

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, NOVEMBER 20, 2019

SESSION OF 2019

203D OF THE GENERAL ASSEMBLY

No. 68

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (MIKE TURZAI)
PRESIDING**

PRAYER

The SPEAKER. The prayer today will be offered by Rev. Dr. Michael Wilson, the Stated Clerk of the Presbytery of Donegal in Lancaster County, Pennsylvania. He is the guest of our good friends – and I would invite them up here to the rostrum with us – Representatives Keith Greiner and Steven Mentzer.

REV. DR. MICHAEL WILSON, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Almighty God, this day we thank You for giving us this good land as our heritage, and this good Commonwealth as our place to live and move and have our being. We ask that You would make us always remember Your generosity and help us constantly to do Your will. Bless our Commonwealth with honest industry, sound learning, and an honorable way of life, and do save us from violence, discord, and confusion; from pride and arrogance; and from every evil way.

O God, when times are prosperous, open us to a spirit of generosity and help our hearts to be thankful, and in troubled times, give us wisdom for the future and do not let our trust in You fail.

O Lord, our eternal governor, we acknowledge that Your glory shines throughout all the world, and we particularly commend to You our nation, this Commonwealth of Pennsylvania, and each county, city, township, and village represented here to Your merciful care, that we may live securely in peace and be guided by Your providence.

Give the women and men gathered here who lead us and guide Pennsylvania, and the staffs that so ably serve with them, give them all wisdom and strength to know Your will and to do it. Help them to serve the people of Pennsylvania as those who love truth and justice.

We pray for all who lead us – for our President, our Senators and national Representatives, our Governor, and for those who sit as judges and in places of authority in this room – asking that You would guide them in ways of righteousness, and especially be with this House today, granting Your direction to do what is

right and good. Give all in authority a spirit of wisdom and kindness, and help them to use their power to serve faithfully and to promote the welfare of all. Bless this session, that they may work together, respecting one another and discerning what is good for all.

To Your glory and in the name of Jesus Christ, Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

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

We are going to do a couple of quick items, and then there is going to be just a quick break for a caucus, but I think we have a condolence resolution.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 79, PN 2935 (Amended) By Rep. BOBACK

An Act providing for blood lead testing of certain children by health care practitioners; and imposing duties on the Department of Health.

CHILDREN AND YOUTH.

RESOLUTIONS REPORTED FROM COMMITTEES

HR 574, PN 2720 By Rep. MURT

A Resolution recognizing the week of October 7 through 13, 2019, as "Mental Health Awareness Week" in Pennsylvania.

AGING AND OLDER ADULT SERVICES.

HR 600, PN 2822 By Rep. MURT

A Resolution designating the month of November 2019 as "Long-Term Care Awareness Month" in Pennsylvania and urging all Pennsylvanians to examine their long-term care needs.

AGING AND OLDER ADULT SERVICES.

HR 605, PN 2839

By Rep. CAUSER

A Resolution designating the week of February 22 through 29, 2020, as "FFA Week" in Pennsylvania.

AGRICULTURE AND RURAL AFFAIRS.

HR 612, PN 2876

By Rep. MURT

A Resolution recognizing the month of November 2019 as "National Alzheimer's Disease Awareness and Family Caregivers Month" in Pennsylvania.

AGING AND OLDER ADULT SERVICES.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2025 By Representatives STRUZZI, OBERLANDER, SNYDER, PYLE, DUSH, PETRARCA, TURZAI, SAYLOR, BENNINGHOFF, MASSER, REESE, METCALFE, BARRAR, MILLARD, TOBASH, MARSHALL, NELSON, RIGBY, ROTHMAN, GLEIM, GREINER, BERNSTINE, FRITZ, GOODMAN, SANKEY, ORTITAY, SCHMITT, GREGORY, COOK, MUSTELLO, KAIL, DUNBAR, OWLETT, HEFFLEY, GROVE, KEEFER, GABLER, KORTZ, SAINATO, MOUL, LONGIETTI, WARNER, ROAE, JONES, KNOWLES, HERSHEY, KAUFFMAN, WALSH, EVERETT, JAMES, DIAMOND, BURNS, DOWLING, TOPPER, PICKETT, GAYDOS, O'NEAL, DELOZIER and BOROWICZ

An Act authorizing the Department of Environmental Protection to conduct a public comment process on and submit to the General Assembly a measure or action intended to abate, control or limit carbon dioxide emissions by imposing a revenue-generating tax or fee on carbon dioxide emissions.

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

No. 2073 By Representatives MOUL, JAMES, EVERETT, FREEMAN and SAPPEY

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, in preliminary provisions, further providing for definitions, for excluded provisions, for construction of act generally, for construction of references, for how act applies and for saving clauses where class of townships changed, repealing provisions relating to exception as to taxation and further providing for legal advertising; in classification and creation of townships of the first class, further providing for article heading and for provisions relating to classification, repealing provisions relating to enrollment to ascertain population, providing for creation of townships of the first class from townships of the second class, repealing provisions relating to proclamations by county commissioners, to submission of question to voters, to returns of election and effect thereof, to ascertainment of population and to submission of question to voters and returns of election and effect thereof, providing for reestablishment of townships of the second class, further providing for subdivision heading, providing for consolidation or merger, further providing for officers for new townships, repealing provisions relating to election of commissioners in new townships and to election of tax collector in new townships, further providing for certificate of creation of township and providing for change of name of township of first class; repealing provisions relating to change of name of township of first class; in townships lines and boundaries, further providing for stream boundaries,

for establishment of boundaries, for petition to court and commissioners' report, for exceptions and procedure, for monuments, for compensation and expenses of commissioners and cost and for adjustment of indebtedness; in wards, further providing for creation, division and redivision of wards, providing for petition of electors, repealing provisions relating to filing and confirmation of report and exceptions, providing for county board of elections, repealing provisions relating to compensation of commissioners, to election districts and to numbering of wards, further providing for schedule for election of commissioners in townships first divided into wards and for schedule of election of commissioners in newly created wards and providing for Pennsylvania Election Code; in election of officers and vacancies in office, further providing for eligibility, for hold until successors qualified and for elected officers enumerated, repealing provisions relating to commissioners, to tax collector, to assessors, to auditors and to controller and further providing for vacancies in general; in general provisions relating to township officers, further providing for oath, for bonds, for compensation, for removal of township officers and appointees and for annuities in lieu of joining pension or retirement system, repealing provisions relating to county associations of township officers, further providing for formation of State association authorized, repealing provisions relating to delegates from townships, providing for authorization to attend annual meetings and educational conferences, further providing for expenses of delegates paid by townships, repealing provisions relating to expenses of annual meeting and to conferences, institutes and schools, providing for provisions relating to county associations of township officers, further providing for subdivision heading, for appointments of police and firemen, for civil service commission created, appointments and vacancies, for offices incompatible with civil service commissioner, for organization of commission and quorum, for clerks and supplies, for rules and regulations, for minutes and records, for investigations, for subpoenas, for annual report, for general provisions relating to examinations, for application for examination, for rejection of applicant and hearing, for eligibility list and manner of filling appointments, for age and applicant's residence, for probation period, for provisional appointments, for promotions, for physical and psychological medical examinations, for removals, for hearings on dismissals and reduction, for present employees exempted, for discrimination on account of political or religious affiliations and for penalty, repealing provisions relating to salaries of civil service commission and further providing for police force and fire apparatus operators defined; in township commissioners, further providing for organization and failure to organize, for monthly meetings, quorum and voting, for compensation and for reports to auditors; in appointed township treasurer, further providing for township treasurer, for treasurer's bond, for treasurer's duties, for use of special funds and penalty and for depositories of township funds; in tax collector, further providing for powers and duties of tax collector; in township secretary, further providing for election of secretary and salary, for assistant secretary, for duties and penalty and for records open to inspection; in auditors, providing for subarticle heading, further providing for meetings, general duties and compensation, providing for compensation, further providing for subpoenas, power to administer oaths and penalty, for surcharges, auditors' report and publication of financial statements, for canceling orders, for penalty for failure to perform duty and for employment and compensation of attorney, providing for surcharge by auditors, further providing for balances due to be entered as judgments, for collection of surcharges, for appeals from report, for appeal bond and for consolidation of appeals, repealing provisions relating to testimony and argument, to framed issues and to prima facie evidence, further providing for judgment and for cost, repealing provisions relating to appeals, further providing for counsel fees and providing for provisions relating to appointed independent auditor; in controller, further providing for oath and bond of controller, for salary of controller, for general powers and duties of controller, may require attendance of witnesses and penalty, for controller to countersign warrants, for controller to prevent appropriation over drafts, for amount of contracts to be charged against appropriations, for management and

improvement of township finances, for books to be kept by controller, for appeals from controller's report, bond and procedure on appeal and for controller to retain books, documents, et cetera and pending appeals; in township solicitor, further providing for election and vacancies, repealing provisions relating to bond and further providing for solicitor to have control of law matters and for duties of solicitor; in township engineer, further providing for election of township engineer, term and filling of vacancies, repealing provisions relating to bond, further providing for control of engineering matters, for duties and preparation of plans, for certificate of commencement and of completion of municipal improvements and for surveys and repealing provisions relating to real estate registry; providing for township manager; providing for veterans' affairs; in police, further providing for appointment, compensation and training of policemen, providing for special fire police, further providing for chief of police and other officers, for powers of policemen, for service of process and fees and for supervision of police, repealing provisions relating to keepers to receive prisoners, further providing for badge, for not to receive fees, for establishment of police pension fund and management and for private police pension funds and optional transfers, repealing provisions relating to minimum service for retirement, to retirement allowance, to general funds of township not liable, to township appropriations, gifts and management, to reasons for denying retirement allowance and to annuity contracts in lieu of police pension fund and further providing for school crossing guards; in corporate powers, further providing for suits and property, providing for real property, for personal property, for exceptions, for surcharge from sale or lease and for general powers, further providing for corporate powers of a township, providing for officers, positions and departments, for police force, for lockup facilities, for rewards, for disorderly conduct, for public safety, for fire protection, for building and housing regulations, for numbering buildings, for regulation of business, for nuisances and dangerous structures, for municipal waste, for fireworks and inflammable articles, for smoke regulations, for prohibition of fire producing devices and smoking, for animals, for regulation of foundations, party walls and partition fences, for ambulances and rescue and lifesaving services, for display of flags, for health and cleanliness regulations, for public facilities, for hospital appropriations, for community nursing services, for parking and parking lots, for appropriations for certain streets, for airports, for appropriations for airports, for purchase and planting of trees, for intergovernmental cooperation, for widening and deepening of watercourses, for regulation of charges, for street, sewer, sidewalk, etc. and regulations, for capital reserve fund, for operating reserve fund, for surplus foods, for industrial promotions, for nondebt revenue bonds, for historical properties, for insurance, for appropriations for urban common carrier mass transportation, for open burning, for community development, for observances and celebrations, for building hospitals, for tourist information agencies, for sale of real or personal property to nonprofit medical service corporation, for sale of real or personal property to nonprofit housing corporation, for nonprofit art corporations, for neighborhood crime watch programs, for drug and alcohol abuse programs, for watershed associations, for emergency services, for mines and quarries, for conservation district, for electricity and for storm water and further providing for typewritten, printed, photostated and microfilmed records valid and recording or transcribing records; providing for real estate registry; in public health, repealing a subarticle heading, further providing for appointment of boards of health and health officers, for members of board, terms and secretary, for organization of board, salary of secretary, bonds, fees and penalties and power to administer oaths, for duties of secretary, for duties of health officer, for powers of board of health, for entry of premises, for inspections, for budget and appropriations, for cooperation in health work and for powers of Secretary of Health and repealing provisions relating to expenses incurred by board or Secretary of Health, to suits by State Secretary of Health to recover expenses, to payment of expenses recovered into State Treasury and provisions relating to vacation of streets declared nuisances by board of health; in finance and taxation, further providing for fiscal year, annual budget and regulation of

appropriations, for amending budget and notice, for committee to prepare uniform forms and for appropriations not to be exceeded and changes in appropriations, repealing provisions relating to certain contracts invalid, to power to create indebtedness, sinking fund and temporary indebtedness and to sinking fund and regulations and investments and further providing for investment of township funds, for indebtedness and orders of previous years, for disbursements to pay indebtedness, for tax levies, for additions and revisions to duplicates, for tax rates to be expressed in dollars and cents, for special levies to pay indebtedness and for delivery of duplicates; in contracts, further providing for power to make contracts, for general regulations concerning contracts, for evasion of advertising requirements, for bonds for protection of labor and materialmen, for purchase contracts for petroleum products, fire company, etc. and participation, for separate specifications for branches of work and for workmen's compensation insurance, repealing provisions relating to engineers and architects not to be interested in contracts and to minimum wages under contracts and further providing for penalty for personal interest in contracts; in eminent domain, assessment of damages and benefits, repealing subdivision heading, further providing for exercise of eminent domain and for restrictions as to certain property, providing for declaration of intention, further providing for value of land or property not to be assessed as benefits and exceptions and for title acquired and repealing provisions relating to procedure for the exercise of eminent domain and for the assessment of damages and benefits; in streets and highways, repealing subdivision heading, providing for definitions, for township street plan and for certain streets declared public streets, repealing subdivision heading, further providing for power to lay out, open, widen, vacate, et cetera, for burial grounds, et cetera, saved and for notice of hearing, repealing provisions relating to draft and report, to exceptions to report, to appointment of viewers and to notices to be posted along improvement, providing for petition for opening, etc. and for notice of petition, further providing for width of public roads, for opening and repairing roads and for detours, repealing provisions relating to laying out roads under the general road law, providing for street connecting with street of another municipal corporation, repealing subdivision heading and provisions relating to scope of subdivision, further providing for plans of dedicated streets, repealing provisions relating to appeals where commissioners refuse approval, to no responsibility on township where plans not approved, to entry of lands, to penalty and to powers of State and counties preserved, providing for powers of State and counties preserved, for exclusive nature of provisions, for failure of board of commissioners to hold hearing, for entry on land to maintain marks and monuments and for bike paths, repealing subdivision heading, further providing for agreements to relocate, alter and vacate streets in or near State parks, repealing provisions relating to agreement to be filed in court and effect of filing, to altered and relocated streets declared township streets, to assessment of damages and to elimination of curves and repealing subdivision headings, further providing for improving or vacating streets by agreement, repealing subdivision heading, further providing for proceedings on petition, repealing provisions relating to grading restrictions, to notice, to contents of notice, to appeals from ordinance, to assessment of damages and benefits by viewers, to assessments to bear interest and collection, to grading, draining, curbing, paving or macadamizing streets or highways and collection of cost by foot front rule and to road material, ditches, drains and watercourses, providing for power to open drains and ditches, repealing a subdivision heading, further providing for provisions relating to trees, shrubbery and obstructions within limits of streets or highways, repealing a subdivision heading, further providing for provisions relating to protection of streets and highways from snowdrifts, repealing a subdivision heading and provisions relating to duty to erect, providing for naming of streets and for street lighting, ornamental lighting and traffic control signals and devices, further providing for penalty for destroying, repealing a subdivision heading, further providing for railroad crossings and for street permits, repealing a subdivision heading, further providing for provisions relating to county aid in the improvement of township streets, repealing provisions relating to penal provisions and to opening, making,

amending and repairing streets and bridges by contracts with taxpayers and providing for boundary streets, for streets, the center line of which is the boundary between a township and another municipal corporation, for streets having more than half of their width within township and for assessment for improvements on property outside limits where street entirely within township; repealing provisions relating to boundary roads and streets; in bridges and viaducts, further providing for article heading, repealing subdivision heading, further providing for provisions relating to bridges and viaducts as part of street, repealing a subdivision heading and provisions relating to power to construct, further providing for maintenance, repealing provisions relating to bridges and viaducts over marshy or swampy grounds, creeks, rivulets, gullies, canals and railroads and a subdivision heading, further providing for bridges on division line of townships and repealing provisions relating to bridges between townships and municipalities, to bridges over railroad or canal and to maintenance, repair and rebuilding of bridges built by county; in sidewalks, further providing for power to lay out, ordain and establish grades, for width, for paving and curbing sidewalks and for repair of sidewalks and providing for emergency repairs; in sewers and drains, further providing for article heading, for power to establish and construct sewers and drains, require connections and sewer rentals and for sewer and drainage systems, constructed by any municipality authority, connection by owners and enforcement, providing for notice of contemplated construction, further providing for location of sewers on private property and for treatment works and facilities therefor, repealing provisions relating to entry on lands to mark sewer routes and damages and to enforcement of judgment for damages, further providing for cost of construction and how paid, for sewer districts and for manner of assessment, repealing provisions relating to procedure for assessment of benefits, to lien for assessments and costs of proceedings and to assessment of property outside limits of townships for sewers, further providing for provisions relating to acquisition of sewer system from private interests and distribution of costs, to contracts with individuals or corporations for construction and maintenance of sewer and drainage systems, to sewers and drains in streets or highways or over private property and assessment of cost of construction according to benefits and for consent necessary, repealing provisions relating to assessment of cost, further providing for subdivision heading and for connection by agreement or petition and appointment of viewers, repealing provisions relating to notice of contemplated construction and protests by property owners, further providing for subdivision heading and for building joint sewers, repealing provisions relating to State permit and a subdivision heading; repealing provisions relating to collection by installment of the cost of street, curb, sidewalk and sewer improvements; providing for assessments for public improvements; providing for assessments, for public improvements; repealing provisions relating to revolving fund for street and sewer improvements; in water supply and waterworks, further providing for article heading and for contract with water companies and municipality and development of own water supply, providing for public utility law saved and for rates, further providing for State permit, for occupation of highways and for property damages and bond by township, repealing provisions relating to appointment of viewers, further providing for water districts and application of taxpayers and for connection to water supply system, repealing provisions relating to connection to water supply system of municipality authorities, further providing for cost of connection and where payable and for default in payment of installment, repealing provisions relating to entry of liens and further providing for subdivision heading, for joint maintenance of works with municipality, for State permits and for commission of waterworks; in manufacture and sale of electricity, further providing for manufacture and sale of electricity, for may regulate use and prices, for sale of hydroelectric generating facilities, for construction or purchase of hydroelectric generating facilities and for submission to electors; in public buildings, further providing for town hall, for unloading and warehouses, for appropriation of property, for ordinance of commissioners, for assessment of damages and for use of public lands acquired for other purposes; in licenses and licenses fees, further providing for provisions relating to transient retail merchants, for agents

for licensed dealers not to be licensed, for insurance agents and brokers not to be licensed and for license fees on residents not to exceed those on nonresidents; in parks, recreation centers, shade trees and forests, further providing for acquisition of lands and buildings, for creation of recreation board, for composition of park or recreation boards, for organization of park or recreation boards and powers and duties delegated to the board by the commissioners, for maintenance and tax levy, for joint ownership and maintenance, for issue of bonds, for right of establishment, for personnel of commission, appointment, terms and vacancies, for powers may be vested in park commission, for general powers of commission, for hiring of employees and legislative power of commission, for report of commission, for notice of commission's activities and planting or removal of shade trees, for landholders liability for costs and for removal of diseased trees, repealing provisions relating to assessments liens, further providing for maintenance by township and funds for and for penalties, repealing provisions relating to disposition of penalties, further providing for right of acquisition of forest lands, repealing provisions relating to approval of Department of Forests and Waters and further providing for ordinance and notice, for appropriation for acquisition, for rules and regulations, for appropriation for maintenance, for use of township forests, for ordinance of sale and for appropriation of money to forestry organizations; in land subdivision, repealing article heading; in zoning, repealing article heading; in Uniform Construction Code, Property Maintenance Code and reserved powers, further providing for changes in Uniform Construction Code, for property maintenance code and for reserved powers; in township planning commission, repealing article heading; repealing provisions relating to enforcement of ordinances; providing for ordinances; in actions by and against townships, further providing for recovery of municipal claims by suit; and, in repeals, further providing for provisions relating to repeals and repealing provisions relating to inconsistent repeals.

