provides tells us, it may be far higher — this is a boondoggle. It is poorly thought out and its time is simply not right.

I think, Mr. Speaker, it would be wise for all of us to take a minute, pull this bill down, and do the business of Pennsylvania, not the business of business. Thank you.

The SPEAKER. Representative Mike Sturla, for the second time.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, earlier I had expressed my concern with this legislation, and then the more I heard through debate, the more concern I have. What we heard was that the Office of the Repealer will listen to requests made by citizens and legislators, and while it was never stated explicitly, lobbyists also, because anyone would have access to make a request or a concern or raise a concern with the Office of the Repealer. And what we were told was that what rises to the top, based on the number of requests or concerns, would be what the repealer looked at. So I really am concerned that this is just a full-employment bill for lobbyists,

because if I lobby for an organization or an industry and I would like to see a regulation repealed, I am going to make sure that we mount a campaign to have, you know, 100, 200, 5,000 people call the Office of the Repealer and say, "You need to look at repealing this regulation."

And then we heard that the Office of the Repealer has the ability to hire individuals with experience related to that regulation. Now, who has more experience with the regulation that you are trying to repeal than the lobbyist that is trying to get it repealed? After all, are they not the experts? So now we can hire the lobbyists to give us the expertise that they have about repealing the regulation that they want repealed.

Mr. Speaker, this bill makes less sense than it did when it was first introduced, because we now know the full depth and breadth of its frivolity. I would encourage a "no" vote.

The SPEAKER. Okay. Does anybody else wish to speak before I call on the two floor leaders? And please, if anybody wishes to speak, now is the time. Otherwise, I am going to be calling the minority leader and then I am calling the majority leader and then we are going to vote. So if anybody wants to speak, now is the time.

The minority leader, Frank Dermody, followed by the majority leader, Bryan Cutler.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, you just heard the Democratic Appropriations chairman talk about a boondoggle that was proposed here today on 1055 and actually most all of these bills. The Regulatory Review Act created the Independent Regulatory Review Commission, and the Independent Regulatory Review Commission already has the duties that are trying to be prescribed here today in this so-called repealer act. And just let me read what it says, section 8.1 in the Regulatory Review Act describing IRRC's duties, called "Existing regulations": "The commission, on its motion or at the request of any person or member of the General Assembly, may review any existing regulation which has been in effect for at least three years. If a committee of the Senate or the House of Representatives requests a review of an existing regulation, the commission shall perform the review and shall assign it high priority. The commission may submit recommendations to an agency recommending...the existing regulations to be contrary to the public interest under the criteria established in section 5.2. The commission may also make recommendations to the General Assembly and the Governor for statutory changes if the commission finds that any existing regulation may be contrary to the public interest."

There is absolutely no need for what we are doing here today. There is no need to spend another million dollars on furniture and salaries to duplicate the duties that are already in existence in statute by our own Regulatory Review Act and the Independent Regulatory Review Commission. This is a series of bills that are absolutely unnecessary. It is an exercise in trying to remove the ability for our agencies to protect the people of Pennsylvania: to protect their health, to protect their welfare, protect their water, protect their environment. This is a waste of money. It absolutely is a boondoggle.

Thank you, Mr. Speaker.

The SPEAKER. The majority leader, Representative Bryan Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I think there are several things that we all agree on: Regulations related to public health, safety and welfare, protecting workers, patients, and the environment, would not be

caught up in the proposed position that is here before us. And let me offer you some further data regarding the current landscape of regulations: 153,000 different regulations. In fact, it is about 12.8 million words and it would take 713 hours or just under 18 weeks to read the entire Pennsylvania Code, assuming the reader spends 40 hours per week doing nothing but reading at the rate of 300 words per minute.

Mr. Speaker, regulations can be cumbersome; even more worrisome is that they can be conflicting. During debate on this bill last session, it was brought out that there is a conflict between Human Services and the Department of Health. One regulation says you have to have fire extinguishers 2 feet, the other says 3 feet. So what is someone who is regulated by both entities supposed to do? And it is important to recognize that this bill only empowers the individual to make recommendations. It does not have the effect of law. The tales of woe and concern regarding safety I think are misstated. And let us be honest. The calendar for tomorrow was alluded to. Yes, we are repealing nearly a dozen bills that have been on the books for decades. We do not always do the best job that we could in updating our laws. There are plenty of examples where our laws do not keep track with technology.