Referred to Committee on LOCAL GOVERNMENT, November 20, 2019.

No. 2074 By Representatives FREEMAN, SCHLOSSBERG, SAMUELSON, McNEILL, ISAACSON, HILL-EVANS, CALTAGIRONE, KORTZ, FITZGERALD, MADDEN, INNAMORATO, OTTEN, ZABEL, T. DAVIS, WEBSTER, VITALI, MERSKI and TOOHIL

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for exemptions and special provisions relating to taxation.

Referred to Committee on FINANCE, November 20, 2019.

No. 2075 By Representative HENNESSEY

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in medical assistance, further providing for nonemergency medical transportation services.

Referred to Committee on HEALTH, November 20, 2019.

No. 2076 By Representatives FITZGERALD, McCLINTON, HARRIS, KINSEY, ZABEL, DONATUCCI, KENYATTA, ULLMAN, SCHLOSSBERG, McNEILL, YOUNGBLOOD, JOHNSON-HARRELL, DELLOSO and KIM

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for licenses; and, in licensing of drivers, further providing for issuance and content of driver's license, and providing for revocation of license following acquisition, expiration or revocation of license to carry firearms.

Referred to Committee on JUDICIARY, November 20, 2019.

No. 2077 By Representatives FITZGERALD, YOUNGBLOOD, McCLINTON, DONATUCCI, SOLOMON, ZABEL, MADDEN, OTTEN, SCHLOSSBERG, SHUSTERMAN, FRANKEL, SANCHEZ, HOHENSTEIN, KINSEY, JOHNSON-HARRELL, KENYATTA, FREEMAN, CIRESI, WARREN, BULLOCK and SCHWEYER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, providing for safe storage of firearm when not in use.

Referred to Committee on JUDICIARY, November 20, 2019.

No. 2078 By Representatives FITZGERALD, McCLINTON, YOUNGBLOOD, KINSEY, SOLOMON, ZABEL, OTTEN, SCHLOSSBERG, FRANKEL, SANCHEZ, HOHENSTEIN, JOHNSON-HARRELL, KENYATTA, FREEMAN, WARREN and SCHWEYER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for definitions and for sale or transfer of firearms.

Referred to Committee on JUDICIARY, November 20, 2019.

No. 2079 By Representative COMMITTA

An Act authorizing the Department of General Services, with the approval of West Chester University of Pennsylvania of the State System of Higher Education and the Governor, to grant and convey to Aqua Pennsylvania, Inc., or its assigns, an existing water tower and permanent utility easement from lands of the Commonwealth at West Chester University of Pennsylvania, situate in the Borough of West Chester, Chester County, for the purpose of public water distribution.

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

No. 2081 By Representatives GREINER, GROVE, ZIMMERMAN, RYAN, B. MILLER, KEEFER, GILLEN, RADER, DALEY, DUSH, JAMES, WHEELAND, SCHMITT and COMMITTA

An Act providing for management of municipal pension plans and for penalties.

Referred to Committee on LOCAL GOVERNMENT, November 20, 2019.

CONDOLENCE RESOLUTION

The SPEAKER. Members, we are going to close the doors of the House. I do need all members to please come onto the floor. We are going to be doing a condolence resolution for a former member.

Please take your seats. We are about to take up a condolence resolution on the death of a former member of this august body, the Pennsylvania House of Representatives.

At this time the Chief Clerk will read the resolution for us.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

CONDOLENCE RESOLUTION

WHEREAS, The House of Representatives of Pennsylvania wishes to honor the memory of the Honorable David Orr King, D.D.S., a former member of the House of Representatives of Pennsylvania who served the 17th Legislative District, passed away at the age of eighty-one on June 10, 2019; and

WHEREAS, Born in Mercer on February 24, 1938, to the late Mary Orr King and Dr. Thomas William King, Sr., Dr. King was a graduate of Mercer High School, Grove City College, the University of Pittsburgh School of Dentistry and the University of Pennsylvania Graduate School of Medicine. He served this country with honor and distinction as a member of the United States Navy as a Dental Officer aboard the USS *Salisbury Sound* before his honorable discharge at the rank of Lieutenant Commander. Dr. King relocated to Reno, Nevada, to practice orthodontics before moving his practice to Greenville in 1981. Elected to the Pennsylvania House of Representatives to represent the 17th District in 1990, he served three terms before retiring in 1996. While in office, Dr. King served as Subcommittee Chair on Aging and Youth and was a member of the Committees on Health and Welfare, Health and Human Services, Military and Veterans Affairs and Professional Licensure. Following his political career, he opened orthodontic practices in Las Vegas, Nevada, and Sharon. Active in his community, Dr. King was a member of the Reno, Nevada, Lodge of the Free and Accepted Masons and the Master of Ceremonies for Saint Paul's Senior Living Community's annual vaudeville show, and he enjoyed hunting and following the Pittsburgh Pirates MLB Team, the Pittsburgh Steelers NFL Team and the University of Pittsburgh Football Team; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania proclaim with enduring sorrow the passing of the Honorable David Orr King, D.D.S.; and extend heartfelt condolences to his wife, Judy Grabert King; sons, David Lundroth, Ryan Thomas and Matthew Arthur; two grandchildren; and many other family members and friends; and be it further

RESOLVED, That a copy of this resolution, sponsored by the Honorable Parke Wentling on September 6, 2019, be transmitted to Judy Grabert King.

Parke Wentling, Sponsor
Mike Turzai, Speaker of the House
ATTEST:
David Reddecliff, Chief Clerk of the House

On the question,
Will the House adopt the resolution?

The SPEAKER. Those in favor of the resolution will rise at this time and remain standing as a mark of respect for our colleague, Representative David King. Guests, I would ask that you please rise with us at this time for a moment of silence.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable David Orr King, D.D.S.)

The SPEAKER. The resolution has been unanimously adopted.

GUESTS INTRODUCED

The SPEAKER. At this time I am going to recognize family members, and then call upon Representative Parke Wentling to say a few words.

With us today is the wife of Representative King, Judy King. Please stand, Judy. Thank you. We are also blessed to have with us today David King, Jr., their son. He is with his wife, Kimberly. Son, Ryan King; son, Matthew King; nephew, Richard King, and his wife, Megan McCarthy King. Megan is Superior Court Judge-elect.

Also, we are blessed to have two former House members – they do go by another title now – State Senator Scott Hutchinson, and former Senator Bob Robbins and his wife, Cindy.

Thank you so much for taking time to be with us in this body to honor the service of Representative King.

REMARKS BY MR. WENTLING

The SPEAKER. Representative Wentling, who now serves the same district that Representative King did, will come up to the rostrum and will say some words.

Representative Wentling, thank you, sir.

Mr. WENTLING. Thank you, Mr. Speaker.

Today it is my privilege to stand before this chamber to recognize the life and accomplishments of a former member of the House of Representatives, a distinguished public servant who represented our 17th Legislative District.

On behalf of the Pennsylvania House of Representatives, I wish to extend our heartfelt condolences to his wife, Judy, and the many guests that are here today with us from his family. I have with me a copy of the condolence resolution that I would like to share with Judy and the family.

Thank you very much, Mr. Speaker.

The SPEAKER. Representative Wentling, thank you so much.

If we can, will the family please come up to the rostrum and Representative Wentling will present the official condolence resolution to you.

The Sergeants at Arms will open the doors of the House. We are going to do one introduction and then I will call upon the majority caucus chair.

GUESTS INTRODUCED

The SPEAKER. Located in the rear of the House are guests of Representative Jason Dawkins. They are students from the Olney Charter High School's Jobs for America's Graduates program, and that is headed by Dr. Ruth Patterson. Please stand. Welcome today. Jobs for America's Graduates is a State-based national nonprofit organization dedicated to preventing dropouts amongst young people who have serious barriers to graduation and/or employment.

Thank you so much for being with us today.

REPUBLICAN CAUCUS

The SPEAKER. At this time the Chair recognizes the majority caucus chair, Representative Marcy Toepel, of Montgomery County.

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will report to the majority caucus room immediately at the break. We would be prepared to return to the floor at 11:45. Thank you.

The SPEAKER. So we will be back on the floor at 11:45; at 11:45. This is just a short break.

Representative Kathy Rapp, who is chair of the Health Committee.

Ms. RAPP. Yes, Mr. Speaker.

I wanted to call an immediate meeting of the Health Committee to—

The SPEAKER. Representative Rapp, would you mind doing that at the – we are going to have a longer break. This is a short break. We are going to go back on the floor in 15 minutes. We are going to break after we do some more items on the floor for caucus and for committee meetings. This is just going to be a short break. We will be back on the floor at 11:45.

Ms. RAPP. Thank you.

The SPEAKER. But I will recognize you and we will definitely call upon that meeting.

Ms. RAPP. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Madam Chair.

RECESS

The SPEAKER. At this time the House will stand in recess. We will reconvene on the House floor at 11:45.

AFTER RECESS

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

The SPEAKER. We are going to start session. Thank you for joining us, though. We are so honored to have you. The House will come to order. Members, please take your seats. We are going to begin the business.

FORMER MEMBER WELCOMED

The SPEAKER. Representative Dom Costa, who represented the 21st District and was the chief of police for the city of Pittsburgh, is here with us today on business in the Capitol. Please say hello to Representative Dom Costa.

Representative Jenn O'Mara, please; I think she is going to be joined by Representative Quinn, Representative Otten, and a special guest will join us up here at the rostrum. Members, I am going to ask you to take your seats. This guest has traveled some distance to be with us today, so I am going to have the doors of the House closed. Please take your seats.

Representative O'Mara, Representative Quinn, and Representative Otten are here. Representative O'Mara will be speaking first and she has a special introduction. I am going to ask everybody to please take their seats. This is really quite a landmark achievement.

ELIZABETH LANDES PRESENTED

The SPEAKER. Representative O'Mara.

Ms. O'MARA. Thank you, Mr. Speaker.

Today we welcome Mrs. Elizabeth Landes, biology and environmental science teacher at Marple Newtown High School, to the House chamber to formally recognize her for her outstanding accomplishment of earning the 2019 Milken Educator Award. Mrs. Landes works for a school that is in the district of Chris Quinn, and the school district is also in my district, and she is a constituent of Representative Friel Otten.

This prestigious award has been dubbed the "Oscars of Teaching" by Teacher Magazine, and only 40 recipients are selected from across the country every year. Mrs. Landes is the only teacher from Pennsylvania to receive this high honor in 2019. Accompanying her here today are her husband, Matthew Landes, and their two beautiful children, Cara and Jane.

As an educator, Mrs. Landes realizes that she has the power to impact each of her student's futures, and this is not a power that she takes lightly. Mrs. Landes goes to great lengths to support all of her students of all grades and levels to ensure each one can reach his or her full potential. Through holding voluntary after-school study sessions, serving as a faculty advisor for the Hi-Q scholastic quiz competition program, and coordinating lessons with a community elementary school every Earth Day, Mrs. Landes has demonstrated her unwavering passion to teach inside and outside of the classroom. Her dedication to her students has been illustrated through her students' AP (Advanced Placement) exam scores, as their average on last year's test is a 4.3 out of 5.

However, Mrs. Landes believes there is more to her job than just ensuring her students understand scientific concepts and theories. Through a service and unity project called Products10 that Mrs. Landes developed several years ago, she works with the sophomore class to raise money for a charity of their choosing. Under her guidance, students involved have raised over \$34,000 to benefit nonprofits such as UNICEF (United Nations International Children's Emergency Fund), St. Jude Children's Research Hospital, and Susan G. Komen for the Cure.

In recognition of Mrs. Landes earning this highly prestigious Milken Award because of her passion for teaching and for showing what it means to be a model citizen, we are honored to present her with this citation.

And I also want to share a bit about the day she got this award. The Pennsylvania Secretary of Education invited us for a tour of the school, and when we got there, there was actually a pep rally, where it was a huge surprise to all the students, all the school, and all of us that Mrs. Landes was going to be awarded a check for \$25,000 for the work that she has done, from the Milken Foundation.

Mrs. Landes, congratulations on earning a Milken Educator Award, and thank you for investing in and teaching children for the next generation.

I would now like to invite Representative Friel Otten to share a couple words about Mrs. Landes.

The SPEAKER. Representative Otten.

Ms. OTTEN. Thank you, Mr. Speaker.

Representative O'Mara and Representative Quinn have the honor of knowing Mrs. Landes as, clearly, an exemplary educator in their districts; however, I have the very special honor of knowing Mrs. Landes from the playground in our neighborhood and from walking my dog down the street. I served with her

husband, Matt, on our Community Day Committee, and they give back to our community in just the same way that Mrs. Landes gives to her students in her school district. Her daughters, Cara and Jane, are the same ages as my son and my daughter, Jack and Ellie, and we are all missing the Lionville Elementary School Turkey Trot today for this very special occasion, so we know that this is a really big deal.

I am excited to welcome my neighbors to the people's House today and to honor a fellow Marchwood mom for the important work that she does every day to raise our next generation. Liz, I want to say congratulations to you on your incredible accomplishment and well-deserved recognition, and I hope you all do something very special to celebrate. Thank you.

The SPEAKER. Congratulations, Mrs. Landes, on such a fine award, and thank you for joining us here today.

Please open the doors of the House.

GUEST INTRODUCED

The SPEAKER. We have some guests with us today.

Charlotte Elliott, will you please stand. Charlotte is an 11th grade student at Garnet Valley High School. Mr. Chair, did I say it right, without my Pittsburghese? She is the guest of Chairman Stephen Barrar. Thank you, sir. And thank you so much, Charlotte, for being with us today.

STATEMENT BY MRS. BULLOCK

The SPEAKER. I am going to bring up, if they will please join me, Representative Rabb and Representative Bullock. If you will please join us up at the rostrum, and please bring our guest. Thank you.

I am kind of catching you off guard. Do you mind saying a few words?

Representative Bullock and Representative Rabb have brought a special guest with us today.

And the Chair calls upon Representative Bullock to announce our guest.

Mrs. BULLOCK. Thank you, Mr. Speaker.

It is an honor for me to introduce my guest today, a constituent of Representative Chris Rabb but also a good friend of mine, Ms. Nikki Johnson-Huston. She is our current Ms. Pennsylvania from the United States of America Pageant, and she is also a good friend. We attended law school together at Temple Law School, where she had not only gained her J.D. (juris doctorate), but also her M.B.A. (master of business administration) and LL.M. (master of laws) – very, very brilliant. And I am also honored to say that she is the godmother of the two boys that you see often in this House, my sons. And so she is not just an amazing woman, but a great friend, a lawyer, and an amazing godmother to my children, and a great constituent to Representative Chris Rabb.

It is my honor to bring her today. She joined us to recognize educating homeless youth week here in Pennsylvania and shared her platform around serving homeless youth as our crowned Ms. Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Okay. She will be back with us shortly.

And thank you so much, Representative Bullock and Representative Rabb, for introducing this lovely lady, Nikki Johnson-Huston, who is Ms. Pennsylvania in the United States of America Pageant.

GUESTS INTRODUCED

The SPEAKER. To the left, we welcome Delaney Moran. Please stand. She is a junior at Palmyra High School and is with Representative Davis for the day. Thank you so much, Delaney. Great to have you.

Representative Bullock has some guests with us to my left, and if you will stand as I call your name, and then we will hold the applause until the end, if that is all right. Thomas Jackson is a research analyst from the People's Emergency Center and the Philadelphia School District; Sonia Pitzi, Region 13 coordinator; Kate Diorio – Kate, are you with the Region 13? Oh, which school district? Red Lion School District. Ameera Sullivan is a counselor at Strawberry Mansion High School; and Carly King, who is an intern in Representative Donna Bullock's district office. Thank you so much for being with us today.

In the well of the House, we have a guest page, Rachel Stalneckner. She is the guest today of Representative Frank Ryan, and also is the niece of Assistant Chief Clerk Angela Candori. She is a junior at Palmyra High School, and she was just part of the State championship volleyball team. Great to have you here. Thank you.

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 17, PN 2900; HB 947, PN 2898; and HB 1547, PN 2899**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 57, PN 1678, and HB 754, PN 804**, with information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 57, PN 1678

An Act abolishing numerous State authorities, boards, commissions, committees, councils and representatives; and making related repeals.

HB 754, PN 804

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

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

The SPEAKER. We are going to do leaves of absence and the master roll.

LEAVES OF ABSENCE

The SPEAKER. From the majority whip, Representative Matt DOWLING of Fayette County has requested leave for the day, and Representative Robert BROOKS of Westmoreland County has requested leave for the day. Without objection, those will be granted.

And the minority whip requests leaves of absence for the following members: Representative Ed NEILSON of Philadelphia County for the day, and Representative John GALLOWAY of Bucks County for the day. Without objection, those will be granted.

MASTER ROLL CALL

The SPEAKER. Members, please proceed to vote on the master roll. Thank you.

The following roll call was recorded:

PRESENT—197

Barrar	Fitzgerald	Lewis	Rigby
Benninghoff	Flynn	Longietti	Roae
Bernstine	Frankel	Mackenzie	Roebuck
Bizzarro	Freeman	Madden	Rothman
Boback	Fritz	Malagari	Rowe
Borowicz	Gabler	Maloney	Rozzi
Boyle	Gainey	Markosek	Ryan
Bradford	Gaydos	Marshall	Sainato
Briggs	Gillen	Masser	Samuelson
Brown	Gillespie	Matzie	Sanchez
Bullock	Gleim	McCarter	Sankey
Burgos	Goodman	McClinton	Sappey
Burns	Gregory	McNeill	Saylor
Caltagirone	Greiner	Mehaffie	Schemel
Carroll	Grove	Mentzer	Schlossberg
Causar	Hahn	Merski	Schmitt
Cephas	Hanbidge	Metcalfe	Schroeder
Ciresi	Harkins	Metzgar	Schweyer
Comitta	Harrell	Mihalek	Shusterman
Conklin	Harris	Millard	Simmons
Cook	Heffley	Miller, B.	Sims
Cox	Helm	Miller, D.	Snyder
Cruz	Hennessey	Mizgorski	Solomon
Culver	Hershey	Moul	Sonney
Cutler	Hickernell	Mullery	Staats
Daley	Hohenstein	Mullins	Struzzi
Davidson	Howard	Murt	Sturla
Davis, A.	Innamorato	Mustello	Thomas
Davis, T.	Irvin	Nelson	Tobash
Dawkins	Isaacson	Nesbit	Toepel
Day	James	O'Mara	Toohil
Deasy	Jones	O'Neal	Topper
DeLissio	Jozwiak	Oberlander	Ullman
Delloso	Kail	Ortitay	Vitali
Delozier	Kaufner	Otten	Walsh
DeLuca	Kauffman	Owlett	Warner
Dermody	Keefer	Pashinski	Warren
Diamond	Keller	Peifer	Webster
DiGirolamo	Kenyatta	Petrarca	Wentling
Donatucci	Kim	Pickett	Wheatley

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Brooks	Galloway	Neilson	Stephens
Dowling	Mako		

LEAVES ADDED—2

Cephas	Kaufer
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LEAVES CANCELED—2

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

We are going to break for committee meetings.

Chairwoman Rapp, I need to call you first. I apologize; I had interrupted you earlier. And you can just come right up here to the front podium.

So Chairwoman Rapp is going to announce a Health Committee meeting, and then if any other chairs wish to announce meetings, I will call upon them as well.