I know there were concerns raised regarding the fiscal note. I think there are some important facts that were missed in that debate. The cost increase from year 1 to year 2, to the gentleman from the Lehigh County area and the Lehigh Valley, is because the first year is a prorated amount. It is a 9-month duration versus the full year. Furthermore, to the chairman's question from the Democratic side on the Appropriations Committee, I give him some assurance: our fiscal note is actually substantially lower than what the Governor had proposed this same time last year. Last year the Governor proposed six employees. We estimated that it would be three. Furthermore, the gentleman's concern regarding the furniture, equipment, and other assets that are required for the operation of the office, our cost is less than half of what the Governor noted in his fiscal note.

Mr. Speaker, let us be honest. Regulations add costs, sometimes unnecessarily. Sometimes they are necessary for safety. It will be incumbent upon us, as the legislature and the Governor and the agencies under his jurisdiction, to determine which ones are kept and which ones are not.

Mr. Speaker, we can never have a discussion regarding affordable housing, business startups, or expansion here in the Commonwealth if we continue to have regulations that encourage people to go elsewhere. Recently I was approached by a couple in the district at one of our agricultural fairs. They were trying to build a small ranch house and a garage that was a little oversized so he could do metal working. He was a welder. He wanted to have a small shop. At that point in their journey they were \$80,000 into engineering fees, permit fees, and regulatory compliance. We cannot have a realistic discussion about affordable housing and the impact that it has with individuals who are seeking that if the regulations themselves price them out of their homes.

The issue of constitutional duties was raised. Who will implement this? The answer is very simple: it is us, it is the department, and the Governor. Most importantly, this bill, which has been thus far overlooked, has a sunset in it. The assumption is if you start with 153,000 regulations and you find a portion of them which can be repealed, at some point that job is hopefully done. It is an estimation. It could be modified if it happens quicker – I think that would be good for our economy, I think it

would be good for our workers, I think it would be good for those seeking to find housing that they can afford – than the year 2025, as proposed in the bill.

But most importantly, Mr. Speaker, there is somehow an attempt to say that only some people get to have input under this bill, and I believe this is probably the most important point. The truth is we value the input of everyone. There is no restriction on who can discuss the regulations. Any of us, as legislators or citizens, can come forward and say, "We think this is a regulation that should be looked at." Admittedly, some of the legislative issues that I have worked on across the aisle while I have been here, most of those generated with an idea from a constituent who came to me and said, "You know what? We have a problem. This cost me too much money, it doesn't make sense, or it's inconsistent." This process would be no different.

Mr. Speaker, it is limited in time, it is limited in scope, it is limited in duration. It requires the input of everyone and allows for the participation at whatever level we each individually choose. I think it is time that we improve the regulations here in the Commonwealth so that people wish to stay, they wish to grow their businesses and build homes that they can afford. I urge a "yes" vote.

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—100

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

NAYS—97

Bizzarro	Driscoll	Krueger	Ravenstahl
Boyle	Evans	Kulik	Readshaw
Bradford	Farry	Lee	Roebuck
Briggs	Fiedler	Longietti	Rozzi
Bullock	Fitzgerald	Madden	Sainato
Burgos	Flynn	Malagari	Samuelson
Burns	Frankel	Markosek	Sanchez
Caltagirone	Freeman	Matzie	Sappay

Carroll	Gainey	McCarter	Schlossberg
Cephas	Galloway	McClinton	Schroeder
Ciresi	Goodman	McNeill	Schweyer
Comitta	Hanbidge	Mehaffie	Shusterman
Conklin	Harkins	Merski	Sims
Daley	Harris	Miller, D.	Snyder
Davidson	Hohenstein	Mullery	Stephens
Davis, A.	Howard	Mullins	Sturla
Davis, T.	Innamorato	Murt	Thomas
Dawkins	Isaacson	Neilson	Ullman
Deasy	Kenyatta	O'Mara	Vitali
DeLissio	Kim	Otten	Warren
Delloso	Kinsey	Pashinski	Webster
DeLuca	Kirkland	Petrarca	Wheatley
Dermody	Kortz	Quinn	Williams
DiGirolamo	Kosierowski	Rabb	Zabel
Donatucci			

NOT VOTING—0

EXCUSED—5

Cruz	Rader	Solomon	Youngblood
Harrell			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fell.

VOTE CORRECTION

The SPEAKER. Representative Cephas, I believe.

Yes. For what purpose do you stand?

Miss CEPHAS. I want to correct the record for HB 509. My vote was not recorded, and I wanted to be recorded in the negative.

The SPEAKER. Yes.

Miss CEPHAS. Thank you.

The SPEAKER. Thank you.

There are some members – before we call up the other bills, there are some members that wish to speak on resolutions. We do ask everybody, if you could, keep them to 3 minutes. We would appreciate it.

Representative Brooks will be speaking on HR 280. Representative Schroeder will be speaking on HR 284. Representative Krueger will be speaking on HR 253. We have other bills to vote on, but I am just letting everybody get a chance to come back to their seats. I am going to ask if you please give the speakers an opportunity, they will try to keep their remarks under 3 minutes.

STATEMENT BY MR. BROOKS

The SPEAKER. Representative Brooks, Representative Bob Brooks, on HR 280.

Mr. BROOKS. Good afternoon. I bring to you HR 280, which I believe you have already approved and I appreciate it. It is about antibullying awareness. I am asking for the day of May 4 to be designated as "Anti-bullying Awareness Day" – that is this upcoming Saturday – in support of those working hard to raise awareness of bullying and prevent its occurrence.

My daughter, Karyn, wrote her master's of education on antibullying and went on to establish the program at our local high school.

My sons, Rob and Jim, saw this as a serious social problem and created an elementary school assembly program called Bully Busters to help in the Lehigh Valley area.

Now, on May 4, at Lower Burrell's City Hall, in District 54 – my district – Mayor Richard Callender will have a ceremony to make Nico Pampena mayor for a day. Nico is a third grader who has been the target of aggressive bullying in recent years. The bullying has been highly detrimental to him, both emotionally and mentally. The city of Lower Burrell is seeking to promote awareness and encourages—

The SPEAKER. Sir, please just suspend for a minute, if you will, please.

Members, please take your seats. Members, please take your seats. We have three speakers on resolutions, and then we have two other bills to call up. So I am going to ask everybody to please take their seats. Sergeants at Arms, close the doors of the House. All members, come onto the House floor; please take your seats.

Mr. BROOKS. So I know everyone here believes in antibullying, because you unanimously supported it. The city of Lower Burrell is seeking to promote awareness and will do this with taking one of those youth and making him mayor for a day, May 4, Anti-bullying Awareness Day. Thank you.

The SPEAKER. Thank you, sir.

STATEMENT BY MRS. SCHROEDER

The SPEAKER. Representative Schroeder is recognized to speak on HR 284.

You may proceed, Representative.

Mrs. SCHROEDER. Thank you, Mr. Speaker, for recognizing me to speak on HR—

The SPEAKER. Representative, please suspend.

Members, if you could, please, both sides. We have two more members to speak. If you could just take your seats, take your seats, please. Members, on the side, if you could please just take your seats.

Representative Schroeder is going to speak on HR 284. Representative Krueger is going to speak on HR 253.

Representative Schroeder, go ahead.

Mrs. SCHROEDER. Thank you, Mr. Speaker, for recognizing me to speak on HR 284, which designates May 5 to 11 as "Tardive Dyskinesia Awareness Week" in Pennsylvania. Tardive Dyskinesia, also known as TD, is a neurological disorder that results from taking certain kinds of medications that treat mental illness, such as antipsychotics. The condition is characterized by random, involuntary and uncontrollable muscle movements, which may appear in the face, neck, limbs, or torso.

While it is estimated that there are 500,000 cases of TD across the United States, upwards of 50 percent of these cases are undiagnosed. The condition is often misunderstood due to a lack of public awareness, and symptoms are mistaken for other conditions, such as Parkinson's disease or tic disorders. TD may continue indefinitely, even after stopping or changing medication; however, the earlier it is diagnosed, the better the chances that treatment will be effective.

TD Awareness Week aims to educate the public and promote assistance for those who may be affected. Increasing awareness of TD will give those who may be suffering the knowledge necessary to start a conversation with their doctor and work towards diagnosis and treatment.

Thank you, Mr. Speaker, for allowing me to highlight this debilitating neurological disorder.

STATEMENT BY MS. KRUEGER

The SPEAKER. Representative Krueger is recognized to speak on HR 253.

Ms. KRUEGER. Thank you, Mr. Speaker.

I rise today to thank my colleagues for their support of HR 253, designating the week of April 21 through 27 as "Infertility Awareness Week" in Pennsylvania, in conjunction with National Infertility Awareness Week. According to RESOLVE: The National Infertility Association, infertility is something that many families face but few talk about. One in eight couples have trouble getting pregnant or sustaining a pregnancy. Infertility does not discriminate based on race, religion, gender, sexual orientation, age, or socioeconomic status. It is an issue that any family can face.

I introduce this resolution because I have had firsthand experience with infertility myself. After trying to conceive for over a year, I sought help from an infertility specialist. After running various tests, prescribing medications, and treating me for multiple cycles, I was given the diagnosis of unexplained infertility. This diagnosis can be heartbreaking. It means that a doctor has confirmed that someone has a hard time getting pregnant, but that they cannot figure out why and they are not sure how to fix it. In the end, I was one of the lucky ones. I had health insurance that covered some forms of treatment, a great doctor, and eventually I became pregnant with my son, who is now a healthy 7-year-old. But some families never get that result and are never able to become pregnant, and others go through expensive and invasive treatments for years before becoming pregnant.