HEALTH COMMITTEE MEETING

The SPEAKER. Chairwoman Kathy Rapp of the Health Committee.

Ms. RAPP. Thank you, Mr. Speaker.

At the break there will be an immediate meeting of the Health Committee, room 205, Ryan Building. And we will be considering SB 906 and SB 432.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Madam Chair.

The Health Committee will meet at the break in room 205, Ryan Building.

ANNOUNCEMENT BY MRS. DAVIDSON

The SPEAKER. Representative Margo Davidson I think has an announcement. You may proceed. Representative Davidson, thank you.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

There will be an immediate meeting of the Democratic Caucus's southeast delegation immediately at session break. Thank you.

The SPEAKER. Thank you, Representative Davidson.

ANNOUNCEMENT BY MR. COX

The SPEAKER. Representative Jim Cox, the chair of the Labor and Industry Committee. Representative Jim Cox, the chairman of the Labor and Industry Committee, for a committee announcement.

Mr. COX. Thank you, Mr. Speaker.

I would like to ask that the Republican members of the Labor and Industry Committee meet in B-31 immediately at the break. Thank you.

The SPEAKER. Yes, sir. Thank you.

RULES COMMITTEE MEETING

The SPEAKER. The majority leader, Representative Bryan Cutler, for, I believe, a committee announcement, sir.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, there will be an immediate meeting of the Rules Committee in the majority Appropriations conference room. Thank you.

The SPEAKER. Thank you, sir.

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Appropriations Committee chair, Representative Stan Saylor, for an Appropriations Committee announcement.

Mr. SAYLOR. Thank you, Mr. Speaker.

The Appropriations Committee will meet at 12:20 in the majority caucus room.

Thank you, Mr. Speaker.

The SPEAKER. The Appropriations Committee will meet at 12:20 in the majority caucus room.

REPUBLICAN CAUCUS

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

Mrs. TOEPEL. Thank you, Mr. Speaker.

Republicans will caucus at 1 o'clock. We would be prepared to return to the floor at 2:30. Thank you.

The SPEAKER. Thank you, Madam Chair.

DEMOCRATIC CAUCUS

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

Ms. McCLINTON. Thank you, Mr. Speaker.

House Democrats, we will caucus at 1 o'clock p.m.; that is 1 o'clock p.m.

The SPEAKER. Thank you, Madam Chair.

RECESS

The SPEAKER. So, members, we will be returning to the floor at 2:30 p.m. Thank you.

RECESS EXTENDED

The time of recess was extended until 3 p.m.; further extended until 3:15 p.m.; further extended until 3:30 p.m.; further extended until 3:45 p.m.

AFTER RECESS

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

LEAVE OF ABSENCE CANCELED

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

LEAVE OF ABSENCE

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

BILLS REREPORTED FROM COMMITTEE

HB 941, PN 2922 By Rep. SAYLOR

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

APPROPRIATIONS.

HB 942, PN 2088 By Rep. SAYLOR

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

APPROPRIATIONS.

HB 943, PN 2089 By Rep. SAYLOR

An Act providing for consumer prescription drug pricing disclosure and pharmacy freedom to communicate.

APPROPRIATIONS.

HB 944, PN 2090 By Rep. SAYLOR

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for pharmacy benefits manager audit and obligations.

APPROPRIATIONS.

HB 1220, PN 2923 By Rep. SAYLOR

An Act providing for cytomegalovirus education and newborn screening.

APPROPRIATIONS.

SB 572, PN 1400

By Rep. SAYLOR

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in public safety, providing for opioid treatment agreements.

APPROPRIATIONS.

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 947, PN 2898

By Rep. CUTLER

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; in licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for sales by liquor licensees and restrictions, for performing arts facility license, for limiting number of retail licenses to be issued in each county, for licenses not assignable and transfers and for hours of operation relative to manufacturers, importing distributors and distributors; and, in distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, further providing for distilleries.

RULES.

SB 733, PN 1324

By Rep. CUTLER

An Act providing for the Pennsylvania Gaming Economic Development and Tourism Fund Capital Budget for 2019; itemizing projects to be assisted by the Department of Community and Economic Development, together with their estimated financial costs; authorizing recurring payments for certain projects; and making appropriations.

RULES.

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

SB 432, PN 401

By Rep. RAPP

An Act amending the act of October 27, 2014 (P.L.2911, No.191), known as the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act, further providing for access to prescription information.

HEALTH.

The SPEAKER. Okay. How is everybody doing?
Mr. Whip, I am doing fine. Thank you.

CALENDAR**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 410, PN 385**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for compensable services and items; and abrogating a related regulation.

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 533, PN 525**, entitled:

An Act providing for the use of certain credentialing applications and for credentialing requirements for health insurers; imposing penalties; and conferring powers and imposing duties on the Insurance Department.

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

Mr. **OWLETT** offered the following amendment No. **A03764**:

Amend Bill, page 3, by inserting between lines 16 and 17 (xiii) Hospital indemnity.

Amend Bill, page 4, line 1, by striking out "45" and inserting 60

Amend Bill, page 4, line 2, by inserting after "application."

When a health care practitioner is not credentialed by a health insurer, the health insurer shall notify the health care practitioner in writing of the reasons for the decision within the time frame specified under this section.

Amend Bill, page 4, line 10, by striking out "a" and inserting an accurate

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

The **SPEAKER**. Representative Owlett, please proceed on the amendment. Just give us a summary and why we should vote for it.

Mr. **OWLETT**. Thank you, Mr. Speaker.

I am offering amendment A03764. This amendment extends the timeframe for health insurers to complete the credentialing process from 45 to 60 days. It requires that the health insurer notify in writing to the provider why they are not being credentialed as well. This amendment has been worked on by the physicians and the insurance companies, and we are continuing to get closer to a stable and predictable credentialing process.

I would appreciate an affirmative vote. Thank you.

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

The following roll call was recorded:

YEAS—197

Barrar	Flynn	Lewis	Rigby
Benninghoff	Frankel	Longietti	Roae
Bernstine	Freeman	Mackenzie	Roebuck
Bizzarro	Fritz	Madden	Rothman
Boback	Gabler	Malagari	Rowe
Borowicz	Gainey	Maloney	Rozzi
Boyle	Galloway	Markosek	Ryan
Bradford	Gaydos	Marshall	Sainato
Briggs	Gillen	Masser	Samuelson
Brown	Gillespie	Matzie	Sanchez
Bullock	Gleim	McCarter	Sankey
Burgos	Goodman	McClinton	Sappey
Burns	Gregory	McNeill	Saylor
Caltagirone	Greiner	Mehaffie	Schemel

Carroll	Grove	Mentzer	Schlossberg
Causer	Hahn	Merski	Schmitt
Ciresi	Hanbidge	Metcalfe	Schroeder
Comitta	Harkins	Metzgar	Schweyer
Conklin	Harrell	Mihalek	Shusterman
Cook	Harris	Millard	Simmons
Cox	Heffley	Miller, B.	Sims
Cruz	Helm	Miller, D.	Snyder
Culver	Hennessey	Mizgorski	Solomon
Cutler	Hershey	Moul	Sonney
Daley	Hickernell	Mullery	Staats
Davidson	Hohenstein	Mullins	Struzzi
Davis, A.	Howard	Murt	Sturla
Davis, T.	Innamorato	Mustello	Thomas
Dawkins	Irvin	Nelson	Tobash
Day	Isaacson	Nesbit	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufers	Otten	Walsh
Dermody	Kauffman	Owlett	Warner
Diamond	Keefer	Pashinski	Warren
DiGirolamo	Keller	Peifer	Webster
Donatucci	Kenyatta	Petrarca	Wentling
Driscoll	Kim	Pickett	Wheatley
Dunbar	Kinsey	Polinchock	Wheeland
Dush	Kirkland	Puskaric	White
Ecker	Klunk	Pyle	Williams
Emrick	Knowles	Quinn	Youngblood
Evans	Kortz	Rabb	Zabel
Everett	Kosierowski	Rader	Zimmerman
Farry	Krueger	Rapp	
Fee	Kulik	Ravenstahl	Turzai,
Fiedler	Lawrence	Readshaw	Speaker
Fitzgerald	Lee	Reese	

NAYS—0

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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

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

Bill as amended was agreed to.

The **SPEAKER**. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 1880, PN 2615**, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, in licensing of health care facilities, further providing for photo identification tag regulations.

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

* * *

The House proceeded to second consideration of **SB 314, PN 292**, entitled:

An Act establishing the Pennsylvania Rural Health Redesign Center Authority and the Pennsylvania Rural Health Redesign Center Fund.

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

Mrs. **KEEFER** offered the following amendment
No. **A03709**:

Amend Bill, page 1, lines 2 and 3, by striking out "and the Pennsylvania Rural Health Redesign Center Fund" and inserting ; and providing for its powers and duties and for data collection and retention

Amend Bill, page 2, lines 2 through 4, by striking out all of said lines

Amend Bill, page 3, lines 20 and 21, by striking out all of said lines

Amend Bill, page 9, lines 17 and 18, by striking out "The expenses" in line 17 and all of line 18

Amend Bill, page 10, line 3, by striking out "in the fund and other money"

Amend Bill, page 10, line 4, by inserting after "from" the General Fund or

Amend Bill, page 11, lines 6 and 7, by striking out "in the State Treasury and may be utilized at the discretion of the board" and inserting

into the General Fund and appropriated to the authority. The board shall utilize the appropriate funds

Amend Bill, page 17, lines 14 through 27, by striking out all of said lines

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

AMENDMENT WITHDRAWN

The **SPEAKER**. Representative Dawn Keefer, on the amendment, please.

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

I am withdrawing that amendment.

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

So the amendment is withdrawn.

There are no other amendments.

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

* * *

The House proceeded to second consideration of **SB 473, PN 1190**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in minors, further providing for sale of tobacco and for use of tobacco in schools prohibited; making a conforming amendment to Title 53; and making a related repeal.

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

Mr. **DiGIROLAMO** offered the following amendment
No. **A03985**:

Amend Bill, page 1, lines 1 through 5, by striking out all of said lines and inserting

Amending Titles 18 (Crimes and Offenses) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in minors, further providing for the offense of sale of tobacco and for the offense of use of tobacco in schools; and, in preemptions relating to municipalities, further providing for tobacco.

Amend Bill, page 1, lines 8 through 19; pages 2 through 6, lines 1 through 30; page 7, lines 1 through 18; by striking out all of said lines on said pages and inserting

Section 1. Section 6305 heading, (a)(4), (a.1), (f)(1)(i)(D) and (k) of Title 18 of the Pennsylvania Consolidated Statutes are amended to read:

§ 6305. Sale of tobacco products.

(a) Offense defined.—Except as set forth in subsection (f), a person is guilty of a summary offense if the person:

* * *

(4) locates or places a [tobacco] vending machine containing a tobacco product in a location accessible to minors;

* * *

(a.1) Purchase.—A minor is guilty of a summary offense if the minor:

(1) purchases or attempts to purchase a tobacco product;

or

(2) knowingly falsely represents himself to be at least [18] 21 years of age to a person for the purpose of purchasing or receiving a tobacco product.

* * *

(f) Exceptions.—

(1) The following affirmative defense is available:

(i) It is an affirmative defense for a retailer to an offense under subsection (a)(1) and (2) that, prior to the date of the alleged violation, the retailer has complied with all of the following:

* * *

(D) trained all employees selling tobacco products to verify that the purchaser is at least [18] 21 years of age before selling tobacco products;

* * *

(k) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Cigarette." A roll for smoking made wholly or in part of tobacco, irrespective of size or shape and whether or not the tobacco is flavored, adulterated or mixed with any other ingredient, the wrapper or cover of which is made of paper or other substance or material except tobacco. The term does not include a cigar.

"Cigarette license." A license issued under section 203-A or 213-A of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

"Department." The Department of Revenue of the Commonwealth.

"Electronic cigarette." An electronic device that delivers nicotine or other substances through vaporization and inhalation.

"Electronic nicotine delivery system" or "ENDS." A product or device used, intended for use or designed for the purpose of ingesting a nicotine product. The term includes an electronic cigarette.

"Minor." An individual under [18] 21 years of age.

"Nicotine product." A product that contains or consists of nicotine in a form that can be ingested by chewing, smoking, inhaling or any other means.

"Pack of cigarettes." As defined in section 1201 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.

"Pipe tobacco." Any product containing tobacco made primarily for individual consumption that is intended to be smoked using tobacco paraphernalia.

"Retailer." A person licensed under section 203-A or 213-A of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, or other lawful retailer of other tobacco products.

"Smokeless tobacco." Any product containing finely cut, ground, powdered, blended or leaf tobacco made primarily for individual consumption that is intended to be placed in the oral or nasal cavity and not intended to be smoked. The term includes, but is not limited to, chewing tobacco, dipping tobacco and snuff.

"Tobacco product." [A cigarette, cigar, pipe tobacco or other smoking tobacco product or smokeless tobacco in any form, manufactured for the purpose of consumption by a purchaser, and any cigarette paper or product used for smoking tobacco.] As follows:

(1) The term includes:

(i) Any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means, including, but not limited to, a cigarette, a cigar, a little cigar, chewing tobacco, pipe tobacco, snuff and snus.

(ii) Any electronic device that delivers nicotine or another substance to a person inhaling from the device, including, but not limited to, electronic nicotine delivery systems, an electronic cigarette, a cigar, a pipe and a hookah.

(iii) Any product containing, made or derived from either:

(A) tobacco, whether in its natural or synthetic form; or

(B) nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.

(iv) Any component, part or accessory of the product or electronic device under subparagraphs (i), (ii) and (iii), whether or not sold separately.

(2) The term does not include:

(i) A product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, so long as the product is not inhaled.

(ii) A device under paragraph (1)(ii) or (iii) if sold by a dispensary licensed under the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act.

"Tobacco vending machine." A mechanical or electrical device from which one or more tobacco products are dispensed for a consideration.

Section 2. Section 6306.1 heading, (a) and (d) of Title 18 are amended and the section is amended by adding subsections to read: § 6306.1. Use of tobacco products in schools prohibited.

(a) [Offense defined] Pupils.—A pupil [who] commits a summary offense if the pupil possesses or uses [tobacco] a tobacco product:

(1) in a school building[.];

(2) on a school bus or other vehicle owned by, leased by or under the control of a school district; or

(3) on school property owned by, leased by or under the control of a school district [commits a summary offense].

(a.1) Other persons.—

(1) Any person, other than a pupil, commits a summary offense if the person uses a tobacco product:

(i) in a school building;

(ii) on a school bus or other vehicle owned by, leased by or under the control of a school district; or

(iii) on school property owned by, leased by or under the control of a school district.

(2) The board of school directors may designate certain areas on property owned by, leased by or under the control of the school district where tobacco product use by persons other than pupils is permitted. The areas must be no less than 50 feet from school buildings, stadiums or bleachers.

(a.2) Policy.—

(1) The board of school directors shall establish a policy to enforce the prohibition of tobacco product use under this section and may further establish policy relating to tobacco product use at school-sponsored events that are held off school premises.

(2) The board of school directors shall notify employees, pupils and parents of the policy developed in accordance with paragraph (1) by publishing the information in a student handbook and parent newsletter and on posters or other efficient means.

* * *

(c.1) Preemption.—This section preempts any municipal ordinance or school board regulation to the contrary.

(d) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Electronic cigarette." An electronic device that delivers nicotine or other substances through vaporization and inhalation.

"Electronic nicotine delivery system" or "ENDS." A product or device used, intended for use or designed for the purpose of ingesting a nicotine product. The term includes an electronic cigarette.

"Nicotine product." A product that contains or consists of nicotine in a form that can be ingested by chewing, smoking, inhaling or any other means.

"Pupil." A person between the ages of 6 and 21 years who is enrolled in school.

"School." A school operated by a joint board, board of directors or school board where pupils are enrolled in compliance with Article XIII of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, including [area vocational schools and intermediate units] a career and technical school, charter school and intermediate unit.

"Tobacco product." [A lighted or unlighted cigarette, cigar, pipe or other lighted smoking product and smokeless tobacco in any form.] As follows:

(1) The term includes:

(i) Any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means, including, but not limited to, a cigarette, a cigar, a little cigar, chewing tobacco, pipe tobacco, snuff and snus.

(ii) Any electronic device that delivers nicotine or another substance to a person inhaling from the device, including, but not limited to, electronic nicotine delivery systems, an electronic cigarette, a cigar, a pipe and a hookah.

(iii) Any product containing, made or derived from either:

(A) tobacco, whether in its natural or synthetic form; or

(B) nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.

(iv) Any component, part or accessory of the product or electronic device under subparagraphs (i), (ii)

and (iii), whether or not sold separately.

(2) The term does not include:

(i) A product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, so long as the product is not inhaled.

(ii) A device under paragraph (1)(ii) or (iii) if sold by a dispensary licensed under the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act.

Section 3. Section 301 of Title 53 is amended to read:

§ 301. Tobacco product.

(a) General rule.—Except as set forth in subsection (b), the provisions of 18 Pa.C.S. § 6305 (relating to sale of tobacco products) shall preempt and supersede any local ordinance or rule concerning the subject matter of 18 Pa.C.S. § 6305 and of section 206-A of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

(b) Exception.—This section does not prohibit:

(1) Local regulation authorized by the act of April 27, 1927 (P.L.465, No.299), referred to as the Fire and Panic Act.

(2) Local regulation enacted prior to January 1, 2002.

Section 4. Repeals are as follows:

(1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate the amendment or addition of 18 Pa.C.S. § 6306.1(a), (a.1), (a.2) and (c.1).

(2) Section 3.5 of the act of April 27, 1927 (P.L.465, No.299), referred to as the Fire and Panic Act, is repealed.

Section 5. This act shall take effect July 1, 2020, or immediately, whichever is later.

On the question,

Will the House agree to the amendment?

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

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

The amendment adds the following language to the bill: definitions of "tobacco vending machine," "electronic cigarette," "electronic nicotine delivery system," and "nicotine product." It also expands the definition of "tobacco product" to include "Any product containing, made or derived from tobacco or nicotine....," including "natural or synthetic." And it also changes the effective date from 60 days to "July 1, 2020, or immediately, whichever is later."

Thank you, Mr. Speaker.

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

Representative Kathy Rapp, the chair of the Health Committee, on the amendment.

Ms. RAPP. Thank you, Mr. Speaker.

I just wanted to comment and say that it is nice to see HB 97 as part of this amendment. I know that school districts and entities across the State have been begging for legislation regarding prohibiting the sale of vaping products to students 18 years and under, so it is nice to see that language inserted into this bill, Mr. Speaker.

The SPEAKER. Thank you very much, Madam Chair.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—172

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

NAYS—25

Bernstine	Jones	Kortz	Ryan
Bizzarro	Jozwiak	Lewis	Sainato
Borowicz	Kaufner	Metcalfe	Schemel
Cook	Kauffman	Nesbit	Staats
Delloso	Keefer	Rader	Warner
Diamond	Knowles	Rowe	Wentling
Dush			

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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

On the question,

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

Mr. **ROTHMAN** offered the following amendment No. **A04100**:

Amend Bill, page 1, line 28 (A03985), by inserting after "age"
or if the minor is a member of the active or reserve components of any branch or unit of the armed forces of the United States or a veteran who received an honorable discharge from any branch or unit of the active or reserve components of the armed forces of the United States, at least 18 years of age

Amend Bill, page 2, line 5 (A03985), by inserting after "age"
or if the minor is a member of the active or reserve components of any branch or unit of the armed forces of the United States or a veteran who received an honorable discharge from any branch or unit of the active or reserve components of the armed forces of the United States, at least 18 years of age

Amend Bill, page 2, line 27 (A03985), by striking out all of said line and inserting

"Minor." [An] As follows:

(1) Except as provided under paragraph (2), an individual under [18] 21 years of age.