Women and families who have chosen to get pregnant and who are now facing infertility can feel shame, stress, anxiety, depression, and the out-of-pocket cost of treatment, even for those with health insurance, can have a significant impact on a family's financial standing. I have introduced this resolution today to let women and families who are struggling with infertility know that you are not alone. We feel your pain and we stand with you in your struggle.

Thank you again for your support of HR 253.

COMMITTEE MEETING CANCELED

The SPEAKER. Representative Millard, I believe, has a committee announcement; Chairman Millard of the Tourism Committee.

Mr. MILLARD. Thank you, Mr. Speaker.

The House Tourism and Recreational Development Committee voting meeting scheduled for tomorrow morning has been canceled. Again, the House Tourism and Recreational Development Committee meeting is canceled for tomorrow. Thank you.

The SPEAKER. Thank you.

VOTE CORRECTION

The SPEAKER. Representative Pashinski, I think, wanted to be recognized.

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

To correct the record, please, on HB 634.

The SPEAKER. Yes.

Mr. PASHINSKI. Put me in the affirmative, sir.

The SPEAKER. Thank you, sir.

Mr. PASHINSKI. Thank you.

LOCAL GOVERNMENT COMMITTEE MEETING

The SPEAKER. Representative Dan Moul, for a committee announcement.

Mr. MOUL. Thank you, Mr. Speaker.

There will be a voting meeting for the House Local Government Committee at the call of the Chair tomorrow. It will be either the call of the Chair at the break, or if we do not break, it will be immediately following session tomorrow. We will be considering HBs 917, 1032, 1033, 1034, 1035, 1036, 1203, 1243, 1246, and any other business that might come before the committee and it will be in G-50 Irvis Office Building. Stay tuned tomorrow so we know exactly where we are going and when we are going.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Mr. Chair.

The House Local Government Committee will have a voting meeting at the call of the Chair tomorrow.

GAME AND FISHERIES COMMITTEE MEETING

The SPEAKER. The chair of the Game and Fish Committee, Representative Keith Gillespie, for a committee announcement.

Mr. GILLESPIE. Thank you, Mr. Speaker.

At the end of session today there will be an immediate meeting of the House Game and Fisheries Committee in G-50 Irvis.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

At the end of session today there will be an immediate meeting of the House Game and Fisheries Committee in G-50 Irvis.

CORRECTION OF THE RECORD

The SPEAKER. Representative Matt Dowling is recognized.

Mr. DOWLING. Thank you, Mr. Speaker.

I rise to correct the record.

This morning I had the honor of introducing a group of students from the Uniontown Area School District, and due to a clerical error, I stated that they were high school students when, in fact, they were middle school students from Ben Franklin Middle School in the Uniontown Area School District.

Thank you for allowing me to correct the record.

The SPEAKER. Thank you, sir.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 430, PN 417**, entitled:

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for procedures for subsequent review of disapproved final-form or final-omitted regulations.

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

(Bill analysis was read.)

LEAVES OF ABSENCE

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

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

CONSIDERATION OF HB 430 CONTINUED

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?

I see that Representative Vitali has risen.
Representative Vitali, on the bill.

Mr. **VITALI**. Thank you, Mr. Speaker.

I rise in opposition to **HB 430** for a number of reasons. This creates a process for a standing committee to initiate the process of repealing existing regulations. This is problematic in many regards. I think the legislation is flawed, because it creates no criteria for which to repeal a regulation. It contains inadequate public participation in this process. It is opposed by the Department of Environmental Protection and the administration. They call this legislation arbitrary and vague. They also state that this bill creates regulatory uncertainty, subjecting regulations to sudden repeal without going through the existing process. This is also opposed by **PEC** and the Environmental Defense Fund. They call this legislation wholly unnecessary.

You know, one of the problems with being able to repeal regulations like this is, as we continue to rely on fees for the various programs we run – for example, we are funding our oil and gas program with fees, our air program with fees, the clean water program – it would be very easy to cripple – cripple – important environmental programs by repealing the underpinning fee source to fund them. This bill is a bad idea, and I would urge its opposition.

The **SPEAKER**. Does anybody else wish to speak before I call on the prime sponsor of the bill?

Representative Kerry **BENNINGHOFF**, on the bill.

Mr. **BENNINGHOFF**. Thank you, Mr. Speaker.

And I know the time is getting late, but I just want to say a couple quick comments, if you will endure me. This bill is very similar – actually, it is the same bill as **HB 1792**, which we passed out of this chamber last year in a bipartisan manner. This bill was made better by our friend, Representative **Comitta**, of the

Democratic Party, who asked to put an amendment in, which I have inserted verbatim into this current proposal, that would provide that the committee conducts a public hearing prior to any reporting of any concurrent resolution out. All we are asking in this proposal is no different than what you currently are able to do before a regulation is confirmed as a committee. This just allows that committee to do the same thing for regulations that may have already passed, keeping in mind, again, that it would have to go before a public hearing and you, the legislature, who was duly elected by your people back home – not regulators that are hired – would have the say, and it has to pass our chamber and it has to pass the Senate chamber and get the blessing of the Governor.

I would like to end our day in a bipartisan spirit and ask for your support of this bill, **HB 430**, and I thank Representative **Comitta** for her suggestion and that is why we incorporated again this time. In a bipartisan manner, I would love to have your support. 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.

The following roll call was recorded:

YEAS—105

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

NAYS—90

Bizzarro	Donatucci	Krueger	Rabb
Boyle	Driscoll	Kulik	Ravenstahl
Bradford	Evans	Lee	Readshaw
Briggs	Fiedler	Longietti	Roebuck
Bullock	Fitzgerald	Madden	Rozzi
Burgos	Flynn	Malagari	Sainato
Burns	Frankel	Markosek	Samuelson
Caltagirone	Freeman	Matzie	Sanchez
Carroll	Galloway	McCarter	Sapprey
Cephas	Goodman	McClinton	Schlossberg
Ciresi	Hanbidge	McNeill	Schweyer
Comitta	Harkins	Merski	Shusterman

Conklin	Harris	Miller, D.	Sims
Daley	Hohenstein	Mullery	Snyder
Davis, A.	Howard	Mullins	Sturla
Davis, T.	Innamorato	Murt	Ullman
Dawkins	Isaacson	Neilson	Vitali
Deasy	Kenyatta	O'Mara	Warren
DeLissio	Kim	Otten	Webster
Delloso	Kinsey	Pashinski	Wheatley
DeLuca	Kirkland	Petrarca	Williams
Dermody	Kortz	Quinn	Zabel
DiGirolamo	Kosierowski		

NOT VOTING—0

EXCUSED—7

Cruz	Gainey	Rader	Youngblood
Davidson	Harrell	Solomon	

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 806, PN 899**, entitled:

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for definitions, for proposed regulations and procedures for review and for final-form regulations and final-omitted regulations and procedures for review; providing for regulations deemed withdrawn; further providing for procedures for subsequent review of disapproved final-form or final-omitted regulations by the commission; and providing for concurrent resolution required for economically significant regulations.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Vitali, you are recognized on the bill.
Mr. VITALI. Thank you, Mr. Speaker.

I rise in opposition to HB 806, which this applies to proposed regulations, as distinguished from existing regulations, and it essentially gives veto power to either chamber of this General Assembly over these proposed regulations.

The language of opposition from the administration is pretty strong on this, and I will just read it, quote, "This bill is blatantly unconstitutional, in violation of Article III, Section 9,...which requires bicameral action and gubernatorial presentment of concurrent resolutions."

This is what the Pennsylvania Environmental Council and the Environmental Defense Fund said about this bill: "This is an indefensible change to existing law...."

This is also opposed by numerous environmental groups, and I quote their letter: "...the bill would skew the balance of powers among our branches of government and is likely unconstitutional."

This essentially cuts the Governor out of the regulatory process. It is a really bad idea, and I urge its opposition.

The SPEAKER. Before I call on the prime – I do not see anybody else – Representative Keefer, on the bill.

Mrs. KEEFER. Mr. Speaker, my bill addresses regulations that would have an impact of \$1 million or greater, and when we talk about a balance of power, this restores a balance of power. We need to get the power back to those individuals who are elected to serve their people, to vote on that legislation. If something is going to have a million-dollar impact on residents, someone should take a vote on it. Voters lose their voice every time that we punt to the executive what we should have accomplished in the legislative branch. We strip the voters of their voice. This restores that balance. It puts the vote back into the legislators' hands and gives the voters their voice back. It is reasonable legislation. Again, \$1 million or greater, we should be taking a vote on something that has that type of an impact. Thank you.

The SPEAKER. Representative Krueger, I believe, on the bill.

Ms. KRUEGER. Mr. Speaker, I want to draw our attention to a court case from 1987, *Commonwealth v. Sessoms*, which found that legislative action that has the effect of repealing regulations must pass through both chambers of the legislature and go to the Governor.

Mr. Speaker, we believe that this bill is blatantly unconstitutional in violation of Article III, section 9, of the Pennsylvania Constitution, a one-sentence section that says concurrent resolutions like those in this bill must be presented to the Governor. This bill says that concurrent resolutions with potentially dire consequences for the environment and State economy do not need the Governor's signature. It is also a violation of the constitutional doctrine of separation of powers.