(2) A member of the active or reserve components of any branch or unit of the armed forces of the United States under 18 years of age or a veteran who received an honorable discharge from any branch or unit of the active or reserve components of the armed forces of the United States under 18 years of age.

On the question,

Will the House agree to the amendment?

The **SPEAKER**. Representative Greg Rothman, on the amendment, sir.

Mr. **ROTHMAN**. Thank you, Mr. Speaker.

Mr. Speaker, the underlying bill that this amendment to has to do with raising the age to purchase tobacco products. It has nothing to do with the use of or possession of, but it raises the age to purchase cigarettes, vapes, e-cigarettes, chewing tobacco, even cigars.

Mr. Speaker, what my amendment does is it exempts the brave young men and women between the ages of 18 – because you have to be 18 to serve in the military – and 21, who have not reached their 21st birthday, it gives them an exemption that with their military ID, they can still purchase a cigar or cigarettes.

Mr. Speaker, I have the list of the names of the 300-plus men and women who have died in this current conflict, this war, who were under the age of 21. This bill, the underlying bill, I support. I support the idea that we are telling our young people that they lack the judgment to purchase the cigarettes. But I think if this is about judgment, that we are telling the men and women who wear the uniform, the men and women like I served with in the Marine Corps, we are telling them that they have the judgment and can make those choices about purchasing tobacco products. And if they go and lose a limb or watch their buddies or watch their fellow soldiers or marines or airmen or seamen, when they come back, they can go to a store and buy a cigar and smoke a cigar with their buddies.

I think this is a reasonable, a reasonable exemption. It is a reasonable carveout. Six States that ban the sale of tobacco under the age of 21 – including California, Texas, Maryland, Virginia, and Utah – have this same exemption that my amendment does.

So thank you very much, Mr. Speaker. I ask my colleagues to support exempting our military, one more thing we could do. You know, last week we all attended a lot of Veterans Day ceremonies, I bet. We all said "thank you for your service" to all the veterans who served. Let us at least send them a message that we trust them to make the right decision when it comes to use of tobacco.

Thank you, Mr. Speaker.

The **SPEAKER**. I have four other members that wish to speak on this. I have Representative DeLissio, Representative Kortz, Representative Rapp, Representative DiGirolamo, and I think Representative O'Mara too. So the first is Representative DeLissio, though. She was first.

Representative DeLissio, please proceed.

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this amendment. I have the utmost respect for our military, and their well-being is of paramount importance to me.

It is well-documented that if you start smoking between the ages of 18 and 21, that becomes a lifelong habit, and we all know that no good comes of this particular habit. In fact, it is at the cost of the government and taxpayers and people – personally, lots of dollars in the future – it compromises their health, etc. And as one of my colleagues from Chester County commented earlier today, the military themselves is trying to curb smoking within the military because of the cost it is taking on those military members.

So I think the responsible thing to do is to look out for our military men and women who are serving. I do not see this as not trusting their judgment. Drinking does not apply to them at their age, either, and I do not see amendments to make an exemption so that they can drink at the age of 18. So I would urge my colleagues to think very carefully about this vote, and if their health and well-being is paramount to you, too, you will join me in this "no" vote. Thank you.

The **SPEAKER**. Representative Bill Kortz.

Mr. **KORTZ**. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this amendment, and I want to commend my colleague from Cumberland County for bringing this to the House floor.

Mr. Speaker, young folks, men and women, 18, 19, 20 years old, sign up to serve this country. They put their lives on the line to defend the United States. They go to war, they are shot at, and in some cases, they are killed, and we are not going to let them smoke? Come on, Mr. Speaker. They are adults at 18 years old. They should have the right if they want to have a cigarette, have a cigarette. They are going into battle and we are going to tell them, "No, you can't smoke."

Please vote "yes" on this amendment, Mr. Speaker.

The **SPEAKER**. Representative Kathy Rapp.

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

I am asking if the maker of the amendment would stand for a question?

The **SPEAKER**. Yes; he has indicated that he will so stand, and you may proceed.

Ms. RAPP. Thank you, Mr. Speaker.

My question is, did you inquire of the Adjutant General or anyone else in the administration in regard to this amendment, as to whether they support the amendment or not?

Mr. ROTHMAN. No.

Ms. RAPP. Thank you, Mr. Speaker.

If I may, on the amendment, sir?

The SPEAKER. Yes, Madam Chair, you may proceed.

Ms. RAPP. I find it odd when we are talking about our military – and we have such a great PA Guard in this State – that we would not actually have them weigh in on this amendment and where they would stand on our Pennsylvania soldiers.

Mr. Speaker, I agree with the previous legislator in her remarks. As chairwoman of the Health Committee, Mr. Speaker, are we saying that we do not care as much regarding the health of our soldiers than we do everybody else in this State? We expect these young people to go and serve us as warriors in the battlefield. We should expect that our State, our country would want to keep our soldiers healthy and well.

So, Mr. Speaker, if this bill, this amendment truly is concerned about the health of our 18- to 21-year-olds, we should be even more concerned about the health of our soldiers serving us and willing to serve at 18, 19, 20, 21, the young men and women that we ask to go to battle for us. We should be just as concerned, Mr. Speaker, that we here in this State – if you believe in this bill, then you should also believe that it should be a priority to keep their health at the very top of our list as healthy people in our State, and not carve them out because our soldiers should be first priority. If you support this bill, our soldiers should be first in protecting their health.

I ask for a "no" vote on this amendment. Thank you, Mr. Speaker.

The SPEAKER. Representative Gene DiGirolamo, on the amendment.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I just want to start off by saying that I very much respect my colleague who is sponsoring this amendment's opinion on the issue, but I rise to oppose the amendment that is being offered right now.

And as I said in committee the other day when the bill passed out, I am a veteran and I am also a former smoker. And I can remember in basic training when I was smoking – long time ago, back at Fort Jackson in South Carolina in an Army infantry unit – that I would be able to go to the PX (post exchange) and purchase a pack of cigarettes for about 17 or 18 cents for a pack of cigarettes. Now what are they, the cigarettes? They are \$8, \$9, \$10 for a pack, 40 or 50 cents apiece. And it was not a short time after I got out of the military that I made a decision, which was one of the very best decisions that I ever made in my life, to give up smoking, because I was smoking two or three packs a day at that time. And I decided I was not going to smoke anymore and it was one of the best decisions that I ever made in my life.

And I would just like to point out to the members a letter that all of you received, I believe, yesterday from the Department of Pennsylvania Veterans of Foreign Wars of the United States. And I am just going to read a couple of sentences. "The Pennsylvania Department of...Veterans of Foreign Wars is asking you to support Senate Bill 473 as written sponsored by Senator...Scavello" with no amendments. "Raising the age for sale of tobacco products is good for the health of our service members as well as the readiness of our military. Tobacco use degrades our military's ability as a fighting force, causes

significant health problems for military members, and makes recruiting an even greater challenge." And finally, "We owe much to the young" men and women "who choose to serve in our military, however we do not owe them early addiction to a deadly product. Their physical fitness and health should be a top priority in policymaking decisions. For these reasons, we encourage you to support measures like Senate Bill 473...."

So, Mr. Speaker, I ask you to think about this. I think it is the wrong thing to do. I like the age of 21 for buying tobacco products whether you are in the military or not. And as a veteran and former smoker, I ask that you vote "no" on the amendment before you. Thank you.

The SPEAKER. Representative O'Mara. And, Representative O'Mara, I apologize. I did not see you out there and I did not know you were right here, so I apologize.

Ms. O'MARA. Thank you, Mr. Speaker.

While I respect what many of my colleagues have said, I stand up today to support this amendment.

I have a young veteran in my district who was in Afghanistan. He enlisted at the age of 18. He was in a car accident and is now a paraplegic. And the other day when I saw him at a veteran's event, he was smoking a cigarette, and I asked him, why does he still smoke? I kind of made a comment that I know it is bad for him. And he said, "Yeah, so is war."

If we are truly concerned with the health of our veterans, we should be talking about raising the age for them to enlist to 21 rather than telling them they are smart enough to enlist at 18 but not smart enough to choose not to smoke. I live with someone who is tormented with PTSD (post-traumatic stress disorder) because of the service he gave to this country, and I do not feel like I can sit in this beautiful Capitol and tell him and other people that have decided to serve our country that they are not smart enough to choose not to smoke.

So I urge my colleagues to support this amendment, and also to support passing the bill.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

I have Representative Lewis, Representative Flynn, and then Representative Readshaw. So first is Representative Andrew Lewis, then Representative Marty Flynn, then Representative Harry Readshaw.

Representative Lewis, sir.

Mr. LEWIS. Thank you, Mr. Speaker.

I rise in support of this amendment despite my reservations on the underlying bill. I applaud the maker of this amendment. As a current drilling member of the National Guard, I can vouch for the fact that he has spoken to me and many members of our military and veteran community while crafting this amendment. I support it. I joined the Army and went to Fort Knox at the age of 18. I shipped to Iraq at the age of 19. And frankly, I believe these men and women who are deployed in harm's way have the right to decide if they do or do not want to smoke.

So I applaud the maker of the amendment. He has definitely done his due diligence and homework with the military community. And I support, I fully encourage support of the amendment. Thank you.

The SPEAKER. Thank you, sir.

Representative Marty Flynn.

Mr. FLYNN. Thank you, Mr. Speaker.

I rise in opposition to this amendment, A04100. Since the beginning of time, we as humans have been growing tobacco. There is zero medical benefit to tobacco. It does no good for

anyone at any time. And to say that this is good for veterans because we are giving them the freedom to hurt themselves is irresponsible as legislators. It is not the right move for our military. We should protect them. It is a proven fact that people start smoking between the ages of 17 to 20 years old. We need to stand up for our veterans and protect them from themselves here. Vote "no."

The SPEAKER. Representative Harry Readshaw, followed by Representative Stephen Kinsey.

Representative Readshaw, sir.

Mr. READSHAW. Thank you, Mr. Speaker.

Mr. Speaker, I served in the United States Marine Corps, and just maybe to put this in perspective, I want to take you back to the Vietnam era where we sent squads out into the jungles to set up ambushes. Those Marines had 2 canteens full of water, 4 candy bars, a rifle, 100 rounds of ammunition, some had rocket launchers, and there was usually an M30 machine gun attached to that squad.

Here we are with 18-, 19-, 20-year-old people going out into the jungle, lying in the brush, camouflaged for 24 hours waiting for the enemy to appear, and now today we are telling them they cannot smoke? That is their decision. I am for this amendment. I encourage everyone to vote for it.

Thank you, Mr. Speaker.

The SPEAKER. Representative Stephen Kinsey.

Mr. KINSEY. Thank you, Mr. Speaker.

Mr. Speaker, I never served in the Armed Forces, but I have an older brother who was a Marine for 15 years, and I have a younger brother who served in the United States Army for 25 years. And, Mr. Speaker, all I could do was sit back and listen to the stories that they would share with me when they had the opportunities to come back home. And, Mr. Speaker, my younger brother started sharing with me stories of vices that his comrades got attracted to simply as they were dealing with the ills of society in other countries. And, Mr. Speaker, I have never smoked in my life, but I respected, I respected the rights of my brothers who served this country to come back and say to me that they needed cigarettes just to help them get through some of the tough times that they encountered while serving this country.

Mr. Speaker, as a legislator, I recognize that the work that we do will not satisfy all of the people all of the time, but I think it is important that each and every one of us here comes up here and does the work of the citizens who elected us and makes those decisions based on those individuals that send us here. And for me, Mr. Speaker, my decision is to support this piece of legislation not only because I think it is the right thing, but I think it is because of the fact that the folks who sent me here are saying that they want this piece of legislation and that I should support it.

Mr. Speaker, I would urge my colleagues to support the Greg Rothman amendment.

Thank you, Mr. Speaker.

The SPEAKER. Representative Mary Jo Daley.

Ms. DALEY. Thank you, Mr. Speaker.

I actually was not going to get up and talk today, but I decided that I would share a story of my experience with smoking, and it is only my experience because it affected my late husband, who was a smoker from, I would say, since sometime in grade school. And he was diagnosed with cancer of the larynx and fought that disease for a good 3 years. And as I watched him fight that and recognizing that – this was when it hit me how really strong the addiction to the cigarettes was; because he lost his larynx, he was

breathing through a hole in his throat, and he actually tried to smoke through that hole in his throat. And I think that was the last cigarette that he ever had because it was so painful. And what it did for me was, it was like, besides saying, "Oh my gosh, what are you doing?" it made me realize how really incredibly difficult it was for him to stop smoking.

And so it is not that I am trying to hold people back. If tobacco were, if cigarettes were made out of something that did not have all the addictive qualities to it and were being marketed to keep people, young people and older people smoking, I might be more sympathetic. But watching how difficult it is to beat that addiction has a lasting memory for me. And he has been gone for 15 1/2 years now, and I can still remember how difficult it is to deal with those things that happen. And that one was a pretty nasty experience and I feel badly in having to share it, but if it gives anybody an idea of the cost of addiction, it is really a very high cost.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

Representative Webster. Representative Webster, sir.

Mr. WEBSTER. Thank you, Mr. Speaker.

I thought it important to check – our colleague, Representative Rapp, asked the question – so I called General Carrelli on the phone in the last 30 seconds and asked him. And we know that Air Force leadership and senior leadership are not in favor of tobacco products and smoking. General Carrelli agreed with that.

And I know there is a distinction between you are hearing leadership and you are hearing rank-and-file members who think a cigarette might calm them before battle, but I can tell you that in today's military, we would not lower the drinking age to 18, and we do not want the smoking age at 18. We would rather have a healthy, strong recruit. A healthy, strong airman, sailor, soldier, marine, or coastguardsman. So I will be voting against this amendment.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

Representative Russ Diamond. And then also Representative Roebuck will be next.

Representative Russ Diamond.

Mr. DIAMOND. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

The SPEAKER. Yes; he will so stand.

Thank you, Representative Diamond and Representative Rothman.

Mr. DIAMOND. Mr. Speaker, it is my understanding that under the underlying bill, this will make it a summary offense for someone under the age of 21, rather than 18, to purchase tobacco. Is that your understanding, Mr. Speaker?

Mr. ROTHMAN. Yes.

Mr. DIAMOND. Mr. Speaker, I am just running through my brain here. Can you provide for us any example of any other summary offense that does not apply simply because of someone's choice of occupation?

Mr. ROTHMAN. Can you repeat the question? I am sorry.

Mr. DIAMOND. Can you provide an example of another summary offense that would not be punishable simply because someone has chosen a certain occupation, such as being in the military?

Mr. ROTHMAN. Well, I mean I can talk about other offenses that the military made which in the course of combat would take place, I mean, right? Homicide. You are saying that, your

question is that by nature of their occupation, they are exempt from a summary offense?

Mr. DIAMOND. From what otherwise would be a summary offense.

Mr. ROTHMAN. Yeah, I think a police officer going through a red light or going—

The SPEAKER. Representative Rothman, just for a second. I apologize.

Members, we have to be able to hear the conversation between the two members. If we could, if you could please take your seats. Staff, if you could please take your seats. They are entitled to be heard, both the question and the answer. Thank you.

Mr. ROTHMAN. Yeah, I think when you are talking about emergency responders going through red lights or stop signs or exceeding the speed limit.

Mr. DIAMOND. Thank you, Mr. Speaker.

And I think that would be in the course of their duties and necessary to performing their duties?

Mr. ROTHMAN. I agree.

Mr. DIAMOND. Mr. Speaker, on the amendment?

The SPEAKER. Yes, Representative Diamond, on the amendment, sir.

Mr. DIAMOND. Effectively, Mr. Speaker, the underlying bill is creating a summary offense for something which is not a summary offense now for someone who is under the age of 21, or between the ages of 18 and 21. And the amendment before us would exempt a certain class of individuals from being charged with a summary.

It is not necessary to their duties in the military to smoke. It is necessary to the duties of a police officer sometimes to run a red light. No other police officer is going to pull them over and give them a ticket for running that red light in the course of his duty. I think this sets a bad precedent where we can exempt a certain class of individuals from either a crime or a summary offense simply because of the occupation they have chosen.

Mr. Speaker, I am inspired by what we heard here about how honorable our military members are, and I agree 100 percent. I have the utmost respect for them. I am also moved by the personal stories we heard most recently about the ill health effects of tobacco. We all know how bad tobacco is.

But, Mr. Speaker, I believe that adopting this amendment would create a dangerous precedent by applying the law only to a group of people who chose a certain line of work. Mr. Speaker, I oppose this amendment. Thank you.

The SPEAKER. Thank you, sir.

Representative Roebuck, the Democratic chair of Education.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I rise in opposition to this amendment. I have not served in the military. My dad served in the military in the Army in the Second World War and again in the Air Force in the Korean conflict. And my dad smoked. He smoked heavily. And in fact, his smoking was encouraged during his military service. Cigarettes were provided to those who served at a relatively inexpensive price.

And so my dad continued to smoke. And my dad always talked about his desire to live to be 100 years old. Unfortunately, he died from a heart attack at 59. And I attributed that in part to his very heavy smoking, which remained consistent from the time he was young through the time in the military until the day that he died.

What are we doing here when we encourage someone to use a product that we know has a very negative impact upon their lives? There is nothing that is positive about smoking, or if there is, perhaps someone could stand up, and on this floor, tell me what it is. What is positive about them smoking that we should encourage it? If anything, we should work to make sure that we find viable alternatives to the addiction of smoking that often leads to serious health problems and to death. We ought to do better.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Mr. Chair.

Representative Cris Dush.

Mr. DUSH. Thank you, Mr. Speaker.

Just one point of clarification to a question that was raised by another member earlier. With regard to the military, there have been exemptions prior in the law at the military exchanges, the class VI stores, as well as in the clubs when the drinking age in certain States, at State levels was at age 21 while other States was at 18. Universally across all the military installations, it was 18 years of age that the military members were allowed to have that exemption.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative David Dellosa.

Mr. DELLOSO. Thank you, Mr. Speaker.

Mr. Speaker, I rise out of concern. There is nothing good that comes at the end of a cigarette, nothing good that comes out of a can of snuff, nothing good that comes at the end of a cigar. But for some of our servicepeople, can you imagine returning to the great State of Pennsylvania and not being able to buy a pack of smokes?

You know, as we watch war films from the Second World War and we watch war films from Vietnam, nothing seems to be more American than a pack of Marlboros and a Zippo lighter made right here in Bradford, Pennsylvania. So if a returning warrior comes back to Pennsylvania and they are seeking a moment of solace, a minute of grace, and they find that moment of solace or that minute of grace in a solemn drag from the end of a cigarette, then by gosh, they should have it.

I support this amendment, Mr. Speaker, and I encourage my colleagues to do the same.