In addition, Mr. Speaker, we believe that this bill could prevent the adoption of regulations necessary to maintain delegation of Federal programs, likely resulting in the Federal government revoking delegation, which would involve the DEP losing Federal money used to implement the programs and our State could also lose Federal highway money.

CONSTITUTIONAL POINT OF ORDER

Ms. KRUEGER. Mr. Speaker, I would like to make a motion.

The SPEAKER. Yes. Please state your motion. Yes, you may.

Ms. KRUEGER. I would like to make a motion on constitutionality. We believe this bill is unconstitutional according to Article III, section 9.

The SPEAKER. Thank you.

Okay. So the gentlelady raises the point of order that HB 806 is unconstitutional.

The Speaker, under rule 4, is required to submit this question affecting constitutionality of the bill to the House for decision, which the Chair is now doing.

On the question,
Will the House sustain the constitutionality of the bill?

The SPEAKER. On the issue of constitutionality, other than the leaders, anybody may speak, but you are restricted to speaking one time. Obviously, the maker of the motion will be able to speak again in response to anybody else's perspectives. The leaders, of course, can go more than once.

On the issue of constitutionality, the majority leader, on the issue of constitutionality.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I believe if I heard the gentlelady correctly, it was the *Commonwealth v. Sessoms* case from 1987, and I would like to, actually, highlight a newer case that occurred in 2018, which I think is on point with this specific delegation of power.

In 2018, in the decision *Marcellus Shale Coalition v. DEP*, the Pennsylvania Commonwealth Court, quoting prior Supreme Court precedent, explained, quote, "an agency clearly has the authority to adopt rules with respect to the administration of a statute where the statute specifically empowers the agency to do so," end quote.

Additionally, quoting prior precedent, the Commonwealth Court noted that a "properly promulgated regulation 'is valid and binding upon courts as a statute so long as it is (a) adopted within the agency's granted power, (b) issued pursuant to proper procedure, and (c) reasonable.' "

The Commonwealth Court further noted that "administrative agencies are not empowered to make rules and regulations which are violative of or exceed the powers given them by the statutes and the law, but must keep within the bounds of their statutory authority in the promulgation of general rules and orders."

They further explain that "any power exercised by an agency must be conferred by the legislature in express terms."

The court has been abundantly clear that regulations have to be, in the first place, authorized by law, and in the second place, adopted pursuant to the procedures outlined in law. In other words, the law, as adopted by the General Assembly, is what controls.

That is exactly what HB 806 does. It amends the law concerning the authority of administrative agencies to adopt regulations as well as the procedure by which those regulations are adopted.

Additionally, and it is important to note that the Commonwealth agencies have no inherent power to make law or otherwise bind the public or regulated entities. Rather, an administrative agency may do so only in the fashion as authorized by the General Assembly, which is, as a general rule, by way of recourse to procedures prescribed in the Commonwealth Documents Law, our own Regulatory Review Act, and the Commonwealth Attorneys Act.

So therefore, Mr. Speaker, we do believe that this is an appropriate, constitutional, and measured approach to delegate this authority with specifics that allow for it to be constitutional. I urge that those voting on the motion understand the motion, and I would ask the Speaker to explain this, regarding what a "yes" and a "no" vote both mean, as well as support the bill as constitutional so we can get to the underlying vote.

Thank you, Mr. Speaker.

The SPEAKER. Yes. Let me just make that clear, and then I will call on anybody else who wishes to speak on constitutionality.

But those who will be voting, if you think the bill as it is is constitutional, you vote "aye"; if you think it is unconstitutional, you vote "nay."

Representative Krueger, on constitutionality.

Ms. KRUEGER. Yes, Mr. Speaker, I know that not all of us here are constitutional scholars, so I would like to read from our State Constitution, section 309, "Action on concurrent orders and resolutions." Our State Constitution says, "Every order, resolution or vote, to which the concurrence of both Houses may be necessary, except on the question of adjournment, shall be presented to the Governor and before it shall take effect be approved by him, or being disapproved, shall be repassed by two-thirds of both Houses according to the rules and limitations prescribed in case of a bill."

Mr. Speaker, I believe our Constitution is clear on this question. I ask my colleagues to support the motion that this bill is unconstitutional.

The SPEAKER. Those that believe the bill is constitutional will be voting "aye"; those that believe that the bill is unconstitutional will be voting "nay."

On the question recurring,
Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—108

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

NAYS—87

Bizzarro	Donatucci	Kosierowski	Ravenstahl
Boyle	Driscoll	Krueger	Readshaw
Bradford	Evans	Kulik	Roebuck
Briggs	Fiedler	Lee	Rozzi
Bullock	Fitzgerald	Longietti	Sainato
Burgos	Flynn	Madden	Samuelson
Burns	Frankel	Malagari	Sanchez
Caltagirone	Freeman	Markosek	Sappery
Carroll	Galloway	Matzie	Schlossberg
Cephas	Goodman	McCarter	Schweyer
Ciresi	Hanbidge	McClinton	Shusterman
Comitta	Harkins	McNeill	Sims
Conklin	Harris	Merski	Snyder
Daley	Hohenstein	Miller, D.	Sturla
Davis, A.	Howard	Mullery	Ullman
Davis, T.	Innamorato	Mullins	Vitali

Dawkins	Isaacson	Neilson	Warren
Deasy	Kenyatta	O'Mara	Webster
DeLissio	Kim	Otten	Wheatley
Delloso	Kinsey	Pashinski	Williams
DeLuca	Kirkland	Petrarca	Zabel
Dermody	Kortz	Rabb	

NOT VOTING—0

EXCUSED—7

Cruz	Gainey	Rader	Youngblood
Davidson	Harrell	Solomon	

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the bill was sustained.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. I do not see any other speakers on the bill. Representative Keefer, as prime sponsor, do you want any—
It would be for the second time if you would like to—

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—102

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

NAYS—91

Bizzarro	Donatucci	Kosierowski	Ravenstahl
Boyle	Driscoll	Krueger	Readshaw
Bradford	Evans	Kulik	Roebuck
Briggs	Farry	Lee	Rozzi
Bullock	Fiedler	Longietti	Sainato
Burgos	Fitzgerald	Madden	Samuelson
Burns	Flynn	Malagari	Sanchez

Caltagirone	Frankel	Markosek	Sappey
Carroll	Freeman	Matzie	Schlossberg
Cephas	Galloway	McCarter	Schroeder
Ciresi	Goodman	McClinton	Schweyer
Comitta	Hanbidge	McNeill	Shusterman
Conklin	Harkins	Merski	Sims
Daley	Harris	Miller, D.	Snyder
Davis, A.	Hohenstein	Mullery	Sturla
Davis, T.	Howard	Mullins	Ullman
Dawkins	Innamorato	Murt	Vitali
Deasy	Isaacson	Neilson	Warren
DeLissio	Kenyatta	O'Mara	Webster
Delloso	Kim	Otten	Wheatley
DeLuca	Kinsey	Pashinski	Williams
Dermody	Kirkland	Quinn	Zabel
DiGirolamo	Kortz	Rabb	

NOT VOTING—2

Nelson	Petrarca
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EXCUSED—7

Cruz	Gainey	Rader	Youngblood
Davidson	Harrell	Solomon	

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.

VOTE CORRECTION

The SPEAKER. Representative Nelson is recognized.
Mr. NELSON. Thank you, Mr. Speaker.

On the last vote I would like to be recorded in the affirmative. I was striking my button several times, but it did not register.

The SPEAKER. Thank you, sir.
Mr. NELSON. Thank you.

HB 806 RECONSIDERED

The SPEAKER. Members, I have a motion to reconsider. Representative Stephens and Representative Cutler move that the vote by which HB 806 was passed on April 30 be reconsidered. So we will take a vote on that reconsideration. So 806 is the bill we just did.

It is an up-or-down vote on the motion to reconsider to get another vote on HB 806. Those in favor of taking another vote or reconsidering the bill will vote "aye"; those opposed will vote "nay." It is Representative Cutler and Representative Stephens that are asking for the motion to reconsider.

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

The following roll call was recorded:

YEAS—109

Barrar	Gillespie	Marshall	Roae
Benninghoff	Gleim	Masser	Rothman
Bernstine	Gregory	Mehaffie	Ryan
Boback	Greiner	Mentzer	Sankey
Borowicz	Grove	Metcalfe	Saylor

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

NAYS—86

Bizzarro	Donatucci	Kosierowski	Ravenstahl
Boyle	Driscoll	Krueger	Readshaw
Bradford	Evans	Kulik	Roebuck
Briggs	Fiedler	Lee	Rozzi
Bullock	Fitzgerald	Longietti	Sainato
Burgos	Flynn	Madden	Samuelson
Burns	Frankel	Malagari	Sanchez
Caltagirone	Freeman	Markosek	Sappey
Carroll	Galloway	Matzie	Schlossberg
Cephas	Goodman	McCarter	Schweyer
Ciresi	Hanbidge	McClinton	Shusterman
Comitta	Harkins	McNeill	Sims
Conklin	Harris	Merski	Snyder
Daley	Hohenstein	Miller, D.	Sturla
Davis, A.	Howard	Mullery	Ullman
Davis, T.	Innamorato	Mullins	Vitali
Dawkins	Isaacson	Neilson	Warren
Deasy	Kenyatta	O'Mara	Webster
DeLissio	Kim	Otten	Wheatley
Delloso	Kinsey	Pashinski	Williams
DeLuca	Kirkland	Rabb	Zabel
Dermody	Kortz		