The SPEAKER. There are no other members who wish to speak.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—112

Barrar	Gabler	Marshall	Rigby
Benninghoff	Gaydos	Masser	Roae
Bernstine	Gillespie	Mehaffie	Rothman
Bizzarro	Gleim	Mentzer	Rowe
Borowicz	Gregory	Merski	Rozzi
Brown	Greiner	Metcalfe	Sainato
Burgos	Grove	Metzgar	Sankey
Burns	Harkins	Mihalek	Saylor
Carroll	Harrell	Millard	Schmitt
Causier	Heffley	Miller, D.	Schroeder
Ciresi	Helm	Mizgorski	Simmons

Conklin	Hershey	Moul	Snyder
Cook	Irvin	Mustello	Sonney
Cox	James	Nelson	Staats
Culver	Jozwiak	Nesbit	Thomas
Cutler	Kail	O'Mara	Tobash
Davis, A.	Kaufer	Oberlander	Toepel
Davis, T.	Keefer	Owlett	Toohil
Dawkins	Keller	Peifer	Topper
Deasy	Kinsey	Petrarca	Walsh
Delloso	Klunk	Pickett	Warner
Delozier	Kortz	Polinchock	Wentling
Dunbar	Kosierowski	Puskaric	Wheatley
Dush	Kulik	Pyle	Zabel
Ecker	Lawrence	Quinn	Zimmerman
Emrick	Lewis	Ravenstahl	
Everett	Mackenzie	Readshaw	Turzai,
Farry	Maloney	Reese	Speaker
Fritz	Markosek		

NAYS—85

Boback	Flynn	Knowles	Roebuck
Boyle	Frankel	Krueger	Ryan
Bradford	Freeman	Lee	Samuelson
Briggs	Gainey	Longietti	Sanchez
Bullock	Galloway	Madden	Sappey
Caltagirone	Gillen	Malagari	Schemel
Comitta	Goodman	Matzie	Schlossberg
Cruz	Hahn	McCarter	Schweyer
Daley	Hanbidge	McClinton	Shusterman
Davidson	Harris	McNeill	Sims
Day	Hennessey	Miller, B.	Solomon
DeLissio	Hickernell	Mullery	Struzzi
DeLuca	Hohenstein	Mullins	Sturla
Dermody	Howard	Murt	Ullman
Diamond	Innamorato	O'Neal	Vitali
DiGirolamo	Isaacson	Ortitay	Warren
Donatucci	Jones	Otten	Webster
Driscoll	Kauffman	Pashinski	Wheeland
Evans	Kenyatta	Rabb	White
Fee	Kim	Rader	Williams
Fiedler	Kirkland	Rapp	Youngblood
Fitzgerald			

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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

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

The SPEAKER. Members, I believe all other amendments have been withdrawn from the bill. If I am incorrect, just tell me.

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

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **SB 857, PN 1388**, entitled:

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for telemedicine, authorizing the regulation of telemedicine by professional licensing boards and providing for insurance coverage of telemedicine.

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

Mr. **SCHLOSSBERG** offered the following amendment No. **A03998**:

Amend Bill, page 22, lines 27 through 30; page 23, lines 1 through 6; by striking out all of said lines on said pages and inserting
(c) Construction.—Nothing in this chapter shall be construed to permit a health care provider to provide health care services in violation of a Federal or State law or regulation.

Amend Bill, page 25, by inserting between lines 15 and 16 **§ 4108. Children's Health Insurance Program reimbursement.**

(a) Children's Health Insurance Program payment.—Children's Health Insurance Program payments shall be made on behalf of eligible individuals for telemedicine, consistent with Federal law, as specified under this chapter if the service would be covered through an in-person encounter.

(b) Applicability.—Subsection (a) does not apply if:

(1) the telemedicine-enabling device, technology or service fails to comply with applicable law and regulatory guidance regarding the secure transmission and maintenance of patient information; or

(2) the provision of the service using telemedicine would be inconsistent with the standard of care.

(c) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Children's Health Insurance Program." The children's health insurance program under Article XXIII-A of the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921.

Amend Bill, page 25, line 20, by striking out "§ 4107" and inserting

§§ 4107 AND 4108

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

AMENDMENT WITHDRAWN

The SPEAKER. Oh, is that withdrawn? Okay. Amendment 3998 is withdrawn.

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

Mr. **SCHLOSSBERG** offered the following amendment No. **A03992**:

Amend Bill, page 22, lines 27 through 30; page 23, lines 1 through 6; by striking out "LIMITATIONS ON TREATMENT.—TELEMEDICINE SERVICES OR" in line 27, all of lines 28 through 30 on page 22 and all of lines 1 through 6 on page 23 and inserting
Construction.—Nothing in this chapter shall be construed to permit a health care provider to provide health care services in violation of a Federal or State law or regulation.

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

The SPEAKER. On the amendment is Representative Schlossberg, amendment 03992.

Mr. SCHLOSSBERG. Thank you, Mr. Speaker.

My amendment, which I am offering now, amendment 3992, would remove an unnecessary barrier which could dramatically and negatively impact patient health. As is, this bill would make it so that telemedicine services could not be used if the service was on the REMS list. The REMS list is – REMS itself is short for the Risk Evaluation and Mitigation Strategy. A treatment falls on the REMS list if there is a potential danger of an adverse effect when it has been prescribed, or if there is potential danger if a treatment is not offered in a specific facility.

That being said, as we all know, science, medication, treatments, and technology all evolve. Drugs are regularly placed on the REMS list by the FDA (Food and Drug Administration), only to be removed at a later date when the science changes. However, this legislation as written locks in telemedicine coverage for medicines that are on the REMS list as of July 1, 2019. If the medicine is placed on the REMS list and the technology evolves at a later date, this bill still prohibits its use via telemedicine. This can happen even if the FDA changes it at a later date.

Now, to be clear, this is not an abstract concept. Since 2009 over 200 drugs have been released from the REMS list. Health-care procedures may also move a location, such as dialysis. As many of us know, dialysis was originally given only in specific hospitals or health-care centers; however, lately, in order to save on costs, dialysis has been pushed to either mobile health-care centers or even at some homes. This is less expensive to our Medicare program, and ultimately, more effective to patients.

Now, I understand, certainly, more than many that this particular piece of legislation has really riled up some passions because of its connection to the abortion issue. And while I certainly have very strong opinions on abortion, please understand that this amendment, if it is not accepted by the House, would wind up causing much more harm than just abortion services.

If passed, this amendment locks telemedicine in to certain treatment protocols for medicated-assisted treatment, which is one of the most successful tools as it obtains to substance use disorder. Numerous long-acting injectables are currently on the market to treat addiction, opioid use, or even schizophrenia. Right now many of these drugs are in the REMS protocol, but it is highly possible that one day they will not be. If this bill passes, we are robbing patients of access to certain types of treatment – or if this amendment does not pass, excuse me, we are robbing patients of the ability to access certain types of treatments. This means that we are placing one more hurdle on a medically fragile group of people. We would be attacking and going backwards on much of the good work that we have done when it comes to substance use disorder.

I would also note that my amendment could dramatically and negatively impact people with substance use disorder that live in rural areas that do not have access, necessarily, to the type of treatment that those of us from suburban or urban areas come from. Those recovering from substance use disorders already have numerous hurdles which are in their way. Without enacting my amendment, we continue to place those hurdles in front of

them. The opioid overdose epidemic is one of the worst public health crises in Pennsylvania, and to limit treatment in this telemedicine bill is contrary to the goals that we use to provide health care to patients.

The promise of telemedicine is predicated on the idea that any safely available treatment can be prescribed by doctors and reimbursed by telemedicine. Telemedicine can help us address doctor shortages, give patients access to the finest specialists in the world, and perhaps most critically for the State, help us address doctor shortages and help us address the problems of substance use disorder and medical illness and mental illness.

It is for those reasons that I urge my colleagues to vote "yes" on this amendment and ensure that the promise of telemedicine can be available to patients regardless of what kind of treatment they take advantage of. Thank you.

The SPEAKER. I have Representative Tina Pickett and then Representative Austin Davis. I do usually call the leaders any time they wish, but at this time I am just going to go with – because I think the majority leader is going to speak at the end – Representative Tina Pickett and Representative Austin Davis.

Representative Pickett. Madam Chair, I should say.

Ms. PICKETT. Thank you, Mr. Speaker.

I rise to oppose this amendment. REMS is a drug safety program that the FDA uses for certain medications with serious safety concerns to help ensure the benefits of the medication outweigh its risks for consumers. REMS is designed to reinforce medication-use behaviors and actions that support the safe use of that medication. While all medications have labeling that informs health-care stakeholders about medication risks, only a few medications require a REMS.

I do respectfully ask for your "no" vote on this amendment, 3992. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Madam Chair.

Representative Austin Davis, on the amendment, sir.

Mr. DAVIS. Thank you, Mr. Speaker.

I rise to support the Schlossberg amendment. Earlier this week in the Insurance Committee, I raised similar concerns that SB 857 as amended locks us into a standard as of July 1, 2019, when these standards will change. Services will, based on medical and scientific advancement, come on and off these Federal lists, and locking Pennsylvania into this list as of July 1, 2019, is problematic.

Such a standard will inevitably inhibit virtual health, telemedicine advancement in this Commonwealth. We fully understand and support compliance with Federal standards, but anchoring the Commonwealth to a certain date is problematic, as this is an ongoing and revolving list.

So I would urge my colleagues to support the Schlossberg amendment because we do not want to lock Pennsylvania in to a July 1, 2019, date in medical history.

Thank you, Mr. Speaker.

The SPEAKER. So I think the only two remaining speakers on the amendment – Representative Schlossberg will go a second time, and then followed by the majority leader. I do not think anybody else has requested to speak on the amendment.

The maker of the amendment is Representative Schlossberg, for a second time, sir.

Mr. SCHLOSSBERG. Thank you, Mr. Speaker.

Very briefly, I just want to make sure that I am as clear as humanly possible about this. On page 22, line 30 of the bill, it specifically cites the date July 1, 2019, for the date at which the REMS coverage occurs. Of course, the chairwoman of Insurance

is completely correct: we should make sure that Pennsylvanians only take the safest possible medication and that we are in accordance with FDA guidelines. But again, the REMS list evolves; 200 drugs have come off of the REMS list since 2009. If we lock in when the REMS list will be eligible for telemedicine services, we are potentially cutting off telemedicine coverage and basically locking in science from July 1, 2019.

It is for those reasons again that I ask for a "yes" vote.

The SPEAKER. And the majority leader, on the amendment.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman who is offering the amendment and I have worked together on many other issues, but this is one, unfortunately, where I part ways with him, really based on legal reasons.

I think when you look at the history of the laws that have been proposed here in the Commonwealth, we personally experienced two that have recently been invalidated related to the delegation of legislative authority. The first was the *Protz* case, which we corrected, and then in turn is currently being relitigated in the *AFL-CIO* challenge to that case regarding workers' comp law.

Additionally, the Fireworks Law hinged on the very same elements of the underlying cases. And I will quote from the *AFL-CIO* case because I think it is important, and I will also reference the *Pennsylvanians Against Gambling Expansion* because it is important and it deals specifically with the delegation idea.

The concept is this: The Supreme Court has ruled that we cannot relegate or delegate our constitutional authority to some unelected, unaccountable body that changes. In the *Protz* case, it happened to be a particular addition of a medical book. The Fireworks Law dealt with the fire and safety aspects regarding fireworks. But when you get to the delegation authority it is very clear. It says, "At the outset, it is important to clarify that the non-delegation doctrine does not prevent the General Assembly from adopting as its own a particular set of standards which already are in existence at the time of adoption. However, for the reasons we have explained, the non-delegation doctrine prohibits the General Assembly from incorporating, sight unseen, subsequent modifications to such standards without also providing adequate criteria to guide and restrain the exercise of the delegated authority."

Mr. Speaker, I think it is important that we recognize that the *AFL-CIO* case was in fact upheld, and the argument that we made here on the floor was that the specific reference was to a certain addition on a date certain. I understand it causes the gentleman concern; however, we are simply following the directive that the Supreme Court has laid out in prior case law. And in an abundance of caution, we need to make sure we pick the most recent date to the time that we are here today. And like any other law, we can revisit it at a later time.

I think the individuals on both sides have tried to politicize it for a variety of reasons in all of these cases, but the truth is, we here in the General Assembly make that decision and we will abide by the case law that is there. Therefore, I must respectfully oppose the gentleman's amendment because it would take out the very clear and defined criteria that we want to preserve as a legislature at this point in time. It can always be revisited, but today we have to pick something with certainty.

Thank you, Mr. Speaker.

LEAVE OF ABSENCE

The SPEAKER. If I did not state for the record, Representative KAUFER has requested to be placed on leave. Without objection, that will be granted.

CONSIDERATION OF SB 857 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—92

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

NAYS—104

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

NOT VOTING—0

EXCUSED—7

Brooks	Dowling	Mako	Stephens
Cephas	Kaufer	Neilson	

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

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

The SPEAKER. Amendment 4000 is out of order, because that amends amendment 3992, and because 3992 has not been passed, 4000 is out of order.

Representative Mehaffie has a late-filed amendment, 4020. Please read a summary of that, 40420.

They are printing that now.

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

Mr. **MEHAFFIE** offered the following amendment No. **A04020**:

Amend Bill, page 15, by inserting between lines 20 and 21
(14) A dietitian nutritionist who holds a valid license under the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law.

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

AMENDMENT WITHDRAWN

The SPEAKER. Representative Mehaffie, on a motion to suspend; please proceed.

Mr. MEHAFFIE. Thank you, Mr. Speaker.

The intent of this amendment is to make sure that dietitians and nutritionists are able to practice telemedicine. My understanding is that that is covered under "health care practitioner," so I will be withdrawing the amendment.

The SPEAKER. Thank you, sir.

We have ruled amendment 03946, filed by Representative Kosierowski, as out of order.

And then Representative Jordan Harris, the Democratic whip, is, I believe, going to be making a motion.

MOTION TO REVERT TO PRIOR PRINTER'S NUMBER

The SPEAKER. Representative Harris, sir.

Mr. HARRIS. Yes, Mr. Speaker.

Thank you, Mr. Speaker.

Mr. Speaker, I rise to make a motion to revert to the prior printer's number, PN 1347.

The SPEAKER. We have in front of us a motion to revert to the prior printer's number, offered by the Democratic whip, Representative Jordan Harris.

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

The SPEAKER. On the motion, sir.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, the concerns that we have with SB 857 as amended by amendment A03871 is that it locks in a standard as of July 1, 2019. As the good gentleman spoke about earlier, in the last decade more than 200 different drugs have come off of this list, in the last decade. As we know, medicine evolves and it continues to change, and locking us in on this standard we believe will hinder telemedicine and hinder our advancement with regards to medicine in the Commonwealth, and therefore, we ask to revert to the prior printer's number.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

Leader, on the motion.

Mr. CUTLER. Thank you, Mr. Speaker.

Respectfully, I would urge the members to oppose the attempt to revert to a prior printer's number, and I will go into a little more detail regarding the list, because I believe it is important.

There are currently 58 drugs on the list by my count – that was provided earlier – and the important thing regarding this is there are several restrictions – and the gentleman is correct – that evolve over time. You may either prescribe or administer them, you know, in certain settings. It is one that is surrounded by patient safety, and while it does involve sometimes telemedicine, they have a list that specifically are prohibited.

So respectfully, I would urge that we keep the amendment that was just recently adopted in a favorable way, because it does follow existing case law, existing case law that the current Supreme Court put in place, where it clearly said that we have to provide a moment in time and a specific reference when we delegate authority. This language that is included in the bill captures that. I understand that there may be other concerns related to the advancement of medicine, and I know firsthand how quickly medicine will advance. However, Mr. Speaker, the one thing that the Supreme Court has not taken away from us yet is our ability to change the law as we see fit. They have, however, through case law, dictated that we have to pick the opportune time to set the list and the criteria. We have done that, we have complied with that, and I would urge keeping the language that is currently in the bill. Thank you.

The SPEAKER. Representative Schlossberg, on the motion to revert to a prior printer's number.

Mr. SCHLOSSBERG. Thank you, Mr. Speaker.

I rise in support of the Harris motion to revert to the prior printer's number. I do so for two reasons: first of all, I want to thank my friend, the leader, because there are, unquestionably, legal concerns about the legislature delegating its authority to another body. The good news is that this motion to revert actually addresses those concerns, because it allows the legislation to go silent on the REMS list, which means we default to current law. Secondly, I would also note that it is not as if the passage of this legislation would somehow override State law. By reverting to the prior printer's number, it puts us in line with the current existing Federal and State law about the REMS list and allows us, most importantly, to continue to incorporate science and medication changes in order to ensure that the promise of telemedicine is still upheld.

Voting for this reversion will allow us to incorporate modern science as medications become more and more available, and it is for those reasons that I ask for an affirmative vote on the motion.

The SPEAKER. Representative Jordan Harris, the Democratic whip, on the motion to revert to a prior printer's number.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, in addition to what my good colleague said, reverting to the prior printer's number will also allow us to offer an amendment that will include the CHIP (Children's Health Insurance Program) program into this bill, understanding that it was inadvertently left out. Without that amendment and without including CHIP, we believe that only young people, only children who have private health care will be able to use telemedicine, so we want to revert so that we can add CHIP into this bill so we can provide this health care for all young people across the Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER. The majority leader, on the motion to revert to a prior printer's number.

Mr. CUTLER. Thank you, Mr. Speaker.

I believe that previously they had withdrawn that amendment, and I understand. But it is our belief, in reading the plain language of the law, that CHIP is already included in the programs as they are enumerated and listed in the existing law. Furthermore, Mr. Speaker, I think it is worth noting that even if there was some level of concern, they could do a notice or a brief through the administrative regulatory process, is my understanding, through the Governor's Office, because that has been done previously. And regarding this, I would once again urge the members to please stick with us against this procedural motion to take the bill back in time – even though it was only 5 minutes ago – to take it back in time, because we need the language in order to comply with existing case law as proffered by the Supreme Court regarding having a specific reference and a delegation of power.

I am sympathetic and empathetic to the gentleman's concerns regarding the *Protz* case, as well as the Fireworks Law, because in both cases we argued that evolving fire standards and medical standards required flexibility in the law in order to stay current. Unfortunately, the Supreme Court has thought better of that approach, and they have said that the preferred approach, as filed in the *Protz* fix, which we have debated here previously, was clearly outlined. It involves taking a snapshot on a certain date of a certain edition. That is what this language does; nothing more, nothing less. We do not believe that the CHIP concerns are founded, in terms of how they were going to be fixed. We believe that they are already included, and if they were concerned about it, I would offer that they probably should not have pulled the amendment.

Mr. Speaker, let us move the bill from second to third and continue moving. Thank you.

The SPEAKER. The Democratic whip is standing in as the floor leader for the Democratic caucus at this time and has requested the opportunity to speak again. The majority leader will be given the opportunity, of course, to respond, but the Democratic whip may proceed.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the latitude that the good gentleman wants to give our Governor, but I am a constitutionalist and I believe in the separation of powers. Therefore, I believe since we have the opportunity to fix the bill now we should not forgo

our constitutional responsibility to represent the 62,000 constituents that sent each and every one of us here. We should not give that authority to the Governor. I think that we should take that authority and we should do it right now.

We have an opportunity to provide telemedicine to young people who are on CHIP. We can argue whether or not we believe it is covered. This amendment, this reverting to the prior printer's number will give us the opportunity to ensure that it is covered. So I urge all of my colleagues to vote "yes" to revert to the prior printer's number so there is no ambiguity in whether or not young people on the CHIP program are covered. We can make it and we can codify it and we can do our jobs right now without sending it and leaving it up to the Governor.

Thank you, Mr. Speaker.

The SPEAKER. The majority leader, Representative Bryan Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

I will certainly give a nod to the gentleman in terms of humor and cleverness; however, I would again revisit the issue regarding what was said, and I will provide further clarification. The bill, as drafted, applies to MCOs (managed-care organizations). CHIP is offered through a series of MCOs; therefore, they are engrossed in the definitions that are already contained in the bill. And the offer to get a notice with simply a boots-and-suspenders approach, I do not believe that it is required. But if the gentleman had concerns, I thought perhaps he could reach out to the Governor and ensure that the boots and suspenders were in place.