NOT VOTING—0

EXCUSED—7

Cruz	Gainey	Rader	Youngblood
Davidson	Harrell	Solomon	

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

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—103

Barrar	Gleim	Maloney	Roae
Benninghoff	Gregory	Marshall	Rothman
Bernstine	Greiner	Masser	Ryan
Boback	Grove	Mehaffie	Sankey

Borowicz	Hahn	Mentzer	Saylor
Brooks	Heffley	Metcalfe	Schemel
Brown	Helm	Metzgar	Schmitt
Causer	Hennessey	Mihalek	Simmons
Cook	Hershey	Millard	Sonney
Cox	Hickernell	Miller, B.	Staats
Culver	Irvin	Mizgorski	Stephens
Cutler	James	Moul	Struzzi
Day	Jones	Nelson	Thomas
Delozier	Jozwiak	Nesbit	Tobash
Diamond	Kail	O'Neal	Toepel
Dowling	Kaufner	Oberlander	Toohil
Dunbar	Kauffman	Ortitay	Topper
Dush	Keefer	Owlett	Walsh
Ecker	Keller, F.	Peifer	Warner
Emrick	Keller, M.K.	Pickett	Wentling
Everett	Klunk	Polinchock	Wheeland
Fee	Knowles	Puskaric	White
Fritz	Lawrence	Pyle	Zimmerman
Gabler	Lewis	Rapp	
Gaydos	Mackenzie	Reese	Turzai,
Gillen	Mako	Rigby	Speaker
Gillespie			

NAYS—91

Bizzarro	Driscoll	Krueger	Ravenstahl
Boyle	Evans	Kulik	Readshaw
Bradford	Farry	Lee	Roebuck
Briggs	Fiedler	Longietti	Rozzi
Bullock	Fitzgerald	Madden	Sainato
Burgos	Flynn	Malagari	Samuelson
Burns	Frankel	Markosek	Sanchez
Caltagirone	Freeman	Matzie	Sappey
Carroll	Galloway	McCarter	Schlossberg
Cephas	Goodman	McClinton	Schroeder
Ciresi	Hanbidge	McNeill	Schweyer
Comitta	Harkins	Merski	Shusterman
Conklin	Harris	Miller, D.	Sims
Daley	Hohenstein	Mullery	Snyder
Davis, T.	Howard	Mullins	Sturla
Dawkins	Innamorato	Murt	Ullman
Deasy	Isaacson	Neilson	Vitali
DeLissio	Kenyatta	O'Mara	Warren
Delloso	Kim	Otten	Webster
DeLuca	Kinsey	Pashinski	Wheatley
Dermody	Kirkland	Petrarca	Williams
DiGirolamo	Kortz	Quinn	Zabel
Donatucci	Kosierowski	Rabb	

NOT VOTING—1

Davis, A.

EXCUSED—7

Cruz	Gainey	Rader	Youngblood
Davidson	Harrell	Solomon	

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.

REPUBLICAN CAUCUS

The SPEAKER. The Chair is going to recognize the majority caucus chair, Representative Marcy Toepel, for a caucus announcement.

Mrs. TOEPEL. Thank you, Mr. Speaker.
 Republicans will caucus immediately at the break. Thank you.
 The SPEAKER. Thank you, Representative Toepel, the majority caucus chair.

DEMOCRATIC CAUCUS

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

Ms. McCLINTON. House Democrats, we will caucus at 4:30.
 House Democrats, we will caucus at 4:30.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative McClinton.

There will be no further votes today.

BILLS RECOMMITTED

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

HB 1031;
 HB 1065;
 HB 1079;
 HB 1080;
 HB 1081;
 HB 1083;
 HB 1084;
 HB 1085;
 HB 1086;
 HB 1174;
 HB 1179;
 HB 1180; and
 HB 1210.

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

BILLS REMOVED FROM TABLE

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

HB 57;
 HB 332;
 HB 619;
 HB 632;
 HB 633;
 HB 790;
 HB 800;
 HB 860;
 HB 1001;
 HB 1058;
 HB 1074; and
 HB 1196.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Representative Brett Miller moves that the House be adjourned until Wednesday, May 1, 2019, at 11 a.m., e.d.t., unless sooner recalled by the Speaker. The House is adjourned until tomorrow at 11 a.m.

On the question,
 Will the House agree to the motion?
 Motion was agreed to, and at 4:22 p.m., e.d.t., the House adjourned.