I think the plain language of the bill clearly provides for what we need, and I urge the members to oppose the procedural motion.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

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

The following roll call was recorded:

YEAS—90

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

NAYS—106

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

NOT VOTING—0

EXCUSED—7

Brooks	Dowling	Mako	Stephens
Cephas	Kaufer	Neilson	

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

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

* * *

The House proceeded to second consideration of **SB 317, PN 296**, entitled:

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

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 1985, PN 2888**, entitled:

An Act amending the act of December 15, 1971 (P.L.596, No.160), known as the Outdoor Advertising Control Act of 1971, further providing for definitions, for control of outdoor advertising, for removal of prohibited advertising devices and for penalties for violation; and imposing a duty on the Secretary of Transportation to notify the Federal Highway Administration.

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

The SPEAKER. My understanding is that Representative Snyder has removed her amendment. There are no further amendments.

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

* * *

The House proceeded to second consideration of **SB 751, PN 1055**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employees, further providing for rating system and for persons to be suspended and providing for a revised rating system.

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

The SPEAKER. So there are three amendments.

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

Mr. **LAWRENCE** offered the following amendment
No. **A03758**:

Amend Bill, page 27, line 10, by inserting before "The"
(a) Development of regulations generally.—
Amend Bill, page 27, by inserting between lines 11 and 12
(b) Evaluation of classroom teachers.—The State Board of Education shall develop regulations to ensure that the evaluation of a classroom teacher is not affected due to a parent's written request, addressed to a chief school administrator, to opt a student out of an assessment for any reason.

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

The SPEAKER. On the amendment, Representative John Lawrence is recognized.

Mr. **LAWRENCE**. Thank you, Mr. Speaker.

I rise once again to bring the issue before my colleagues here in the House with regard to the Keystone Exam mandate, and the fact that in the Commonwealth, we still have a situation where parents can only opt their children out of this exam through a religious exception. We need to move forward, Mr. Speaker, on this issue to give parents the ability to opt their children out for any philosophical reason and not limit it solely to religious reasons.

AMENDMENT WITHDRAWN

Mr. **LAWRENCE**. I realize this bill is not the ideal venue to address this issue so I will be pulling this amendment at this time, but I would like to continue to bring awareness to this issue so we can address it in the near future.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

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

Mr. **D. MILLER** offered the following amendment
No. **A03866**:

Amend Bill, page 7, line 22, by striking out the period after "department" and inserting
provided that a school district of the first class A which is utilizing a locally developed alternative rating tool approved by the department on the effective date of this section may continue to utilize the rating tool subject to review by the department every five years. If the department finds that the rating tool meets the requirements of this subarticle, the rating tool shall be renewed for an additional five years and reviewed every five years thereafter.

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

AMENDMENT WITHDRAWN

The SPEAKER. That amendment has been withdrawn by Representative Dan Miller.

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

AMENDMENT RULED OUT OF ORDER

The SPEAKER. Representative Isaacson has an amendment, 03816. Are you withdrawing that, Representative?

Okay. That has been ruled out of order, in consultation with the Parliamentarian. And do you rise to—

RULING OF CHAIR APPEALED

Mr. HARRIS. Mr. Speaker?

The SPEAKER. Yes.

The Democratic whip, who is acting as the floor leader.

Mr. HARRIS. Mr. Speaker, I rise to appeal the ruling of the Chair.

The SPEAKER. Yes, sir.

So let me read it. I will get a description of the amendment.

The clerk read the following amendment No. **A03816**:

Amend Bill, page 27, by inserting between lines 27 and 28
Section 1138.15. Charter school evaluations.

Notwithstanding the requirements of this subarticle, a charter school entity shall use the approved rating tool required by section 1123 and published in 22 Pa. Code Ch. 19 (relating to educator effectiveness rating tool) or an alternative tool approved by the department under section 1123 to evaluate employees serving as principals or school leaders, classroom teachers or nonteaching professionals.

Amend Bill, page 27, line 28, by striking out "1138.15" and inserting
1138.16

Amend Bill, page 28, line 2, by striking out "1138.16" and inserting
1138.17

The SPEAKER. Representative Harris, just give me a moment and I will read, and then obviously you will be able to speak on that.

SB 751 amends the Public School Code to revise the educator evaluation system. Amendment 3816 applies the educator evaluation system to charter school principals, schoolteachers, classroom teachers, and nonteaching professionals. Although both the bill and the amendment address the educator evaluation system, the bill does so by amending the Public School Code, and thus pertains only to public school employees as defined in that act, which is referencing traditional public schools.

The charter school language is in a different section. That language is not in the same code, thus we would have a violation of Article III, section 3, of the Pennsylvania Constitution, which provides that "no bill shall be passed containing more than one subject...."

And, sir, you may appeal.

Mr. HARRIS. Mr. Speaker, SB 751 amends the Public School Code to revise the educator evaluation system in public schools. Amendment 03816 amends the Public School Code to apply an educator evaluation system to charter schools. As we know, charter schools are public schools, and charter schools are a part of our public school system. As such, Mr. Speaker, if we uphold the ruling of the Chair, we are basically saying that there is a difference between charter schools and our regular traditional schools with regards to them being public schools and a part of the public school system.

I believe that argument is ridiculous, Mr. Speaker, and I urge my colleagues to support overturning the ruling of the Chair. Respectfully, Mr. Speaker. Thank you.

The SPEAKER. Thank you for respectfully calling me that, my good friend.

On the question,

Shall the decision of the Chair stand as the judgment of the House?

The SPEAKER. Representative Isaacson, before I call on the majority leader, do you want to speak on the appeal, because it is your amendment and you may speak on that.

Mrs. ISAACSON. Thank you, Mr. Speaker.

I rise in support of this motion to appeal the ruling of the Chair, as to teachers' evaluations for all public school teachers. And there should not be two classes of public school teachers. The public funds that support the charter school and cyber charter school teachers are the same public funds that are paid to the teachers in our traditional public schools, and I believe that we should have uniformity across the Commonwealth and all teachers treated equally.

So I ask for a "yes" on the appeal. Thank you.

The SPEAKER. The majority leader, on the appeal of the ruling of the Chair.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I would urge the members to support the ruling of the Chair because of the prior case law. I know this is becoming a redundant theme, but like my good gentleman across the aisle, I, too, believe in the separation of powers, but also abiding by the constitutional requirements imposed by the Supreme Court in their interpretation of the law. They are as follows: the seminal case defining the single subject is the *City of Philadelphia*. In the *City of Philadelphia*, the court adopted a practical germaneness test where the single-subject requirement

is satisfied so long as the legislation at issue possesses some single, unifying subject to which all the provisions of the act are relevant. They went on to cite this case later in *Pennsylvanians Against Gambling Expansion*, also known as the *PAGE* case, and most recently in the *Pennsylvania State Association of Jury Commissioners*, the *Neiman* case, *Leach v. Commonwealth*, and the Supreme Court decision of the *PA State Association of Jury Commissioners*.

Specifically, the part that was challenged, and ultimately upheld by the Supreme Court on the jury commissioner case was the fact that the power of county commissioners, as a definition – just as in this case "public schools" was too broad – the act affected all the counties except the home-rule charter counties and went on to say that it actually amended two articles in the County Code. Consistent with the case law, the gentelady's amendment would bring in Article XVII and Article XI, and therefore, it is expansive beyond the original article of the bill. It is also consistent with the prior case law that this would, therefore, violate the single subject, and I would urge the members to support the ruling of the Chair because I believe it is consistent with existing case law.

Thank you, Mr. Speaker.

The SPEAKER. Representative Harris, for the second time, on the appeal of the ruling of the Chair.

You may proceed, sir.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, I am not a lawyer, but I am a former schoolteacher, and while I listened to what the good gentleman, the majority leader, said, I think he is right about a unifying subject. I think the unifying subject here is teacher evaluations in public schools. So since the unifying subject is teacher evaluations in public schools, this amendment is in order, and therefore, I appeal the ruling of the Chair and I ask my colleagues to stand with me in appealing this ruling.

Thank you, Mr. Speaker.

The SPEAKER. All those in favor – let me just, I have to be precise about this; I apologize. When an appeal is taken, the Speaker should clearly state the decision which is being appealed. That has been done.

And now the question is this: Shall the decision of the Chair stand as the judgment of the House? If you are in favor of sustaining the Chair's decision, you will vote "aye." If you are opposed to sustaining the Chair's decision, you will vote "nay."

On the question recurring,

Shall the decision of the Chair stand as the judgment of the House?

The following roll call was recorded:

YEAS—105

Barrar	Gleim	Mentzer	Rothman
Benninghoff	Gregory	Metcalfe	Rowe
Bernstine	Greiner	Metzgar	Ryan
Boback	Grove	Mihalek	Sankey
Borowicz	Hahn	Millard	Saylor
Brown	Heffley	Miller, B.	Schemel
Causar	Helm	Mizgorski	Schmitt
Cook	Hennessey	Moul	Schroeder
Cox	Hershey	Murt	Simmons
Culver	Hickernell	Mustello	Sonney

Cutler	Irvin	Nelson	Staats
Day	James	Nesbit	Struzzi
DeLozier	Jones	O'Neal	Thomas
Diamond	Jozwiak	Oberlander	Tobash
DiGirolamo	Kail	Ortitay	Toepel
Dunbar	Kauffman	Owlett	Toohil
Dush	Keefer	Peifer	Topper
Ecker	Keller	Pickett	Walsh
Emrick	Klunk	Polinchock	Warner
Everett	Knowles	Puskaric	Wentling
Farry	Lawrence	Pyle	Whealand
Fee	Lewis	Quinn	White
Fritz	Mackenzie	Rader	Zimmerman
Gabler	Maloney	Rapp	
Gaydos	Marshall	Reese	Turzai,
Gillen	Masser	Rigby	Speaker
Gillespie	Mehaffie	Roae	

NAYS—91

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

NOT VOTING—0

EXCUSED—7

Brooks	Dowling	Mako	Stephens
Cephas	Kaufer	Neilson	

Less than a majority of the members elected to the House having voted in the negative, the decision of the Chair stood as the judgment of the House.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

SUPPLEMENTAL CALENDAR A

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 572, PN 1400**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in public safety, providing for opioid treatment agreements.

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 Frankel, on the bill, please.
Mr. FRANKEL. Thank you, Mr. Speaker.

I rise today to ask my colleagues to oppose SB 572, a well-intentioned bill that I worry could have unintended consequences. The opioid crisis became an emergency very rapidly, and Pennsylvania's quick and decisive action to address it undoubtedly saved lives. Between legislative action and the Governor's task force, we established guidelines and effectively cracked down on problem prescribers. In fact, we have been so effective in stemming the overprescription of pain medications that doctors are struggling to address the very real issue of chronic pain.

Many of us are hearing from experts who manage addiction and pain that patients are being left without options that are turning to street drugs, increasing the risk of death. A report from Quest Diagnostics found that 62 percent of physicians fear we will be trading the opioid crisis for another prescription drug crisis. The bill before us today would lock Pennsylvania into a protocol based on what we understand today. But as we have seen, today's needs are very likely to be different from tomorrow's needs, as we work to ensure that we are both protecting consumers from addiction and allowing people who suffer to get appropriate health care.

In order to best respond to this ever-evolving crisis, I ask my colleagues to oppose this bill and maintain the flexibility we will need to ensure that Pennsylvanians keep up with best practices, rather than locking providers into an outdated approach.

Thank you, Mr. Speaker.
The SPEAKER. 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—117

Barrar	Gleim	Mehaffie	Roae
Benninghoff	Gregory	Mentzer	Rothman
Bernstine	Greiner	Metcalfe	Rowe
Boback	Grove	Metzgar	Ryan
Borowicz	Hahn	Mihalek	Sainato
Brown	Heffley	Millard	Sankey
Burns	Helm	Miller, B.	Saylor
Carroll	Hennessey	Mizgorski	Schemel
Causar	Hershey	Moul	Schmitt
Cook	Hickernell	Mullery	Schroeder
Cox	Irvin	Mullins	Simmons
Culver	James	Murt	Snyder
Cutler	Jones	Mustello	Sonney
Day	Jozwiak	Nesbit	Staats
Delozier	Kail	O'Neal	Struzzi
DeLuca	Kauffman	Oberlander	Thomas

Diamond	Keefer	Ortitay	Tobash
DiGirolamo	Keller	Owlett	Toepel
Dunbar	Kim	Pashinski	Toohil
Dush	Klunk	Peifer	Topper
Ecker	Knowles	Petrarca	Walsh
Emrick	Kosierowski	Pickett	Warner
Everett	Lawrence	Polinchock	Wentling
Farry	Lewis	Puskaric	Wheeland
Fee	Longietti	Pyle	White
Fritz	Mackenzie	Quinn	Zimmerman
Gabler	Maloney	Rader	
Galloway	Marshall	Rapp	Turzai,
Gaydos	Masser	Reese	Speaker
Gillespie	Matzie	Rigby	

NAYS—79

Bizzarro	Donatucci	Kinsey	Roebuck
Boyle	Driscoll	Kirkland	Rozzi
Bradford	Evans	Kortz	Samuelson
Briggs	Fiedler	Krueger	Sanchez
Bullock	Fitzgerald	Kulik	Sappey
Burgos	Flynn	Lee	Schlossberg
Caltagirone	Frankel	Madden	Schweyer
Ciresi	Freeman	Malagari	Shusterman
Comitta	Gainey	Markosek	Sims
Conklin	Gillen	McCarter	Solomon
Cruz	Goodman	McClinton	Sturla
Daley	Hanbidge	McNeill	Ullman
Davidson	Harkins	Merski	Vitali
Davis, A.	Harrell	Miller, D.	Warren
Davis, T.	Harris	Nelson	Webster
Dawkins	Hohenstein	O'Mara	Wheatley
Deasy	Howard	Otten	Williams
DeLissio	Innamorato	Rabb	Youngblood
Delloso	Isaacson	Ravenstahl	Zabel
Dermody	Kenyatta	Readshaw	

NOT VOTING—0

EXCUSED—7

Brooks	Dowling	Mako	Stephens
Cephas	Kaufer	Neilson	

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

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1800, PN 2886**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school district financial recovery, providing for duties of receivers in certain districts.

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

The SPEAKER. At this time there are many amendments, and the first amendment is Representative Roebuck, amendment 03958.

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

Mr. **ROEBUCK** offered the following amendment
No. **A03958**:

Amend Bill, page 1, line 6, by striking out "duties of receivers"
and inserting
tuition grant program

Amend Bill, page 1, line 13, by striking out "Duties of receivers"
and inserting
Tuition grant program

Amend Bill, page 1, lines 14 through 18, by striking out "If a
receiver is appointed in a school" in line 14 and all of lines 15 through
18 and inserting

The receiver or the superintendent of a school district, as
appropriate, shall create a program of tuition grants as provided under
this section in the following circumstances:

(1) If a receiver is appointed in a school district of the
second class that is located in a city of the third class within a
county of the third class; or

(2) If all of the following apply:

(i) a school district redraws its elementary and
middle school boundaries in order to redistribute
students;

(ii) at least two percent of parents in the school
district petition the Secretary of Education for the
establishment of a tuition grant program under this
section; and

(iii) the Secretary of Education approves the
petition submitted under subparagraph (ii) and orders the
superintendent of the school district to establish a tuition
grant program.

Amend Bill, page 2, line 1, by inserting after "receiver"
or superintendent, as appropriate, in a school district to which
this section applies

Amend Bill, page 2, line 5, by inserting after "receiver"
or superintendent

Amend Bill, page 2, line 6, by inserting after "receiver"
or superintendent

Amend Bill, page 3, line 8, by inserting after "receiver"
or superintendent, as appropriate,

Amend Bill, page 3, line 26, by inserting after "receiver"
or superintendent, as appropriate,

Amend Bill, page 4, line 19, by inserting after "receiver"
, the superintendent

Amend Bill, page 4, line 20, by inserting after "receiver's"
, superintendent's

Amend Bill, page 5, line 6, by inserting after "receiver"
or superintendent, as appropriate,

Amend Bill, page 5, line 18, by inserting after "receiver"
of a school district to which this section applies

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

AMENDMENT WITHDRAWN

The SPEAKER. On that, Representative Roebuck is
recognized.

Mr. ROEBUCK. Mr. Speaker, I am withdrawing that
amendment.

The SPEAKER. Thank you, sir.

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

Mr. **CARROLL** offered the following amendment
No. **A03956**:

Amend Bill, page 6, by inserting between lines 21 and 22
(k) Prohibition.—A nonpublic school or participating public
school that accepts a student who receives a tuition grant under this
section shall be prohibited from accepting any students who receive a
scholarship under either the educational improvement tax credit
program or the opportunity scholarship tax credit program established
under Article XX-B.

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

The SPEAKER. Representative Mike Carroll, on the
amendment, sir.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, this amendment simply prohibits the issuance of
a voucher if the student accepts an EITC
(educational improvement tax credit) or OSTC (opportunity
scholarship tax credit) scholarship grant. This Commonwealth is
quite generous with respect to EITC; in my opinion, overly
generous. This amendment simply seeks to try and restrain the
continuation of the flow of funds from public schools to the
private schools.

The SPEAKER. Representative Greg Rothman, on the
amendment.

Mr. ROTHMAN. Mr. Speaker, would the maker of the
amendment stand for interrogation?

The SPEAKER. Yes, he has agreed to do so.

Mr. ROTHMAN. Would your amendment prohibit any
student – if a school accepts a student under the HB 1800, then
no other students in that district could get EITC/OSTC
scholarships?

Mr. CARROLL. No, just the one. Just the student.

Mr. ROTHMAN. Only the individual student?

Mr. CARROLL. Correct.

Mr. ROTHMAN. Mr. Speaker, on the amendment?

The SPEAKER. Yes, sir. On the amendment.

Mr. ROTHMAN. Mr. Speaker, it is my opinion, reading this,
the underlying bill, that the school would never receive more than
the total of tuition, so if the EITC or OSTC scholarships help that
student to cover that gap between the \$8,000 and what the tuition
is, then that would be a good thing if we get more kids to be able
to go to these schools. The parents would never receive more
than, or the child would never receive more than the total amount
of tuition.

So I am not sure of the reasoning of this amendment, and
I would urge my colleagues to vote against it.

The SPEAKER. Representative Carroll, for the second time.

Mr. CARROLL. Mr. Speaker, this is not complicated. The
tuition can be greater than the EITC grant or it can be greater than
the voucher, and so there is a significant, real reason why this
amendment is necessary: again, to protect the flow of public
school dollars and public taxpayer dollars to private schools. This
amendment seeks to do that.

For those of us that are insisting on trying to ensure that our
public schools are financially viable, this amendment seeks to
provide a very small amount of protection to those 500 public
school districts that could be subjected to a voucher program that
this bill envisions. So, Mr. Speaker, if we are serious about trying
to rein in property taxes, and if we are serious about trying—

The SPEAKER. Please suspend, sir. You are off the amendment.

Mr. CARROLL. Mr. Speaker, this amendment speaks to the amount of money that flows from the public schools to private schools.

The SPEAKER. Sir, you are off the amendment.

Mr. CARROLL. Mr. Speaker?

POINT OF ORDER

Mr. HARRIS. Point of order, Mr. Speaker.

The SPEAKER. Yes, to the Democratic whip. Yes, sir.

Mr. HARRIS. Mr. Speaker, I think what the gentleman is trying to talk about is how we fund public schools in Pennsylvania, and if we fund public schools with property tax dollars, I think what the speaker is saying is actually on the bill, and we would ask for a little latitude, Mr. Speaker. Thank you.

The SPEAKER. Certainly, sir, but I have already given latitude and he has certainly spoken on the amendment and we are far afield.

But I have already directed that you are far afield.

Do you have an additional point?

Mr. CARROLL. Yes.

The SPEAKER. Yes. You may proceed.

Mr. CARROLL. Mr. Speaker, the gentleman from Cumberland County opened the door to a conversation relative to EITC and voucher dollars flowing from the public schools to the private schools. So, Mr. Speaker, my response in rebuttal to the gentleman simply seeks to clarify that the tuition amount can be greater than the EITC grant and it can be greater than the voucher provided, and because of the potential tuition rate at a private school, these additional tax dollars will flow from, in this case, the Harrisburg School District to the private schools, but a broader interpretation of this could end up with having dollars flow from the public schools to the private schools.

So there really is a significant reason to ensure that this amendment is approved to protect the taxpayers – the property tax payers and the Commonwealth's taxpayers – because at the end of the day, the school districts' dollars and the basic-ed subsidy dollars will end up as part of the voucher program.

So, Mr. Speaker, the gentleman opened the door to this conversation. I simply seek to make sure that the members in this chamber that are going to vote on this amendment fully understand that this amendment is completely necessarily to ensure a limitation on the amount of taxpayer dollars for public education—

The SPEAKER. Please suspend.

Mr. CARROLL. —that would go to private schools.

The SPEAKER. We are far afield from the amendment.

Representative Rothman, on the amendment.

Mr. ROTHMAN. I am reading from the amendment: "Prohibition. A nonpublic school or participating public school that accepts a student who receives a tuition grant under this section shall be prohibited from accepting any students who receive a scholarship under either the educational improvement tax credit program or the opportunity scholarship tax credit program established under Article XX-B." That was the question I asked. And your amendment says that the whole school, the school will be disqualified from accepting any other.

This is a poison-pill amendment meant to kill the whole bill, and it jeopardizes all the schools that accept EITC and OSTC scholarships, and I urge my colleagues to vote "no."

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—91

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

NAYS—105

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

NOT VOTING—0

EXCUSED—7

Brooks	Dowling	Mako	Stephens
Cephas	Kaufer	Neilson	

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

**THE SPEAKER PRO TEMPORE
(TINA PICKETT) PRESIDING**

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

Mr. **ROEBUCK** offered the following amendment
No. **A03939**:

Amend Bill, page 2, line 5, by inserting after "district"
, provided the student is not enrolled in a home education
program provided under section 1327.1

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

The **SPEAKER** pro tempore. The Chair recognizes
Representative Roebuck, on the amendment.

Mr. **ROEBUCK**. Thank you, Madam Speaker.

I stand in support of amendment 03939. The maker of the bill stated that the purpose of the bill was to provide Harrisburg students with immediate access to a better education. This amendment will ensure that students attending – and I quote the maker of the bill – "one of the worst school districts in the State" are the ones that benefit from this voucher program and not students who are already attending private schools or being educated in their homes. HB 1800 is not honest with taxpayers of the State in terms of who benefits in the new voucher program. Past analysis of similar voucher bills found that between 65 and 84 percent of vouchers would go to students already in nonpublic schools. We want to help public school students. Let us do it. Let us not open the door to helping students who are not impacted by the problems that we are citing to justify this legislation.

I would ask for a favorable vote on my amendment.

Thank you, Madam Speaker.

The **SPEAKER** pro tempore. Representative Rothman, on the amendment.

Mr. **ROTHMAN**. Madam Speaker, this is not an agreed-to amendment, and any student who would stay in the home education program obviously would not be eligible. But if this amendment went in, it would exclude students who want to get out of a home education program and go to one of these schools from being able to receive the tuition grant. I urge my colleagues to vote "no."

The **SPEAKER** pro tempore. Representative Roebuck, second time.

Mr. **ROEBUCK**. Thank you. I want to make very clear that the issue here is that the students who are supposed to be helped are those in the Harrisburg School District and that the intent of the vouchers is not to help people outside of that school district, but rather to help students in the school district, and the gentleman's comments just now suggest that that is not what he is understanding the bill to do. Thank you.

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

The following roll call was recorded:

YEAS—91

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

NAYS—105

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

NOT VOTING—0

EXCUSED—7

Brooks	Dowling	Mako	Stephens
Cephas	Kaufer	Neilson	

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

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

Ms. **KIM** offered the following amendment No. **A03957**:

Amend Bill, page 5, line 4, by striking out "may" and inserting located within a ten-mile radius of a school district to which this section applies shall accept all eligible students who receive a tuition grant and shall

Amend Bill, page 5, line 5, by inserting after "grant."

A school district located outside the ten-mile radius also may designate a school or schools that will accept students who receive a tuition grant.

Amend Bill, page 5, lines 9 through 15, by striking out "to elect to" in line 9 and all of lines 10 through 15 and inserting

located within a ten-mile radius of a school district to which this section applies to identify each public school in the school district that will participate.

(ii) The timeline for a school district located outside the ten-mile radius to elect to participate in accepting students who receive a tuition grant and to identify each public school in the school district that will participate, including identifying the number of students the school district will accept by grade level.

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

The **SPEAKER** pro tempore. On the amendment, Representative Kim.

Ms. **KIM**. Thank you, Madam Speaker.

This amendment would require that all school districts within a 10-mile radius of Harrisburg accept vouchers from Harrisburg students, under HB 1800. Now, if this proposal proceeds, we need to ensure that there is both academic and fiscal accountability for the taxpayer resources invested in this program. This can most easily be done by requiring the surrounding districts to accept the vouchers so students can attend any of the public schools that are in the immediate vicinity of Harrisburg. Public schools are required to take every student that comes to their doorstep; private schools are not. This amendment would ensure that every student truly has the same opportunity at school choice.

The 10-mile radius reference in this amendment is consistent with the existing requirement in the School Code that public schools provide transportation for students attending nonpublic schools within a 10-mile radius. Based on a calculation, the following school districts would be required to accept the voucher: they are Susquenita, Susquehanna Township, East Pennsboro, Central Dauphin, Camp Hill, Steelton-Highspire, Cumberland Valley, Middletown, Mechanicsburg, and Lower Dauphin.

For the purposes of accountability, transparency, consistency, and fairness, I ask my colleagues to please support amendment 3957.

Thank you, Madam Speaker.

The **SPEAKER** pro tempore. Representative Rothman, on the amendment.

Mr. **ROTHMAN**. Madam Speaker, thank you.

This is not an agreed-to amendment, and I urge my colleagues to vote "no." There are capacity issues within the school districts, some of which were named by my colleague and friend from Dauphin County.

This is not an agreed-to amendment, and I ask you to vote "no."

**THE SPEAKER (MIKE TURZAI)
PRESIDING**

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

The following roll call was recorded:

YEAS—91

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

NAYS—105

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

NOT VOTING—0

EXCUSED—7

Brooks	Dowling	Mako	Stephens
Cephas	Kaufer	Neilson	

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

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

Ms. **KIM** offered the following amendment No. **A03932**:

Amend Bill, page 2, lines 3 and 4, by striking out "and attend or will" and inserting

and attended a school that is part of the school district for the entire school year before receiving a tuition grant and will use the tuition grant to

Amend Bill, page 2, line 5, by striking out "a" and inserting the

Amend Bill, page 2, line 6, by striking out the period after "available" and inserting , except that tuition grants will be available only to those students who attended a school that is part of the school district for the entire school year before receiving a tuition grant.

Amend Bill, page 2, line 10, by striking out the period after "district" and inserting and attended a school that is part of the school district for the entire school year before receiving a tuition grant.

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

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

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

Amendment A03932 would exclude current nonpublic students from receiving the waiver of the voucher. In its current form, HB 1800 allows current nonpublic students to get a voucher—

The **SPEAKER**. Members, please – I apologize, Representative Kim – members, if you could please take your seats. Please take your seats. Please take your seats; staff as well, please.

Representative Kim, continue.

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

In the school year 2017-18, Harrisburg schools transported about 1,000 resident students to nonpublic schools. With the local share of the voucher being \$4,100, that is roughly \$4.5 million out of Harrisburg's budget next year. According to the acting superintendents, this additional cost would cripple the already fragile budget. This annual minimum requirement would drastically decrease the chances for the school district from exiting receivership. My amendment would provide more opportunity to students currently attending the school in the district, but not taking out a significant portion of the budget.

I ask my colleagues for their support.

Thank you, Mr. Speaker.

The **SPEAKER**. Representative Rothman.

Mr. **ROTHMAN**. Mr. Speaker, this is not an agreed-to amendment. I urge my colleagues to vote "no."

My read on this amendment would require parents to enroll their students in a failing school before they would even be eligible for the tuition grant for their child.

This is not an agreed-to amendment, and I urge my colleagues to vote "no."

The **SPEAKER**. Representative Patty Kim.

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

In this bill, HB 1800, the underlying bill says that the voucher program will start when the school district is in receivership. That should start from now and into the future. The 1,000 students who were enrolled in public schools were not in a school district in receivership. It might have been a financial distress status, but it was not in receivership, which HB 1800 mandates.

Thank you, Mr. Speaker.

**THE SPEAKER PRO TEMPORE
(TINA PICKETT) PRESIDING**

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

The following roll call was recorded:

YEAS—91

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

NAYS—105

Barrar	Gleim	Mentzer	Rothman
Benninghoff	Gregory	Metcalfe	Rowe
Bernstine	Greiner	Metzgar	Ryan
Boback	Grove	Mihalek	Sankey
Borowicz	Hahn	Millard	Saylor
Brown	Heffley	Miller, B.	Schemel
Causar	Helm	Mizgorski	Schmitt
Cook	Hennessey	Moul	Schroeder
Cox	Hershey	Murt	Simmons
Culver	Hickernell	Mustello	Sonney
Cutler	Irvin	Nelson	Staats
Day	James	Nesbit	Struzzi
DeLozier	Jones	O'Neal	Thomas
Diamond	Jozwiak	Oberlander	Tobash
DiGirolamo	Kail	Ortitay	Toepel
Dunbar	Kauffman	Owlett	Toohil
Dush	Keefer	Peifer	Topper
Ecker	Keller	Pickett	Walsh
Emrick	Klunk	Polinchock	Warner
Everett	Knowles	Puskaric	Wentling
Fary	Lawrence	Pyle	Wheeland
Fee	Lewis	Quinn	White
Fritz	Mackenzie	Rader	Zimmerman
Gabler	Maloney	Rapp	

Gaydos	Marshall	Reese	Turzai,
Gillen	Masser	Rigby	Speaker
Gillespie	Mehaffie	Roae	

NOT VOTING—0

EXCUSED—7

Brooks	Dowling	Mako	Stephens
Cephas	Kaufer	Neilson	

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

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

Mr. **STURLA** offered the following amendment No. **A03973**:

- Amend Bill, page 2, line 4, by striking out "a nonpublic school or"
- Amend Bill, page 3, line 1, by striking out "the nonpublic school or"
- Amend Bill, page 4, lines 18 through 30; page 5, lines 1 through 3; by striking out all of lines 18 through 30 on page 4, all of lines 1 and 2 and "(f)" in line 3 on page 5 and inserting (e)
- Amend Bill, page 5, line 18, by striking out "(g)" and inserting (f)
- Amend Bill, page 5, line 30, by striking out "(h)" and inserting (g)
- Amend Bill, page 6, line 2, by striking out "nonpublic school or"
- Amend Bill, page 6, lines 2 and 3, by striking out "within the district boundaries or"
- Amend Bill, page 6, line 6, by striking out "(I)" and inserting (h)
- Amend Bill, page 6, line 10, by striking out "(J)" and inserting (i)

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

The SPEAKER pro tempore. Representative Sturla, on the amendment.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this bill purports to give students choice, but as we just heard earlier with the previous amendment, that does not give the students the choice to attend other public schools – because they are crowded, they do not have capacity – so really, this amendment says that in fact this would be a public-to-public school voucher system.

Mr. Speaker, I believe that most members in this House, although not all, would say that their school district is doing okay and they think their school district does a decent job, and if not their school district, they can name a school district that does a decent job, where the schools are good and the kids perform. But as was pointed out, just the fact that you get a voucher does not mean you get a chance to go there. What the voucher gives you a chance to do is go to schools that have consistently performed below the average of public schools, consistently have never met the same standards as public schools. So this is a choice between one of the poorest performing schools in the State and schools that perform worse than that. That is not a choice at all, unless

you vote for this amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes Speaker Turzai, on the amendment.

Mr. TURZAI. I would ask all the members to vote against this particular amendment. First, let me make it clear that the underlying bill in fact increases the per-pupil expenditure for the city of Harrisburg School District, because the average daily membership would stay the same. And any students, with their parents or grandparents or guardians, that would take that particular scholarship opportunity, like other individuals who send their kids to private schools in that school district except that they can afford it, would be able to make use of that. Keep in mind also that it is less than the money that travels with the student to a public charter; \$13 million at the present time goes from the school district to the charter schools. This would restrict a parent's right to choose the best educational option, given the lower cost alternative, and I would ask the members to vote "no."

The SPEAKER pro tempore. Representative Sturla, the second time.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, in fact, it does not give students the chance to attend public schools, as was pointed out by a previous speaker who said there was not room in good public schools surrounding the school district of Harrisburg. It does not matter how much money this gives to the School District of Harrisburg and it does not matter how much money it gives to individual students, it does not give students the choice to attend a nearby public school that exceeds the performance of charters and cyber charters.

Mr. Speaker, I encourage a "yes" vote.

The SPEAKER pro tempore. Mr. Speaker, on the amendment.

Mr. TURZAI. The bill in fact does provide the opportunity for a parent or guardian, with their child, to go to a neighboring school district that wishes to participate, or to a private school like – which is available right now, both to go to a neighboring public school and to a private school for those that are willing to pay, but is not available for those that cannot afford it. Again, this would ultimately increase the amount of a per-pupil expenditure for the students still in the Harrisburg School District, and also, this amount of scholarship would be less than the amount that would be in the amount that would travel with the student to a charter school.

I would ask for a "no" vote.

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

The following roll call was recorded:

YEAS—91

Bizzarro	Donatucci	Kortz	Readshaw
Boyle	Driscoll	Kosierowski	Roebuck
Bradford	Evans	Krueger	Rozzi
Briggs	Fiedler	Kulik	Sainato
Bullock	Fitzgerald	Lee	Samuelson
Burgos	Flynn	Longietti	Sanchez
Burns	Frankel	Madden	Sappey
Caltagirone	Freeman	Malagari	Schlossberg
Carroll	Gainey	Markosek	Schweyer
Ciresi	Galloway	Matzie	Shusterman
Comitta	Goodman	McCarter	Sims
Conklin	Hanbidge	McClinton	Snyder
Cruz	Harkins	McNeill	Solomon
Daley	Harrell	Merski	Sturla

Davidson	Harris	Miller, D.	Ullman
Davis, A.	Hohenstein	Mullery	Vitali
Davis, T.	Howard	Mullins	Warren
Dawkins	Innamorato	O'Mara	Webster
Deasy	Isaacson	Otten	Wheatley
DeLissio	Kenyatta	Pashinski	Williams
Delloso	Kim	Petrarca	Youngblood
DeLuca	Kinsey	Rabb	Zabel
Dermody	Kirkland	Ravenstahl	

NAYS—105

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

NOT VOTING—0

EXCUSED—7

Brooks	Dowling	Mako	Stephens
Cephas	Kaufer	Neilson	

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

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

Ms. **KRUEGER** offered the following amendment
No. **A03948**:

- Amend Bill, page 2, line 4, by striking out "a nonpublic school or"
- Amend Bill, page 2, line 5, by striking out the period after "district" and inserting that is located within a 10-mile radius of a school district to which this section applies.
- Amend Bill, page 3, line 1, by striking out "the nonpublic school or"
- Amend Bill, page 3, line 5, by striking out "THE NONPUBLIC SCHOOL OR"
- Amend Bill, page 3, line 22, by inserting after "schools" located within a 10-mile radius of a school district to which this section applies
- Amend Bill, page 4, line 4, by striking out "NONPUBLIC"

SCHOOL OR"

- Amend Bill, page 4, lines 10 and 11, by striking out " (i) Be" and inserting be
- Amend Bill, page 4, lines 15 through 17, by striking out all of said lines
- Amend Bill, page 4, lines 21 through 24, by striking out "do any of the following:" in line 21, all of lines 22 and 23 and "(2) Compel a nonpublic school or" in line 24 and inserting compel a
- Amend Bill, page 4, lines 26 through 30; page 5, lines 1 and 2; by striking out all of said lines on said pages
- Amend Bill, page 5, line 4, by inserting after "district" that is located within a 10-mile radius of a school district to which this section applies
- Amend Bill, page 5, line 7, by inserting after "school" that is located within a 10-mile radius of a school district to which this section applies
- Amend Bill, page 6, line 2, by striking out "nonpublic school or"
- Amend Bill, page 6, line 19, by striking out "NONPUBLIC SCHOOL OR"

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

The SPEAKER pro tempore. Representative Krueger, on the amendment.

Ms. KRUEGER. Thank you, Mr. Speaker.

I ask my colleagues to support amendment A3948. This amendment would establish a voucher program that is public-to-public vouchers only. It would exclude nonpublic schools from participating in a voucher. There are 10 school districts all within a 10-mile radius of Harrisburg that already adhere to financial, operational, and academic accountability requirements. These public schools are more than capable of taking the voucher students from Harrisburg and providing them with a free and appropriate public education. We believe Pennsylvania has a constitutional prohibition with the public financial support of sectarian institutions; therefore, this bill is unconstitutional. My amendment ensures that Pennsylvania complies with its constitutional obligations and uses the exiting accountability structure we have in the Public School Code and regulations to inform the taxpayers of whether the voucher program was a worthwhile investment.

I encourage my colleagues to vote "yes" on this amendment.

The SPEAKER pro tempore. Speaker Turzai, on the amendment.

Mr. TURZAI. Thank you very much.

As many of you know, the mayor of Harrisburg has supported this particular underlying bill, which applies to both neighboring public schools and to private schools, as have members of the new Intergovernmental Cooperation Authority with respect to Harrisburg. And I know that the issue of constitutionality has not formally been raised, but it was raised in the good lady's remarks. *Zelman v. Simmons-Harris* is a U.S. Supreme Court decision; that in fact held up a similar program with respect to the States of Wisconsin and Ohio. Finally, this particular – like the previous amendment, and they are very similar; I do not know if they are identical, but they are very similar – would take the choice option away.

Keep in mind, there are over 1,000 students right now in the Harrisburg School District that go to charter schools. Essentially, all that money from the local school district goes to that charter school. It amounts to about \$13 million a year. This is a less

costly alternative in the sense that there are a wide variety of private schools in the area.

There are citizens that choose to use private schools that can afford it. Not all members of the school district can make use of it. And the bill would not have the meaning that it has without having the option of both neighboring, nonpublic schools for which you do have to pay tuition – which is why some people can do that now, but those who cannot afford it cannot – and for the private schools in the area.

I would ask members to vote "no."

The SPEAKER pro tempore. Representative Krueger, for the second time, on the amendment.

Ms. KRUEGER. Mr. Speaker, in response, I appreciate that the mayor of Harrisburg may be in support of this legislation, but constitutionality is not his problem, it is our problem. So I would ask my colleagues to vote "yes."

The SPEAKER pro tempore. Representative Turzai, on the amendment.

Mr. TURZAI. The issue of constitutionality has not been formally raised, but a United States Supreme Court opinion – in particular, the *Zelman v. Simmons-Harris* case – has upheld exactly this type of scholarship program for parental and student choice. Please vote "no" on the amendment.

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

The following roll call was recorded:

YEAS–91

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

NAYS–105

Barrar	Gleim	Mentzer	Rothman
Benninghoff	Gregory	Metcalfe	Rowe
Bernstine	Greiner	Metzgar	Ryan
Boback	Grove	Mihalek	Sankey
Borowicz	Hahn	Millard	Saylor
Brown	Heffley	Miller, B.	Schemel
Causar	Helm	Mizgorski	Schmitt
Cook	Hennessey	Moul	Schroeder
Cox	Hershey	Murt	Simmons
Culver	Hickernell	Mustello	Sonney
Cutler	Irvin	Nelson	Staats
Day	James	Nesbit	Struzzi

Delozier	Jones	O'Neal	Thomas
Diamond	Jozwiak	Oberlander	Tobash
DiGirolamo	Kail	Ortitay	Toepel
Dunbar	Kauffman	Owlett	Toohil
Dush	Keefer	Peifer	Topper
Ecker	Keller	Pickett	Walsh
Emerick	Klunk	Polinchock	Warner
Everett	Knowles	Puskaric	Wentling
Farry	Lawrence	Pyle	Wheeland
Fee	Lewis	Quinn	White
Fritz	Mackenzie	Rader	Zimmerman
Gabler	Maloney	Rapp	
Gaydos	Marshall	Reese	Turzai,
Gillen	Masser	Rigby	Speaker
Gillespie	Mehaffie	Roae	

NOT VOTING–0

EXCUSED–7

Brooks	Dowling	Mako	Stephens
Cephas	Kaufer	Neilson	

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

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

The SPEAKER pro tempore. I have a note, members, from the Parliamentarian. He said, "For the information of the members, the correct way to address the current Speaker is Madam." Thank you.

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

Ms. MADDEN offered the following amendment
No. A03924:

Amend Bill, page 6, by inserting between lines 21 and 22
(k) Disqualification.—No nonpublic school may use any amount of funding obtained through a tuition grant for anything other than the education of the student who received the tuition grant. A nonpublic school that violates the requirements of this subsection shall be disqualified from future participation in the tuition grant program.

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

The SPEAKER pro tempore. Representative Madden, on the amendment.

Ms. MADDEN. Thank you, Madam Speaker.

Amendment A03924 seeks to permanently bar from the program a nonpublic school that uses taxpayer dollars received through school voucher funding for purposes other than the education of the student that received the tuition grant. HB 1800 contains very weak or nonexistent provisions for misuse of school voucher funding by nonpublic schools and parents. Under this plan, private schools would not be required to account for how they spend taxpayer dollars and would not be required to show whether vouchers had any impact on student achievement. Without these basic accountability measures in place, the voucher program would be ripe for abuse and would leave

taxpayers without any assurance that their money is being spent wisely and effectively by private schools.

In general, voucher programs lack accountability, both fiscally and academically. Aside from the lack of reporting on academic progress, private schools also have no obligation to provide financial reporting. In the context of a voucher program, we have no way of knowing exactly what our money was being spent on, eliminating our ability to target waste or fraud. There is no proof that voucher programs improve student achievement. Programs in Washington DC, Milwaukee, and Cleveland have shown no conclusive evidence of their effectiveness.

I know how seriously this body takes accountability so I would ask for a "yes" vote on this amendment. Thank you.

The SPEAKER pro tempore. Speaker Turzai, on the amendment.

Mr. TURZAI. Madam Chair, my good friend. It is interesting – of course the moneys would be used only for educational purposes; it is to a school, and it is parents and guardians that want to use it for educational purposes, because in 2018 only 7.1 percent of the students tested proficient or advanced in algebra at the Harrisburg schools, 9.3 percent in biology, and 13.6 percent in English. The parents who cannot afford the private schools, unlike other members of the city of Harrisburg School District who send their kids to private schools and can afford it, would like to have the opportunity to be able to get better opportunities; this despite the fact that this particular school district receives twice the national average on a pro rata basis for each child, and who has been in varieties of receiverships, including beginning in 1994 under Governor Ridge, and again in 2012 and again in 2019. The fact of the matter is, the scores and the performance have never improved.

This amendment should be defeated because it is nonsensical. Thank you.

The SPEAKER pro tempore. Representative Madden, on the amendment, the second time.

Ms. MADDEN. Thank you, Madam Speaker.

My amendment is about accountability, accountability for taxpayer money. We certainly would not allow public schools to spend money without letting us know how and where that money was spent, and we should expect the same from this voucher program.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Speaker Turzai, on the amendment.

Mr. TURZAI. Madam Chair, for goodness' sake, there will be accountability when the existing school district, which has been in receivership numerous times, accountability will be that the parents and grandparents and guardians will make decisions with their own feet and choose whether or not they want to use these scholarships because they want to avoid a school district. Despite spending twice the national average on a per-pupil basis, it still has 7.1 percent of its students proficient in advanced math or algebra, 9.3 percent in biology, 13.6 percent in English. It has the fourth lowest graduation rate amongst any public school in the State. Accountability – perhaps a bill could have been introduced for accountability for the city of Harrisburg School District, which is why I believe that the mayor and members of the Intergovernmental Cooperation Authority of Harrisburg are supportive of this bill.

I would ask for a "no" vote on the amendment.

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

The following roll call was recorded:

YEAS—91

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

NAYS—105

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

NOT VOTING—0

EXCUSED—7

Brooks	Dowling	Mako	Stephens
Cephas	Kaufner	Neilson	

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

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

Mrs. ISAACSON offered the following amendment
No. A03922:

Amend Bill, page 2, by inserting between lines 19 and 20
(3) A nonpublic school that enrolls a student who receives a tuition grant under this section shall comply with all regulations under 22 Pa. Code Ch. 4 (relating to academic standards and assessment).

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

The SPEAKER pro tempore. Representative Isaacson, on the amendment.

Mrs. ISAACSON. Thank you, Madam Speaker.

This amendment would ensure that the private schools receiving the public money are held to the same accountability standards as public schools. The private school tuition vouchers divert money from public schools to costly religious and private schools without holding those schools to the accountability for the student achievement. Nonpublic schools accepting vouchers are not held accountable for their academic performances to the State taxpayers.

Under HB 1800, nonpublic schools accepting vouchers are exempt from State regulations that govern public schools and are not held accountable for their results to the State taxpayers. Strong accountability measures in education help prevent students from falling through the cracks, but there is no academic accountability for the vouchers in this bill. The taxpayer funds that will fund these vouchers should require children to be educated to the same standards as the children in the public schools whose funds they are taking.

The SPEAKER pro tempore. Speaker Turzai, on the amendment.

Mr. TURZAI. Madam Chair, thank you so much.

First of all, let me reiterate on the, quote, unquote, "diversion of scholarships." It is less, significantly less money than what follows a child with respect to the charter school; \$13 million is presently going to follow the child to a charter school in Harrisburg. This is significantly less and will result in higher per-pupil expenditures. Right now the per-pupil expenditure for the city of Harrisburg, which is double the national average, is \$20,124 per student; almost 60 percent of that is paid by State tax dollars. If in fact 15 percent of the students would ask to do that, the per-pupil expenditure for the children in the Harrisburg School District increases – it does not decrease, so it is not a diversion – it is an increase to \$22,973.

The SPEAKER pro tempore. Suspend, please, Mr. Speaker.

POINT OF ORDER

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. HARRIS. Thank you, Madam Chair.

Madam Chair, we believe the speaker – the Speaker Speaker – is far afield from the actual meaning of the amendment.

The SPEAKER pro tempore. Thank you. We are certain that the Speaker wants to follow the rules of the House and will confine his remarks to the amendment. Thank you.

Mr. HARRIS. Thank you, Madam Speaker.

Mr. TURZAI. Madam Chair, thank you.

And certainly, the use of the good, the gentle lady who used the term "divert," I just, given that language with respect to supporting her amendment, had to be addressed. And as I indicated, at say, 15 percent of the students would use the scholarships, the per-pupil expenditure in fact increases, so the notion of diversion is inaccurate.

In addition, with respect to performance, the fact is, only 55.9 percent of the Harrisburg School District's students graduate within the 4 years, and the statewide average is 85.8 percent. It is true that nonpublic schools do not have the exact same accountability measures, but they do have accountability measures, the first being, do parents and grandparents want their children to go to that school? By way of example, all Catholic schools are Middle States accredited, and the local 7 Catholic high schools offer 51 AP courses, 177 clubs or activities, and 118 sports programs. By way of example, there are also nondenominational schools, Christian schools, and of course, neighboring public schools.

I would say that the concerns with performance and accountability would speak, unfortunately, to the existing school district based, despite the fact that it has been in a variety of receivership programs since 1994 and in fact graduations have decreased.

I would ask for a "no" vote on the amendment.

The SPEAKER pro tempore. Representative Isaacson, for the second time on the amendment.

Mrs. ISAACSON. Thank you, Madam Speaker.

And I appreciate the facts that you have provided for us, but my amendment is to hold the academic standards of the students who would be accepting these vouchers to the same standards that they would have to meet in public schools since the public school funding source from both the taxpayers of Harrisburg and the citizens of the Commonwealth will be used to fund their education. They should be held to the same standards as all other public school students since they are using public funds for their education.

I ask for an affirmative vote. Thank you.

The SPEAKER pro tempore. Speaker Turzai, on the amendment.

Mr. TURZAI. The performance standards with respect to the Harrisburg School District are 7 percent in algebra, 9 percent in biology, and 13 percent in English.

I would ask for a "no" vote.

The SPEAKER pro tempore. Thank you.

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

The following roll call was recorded:

YEAS—90

Bizzarro	Donatucci	Kortz	Readshaw
Boyle	Driscoll	Kosierowski	Roebuck
Bradford	Evans	Krueger	Rozzi
Briggs	Fiedler	Kulik	Sainato
Bullock	Fitzgerald	Lee	Samuelson
Burgos	Flynn	Longietti	Sanchez
Burns	Frankel	Madden	Sappety
Caltagirone	Freeman	Malagari	Schlossberg
Carroll	Gainey	Markosek	Schweyer
Ciresi	Galloway	Matzie	Shusterman

Comitta	Goodman	McCarter	Sims
Conklin	Hanbidge	McClinton	Snyder
Cruz	Harkins	McNeill	Solomon
Daley	Harrell	Merski	Sturla
Davidson	Harris	Miller, D.	Ullman
Davis, A.	Hohenstein	Mullery	Vitali
Davis, T.	Howard	Mullins	Warren
Dawkins	Innamorato	O'Mara	Webster
Deasy	Isaacson	Otten	Wheatley
DeLissio	Kenyatta	Pashinski	Williams
Delloso	Kim	Rabb	Youngblood
DeLuca	Kinsey	Ravenstahl	Zabel
Dermody	Kirkland		

NAYS—106

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

NOT VOTING—0

EXCUSED—7

Brooks	Dowling	Mako	Stephens
Cephas	Kaufer	Neilson	

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

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

Mr. **BRADFORD** offered the following amendment No. **A03929**:

Amend Bill, page 6, by inserting between lines 21 and 22
(k) Audit required.—A nonpublic school or participating public school that accepts a student who receives a tuition grant under this section shall be audited annually by the Auditor General to ensure compliance with this section and to ensure fiscal accountability to taxpayers.

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

The SPEAKER pro tempore. Representative Bradford, on the amendment.

Mr. BRADFORD. Thank you, Madam Speaker.

I rise to introduce amendment 3929, and my amendment simply would introduce a level, a much-needed level of accountability to this program. Very simply, any nonpublic school that accepts a voucher should be audited at least by the Auditor General to ensure compliance with this program. As you know, HB 1800 provides zero financial accountability or oversight of millions of State tax dollars that will be, for the first time, siphoned off and put into private schools. Accepting millions of dollars does not come without any strings or oversight. Accountability for taxpayer resources is essential to ensure that fraud and abuse do not occur. As we know, the Auditor General, independently elected, enables us to do an independent accounting, and it should be part of any voucher scheme as proposed here today.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Speaker Turzai, on the amendment.

Mr. TURZAI. Thank you very much, Madam Chair.

This is not a quote, unquote, "voucher scheme." It is a scholarship opportunity. This is not the first time that dollars can be used with respect to private schools given the educational improvement tax credit and the opportunity scholarship tax credit, which have long been in existence in the Commonwealth of Pennsylvania.

And in addition, the Auditor General can audit any institution using public dollars, State or local, at the present time for any reason that the Auditor General, he or she, should so choose to do. The Auditor General presently is a former member and has certainly not been in any way intimidated by using the power of that office to audit institutions receiving government dollars or programs spent by government on a State or local basis.

There is absolutely no need for this particular amendment. The Auditor General already has the power to do so.

The SPEAKER pro tempore. Representative Bradford, for the second time on the amendment.

Mr. BRADFORD. Will the gentleman please stand for interrogation?

The SPEAKER pro tempore. He indicates he will.

Mr. BRADFORD. Just for a matter of legislative history, are you saying that if the archdiocese receives funds that you are in favor of the Auditor General doing a fiscal audit of the archdiocese?

Mr. TURZAI. Madam Chair, if I might, if I might, I am declining to be interrogated at this time for this reason: typically, typically the reason, no, typically the reason that somebody interrogates – and it is elective – is if you are the maker of the amendment or the language that is in play. On final—

Mr. BRADFORD. Madam, the gentleman is making his own ruling.

The SPEAKER pro tempore. Gentlemen suspend.

Mr. TURZAI. It is my argument to the Chair. On final passage, with respect to the bill, that is—

The SPEAKER pro tempore. Both gentlemen suspend, please.

Mr. TURZAI. Yes.

The SPEAKER pro tempore. The gentleman, Mr. Speaker, has declined to be interrogated.

Representative Bradford, do you wish to continue speaking the second time?

Mr. BRADFORD. Absolutely. Thank you, Madam Chair.

On the amendment. Since the gentleman has declined interrogation, I would just mention that he said that any institution that receives State dollars is open for an audit from the Auditor General. Under interrogation, when he was asked whether that would include the archdiocese or any private school, his answer got a little not quite as clear.

Now, I think it should show to everyone in this body that this a half-baked scheme that has no financial accountability and is indefensible to everyone in this room. It is obvious when the maker refuses interrogation and will not answer the very simple question, if we are going to spend and divert from one of the poorest school districts in—

The SPEAKER pro tempore. The gentleman suspend. Suspend.

Going to the motives of the member on why he might not seek interrogation. Not acceptable.

You may continue.

Mr. BRADFORD. No, no, let us be clear. I would never want to question the motive of the maker. I would question the idea, the very concept of diverting millions of dollars of taxpayer dollars from one of our poorest school districts and using it to support private schools with no accountability. And when presented with the opportunity to give our Auditor General a chance to do that work, that we are quiet as to that. I think the simple answer is to say affirmatively and clearly that this body believes the Auditor General should do the right thing and be given jurisdiction over any entity that receives valuably needed education dollars.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Thank you.

Speaker Turzai, on the amendment.

Mr. TURZAI. The fact of the matter is, the Auditor General does have that jurisdiction, period. And there is no need for this amendment, period. Please vote "no."

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

The following roll call was recorded:

YEAS—91

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

NAYS—105

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

NOT VOTING—0

EXCUSED—7

Brooks	Dowling	Mako	Stephens
Cephas	Kaufer	Neilson	

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

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

Mr. LONGIETTI offered the following amendment
No. A03923:

Amend Bill, page 6, by inserting between lines 21 and 22
(k) Educational accountability.—The following shall apply:
(1) Each student who receives a tuition grant and is enrolled in a nonpublic school shall annually take the Pennsylvania System of School Assessment test or any successor tests implemented for public school students to comply with Federal law.
(2) The Department of Education shall annually publish aggregate data on academic performance at the school level for each student who receives a tuition grant and is enrolled in a nonpublic school in the same manner as information is publicly reported for public schools in this Commonwealth, provided that data shall not be published for a nonpublic school if the number of students enrolled who receive a tuition grant is sufficiently low as to make personal identification of a student's data possible, consistent with the Department of Education policies and procedures for public schools.
(3) The school district of residence shall administer the testing required under this subsection and shall do so at no cost to the nonpublic school. The Department of Education shall reimburse the school district for the school district's actual costs under this subsection.

(4) THE PROVISIONS OF THIS SUBSECTION SHALL NOT APPLY TO ANY STUDENT ENROLLED IN A NONPUBLIC SCHOOL WHO DOES NOT RECEIVE A TUITION GRANT.

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

The SPEAKER pro tempore. Representative Longietti, on the amendment.

Mr. LONGIETTI. Thank you, Madam Speaker.

This amendment simply would require private schools that accept students and receive taxpayer dollars under this bill to assess the academic achievement of those students in the same fashion that our public schools are required. Specifically, students would be assessed using the PSSA (Pennsylvania System of School Assessment) math, science, and English language test, just like they are in the public schools. Why? As we read the cosponsorship of the underlying bill, it starts that, "Every child deserves access to a quality education...." It goes on to recite PSSA Test data for students in the Harrisburg School District. So if the concern is about quality education and PSSA Test data is the measuring stick, then why would we not apply the same measuring stick to the education provided to those students when they attend private schools?

The cosponsorship memo concludes by talking about, quote, "...allowing Harrisburg families to choose the right education...." But how can they know if they chose the right education if the same measuring stick is not applied? If we do not collect the data, where is the accountability? When we are spending taxpayer dollars, should there not be accountability?

This is a real concern because studies from other States which instituted similar voucher programs showed that students using vouchers to attend private schools fell behind their public school peers in math. We all know how important math is. Students in Louisiana, Indiana, Ohio, and Washington, DC, have all shown the same problem. So if we are going to go down the same road in Pennsylvania, we need to assess students and collect data so that we know whether a quality education is in fact being provided.

My amendment is a measured amendment. Private schools would not be required to administer the assessments or even pay for them; the public school of residence would do that. The assessment does not apply to students in private schools who do not use a voucher. No data would be published for a nonpublic school if the number of voucher students enrolled there is so low the personal identification of a specific student could be made.

So the bottom line is whether we believe that with public money comes accountability. If so, then we should adopt my amendment, and I urge my colleagues to vote for the same.

The SPEAKER pro tempore. Speaker Turzai, on the amendment.

Mr. TURZAI. I would just suggest, at the first instance, that it is difficult to get below a 7-percent proficiency in math. But more importantly, the parents and the guardians or grandparents who are making the decision will be assessing the performance with respect to his or her child. The fact of the matter is, there are tests with respect to private schools and they have statistics, and those are shared with those parents that make that decision. And in addition, there will be a higher per-pupil amount of money for the Harrisburg School District with respect to those students that

want to stay in the Harrisburg School District, which will ultimately increase the performance standards, I believe, for the students at the Harrisburg School District.

This is an opportunity to in fact improve the lives and to allow that choice for those that cannot afford it. As you know, many individuals in that school district already send their children to private schools, but they can afford it. Other individuals cannot. There are individuals that can afford to go to neighboring public schools. But there are many families that cannot. The issue is whether or not the opportunity will be better given that parent, grandparent, or guardian's decision for his or her child.

In addition, if there wishes to be a longer-term discussion on PSSAs for public schools, many of us, I think, are open to that discussion. There are pluses and minuses to PSSAs and how often they should be taken. But the fact of the matter is, it is a goal to be used internally with respect to that school and externally with respect to those parents. Other measures for those parents or guardians that choose to go to that will know what the measures of success are before choosing to make that decision. If they do not like those measures or standards, they will not go to those schools. It is true for the individuals in the Harrisburg School District that already have the money to afford to go to those private schools. They know what their testing procedures are. They know what their standards are. They are made available to those particular parents, but that is not true and has not been true until the PSSAs came to be for the public schools.

And we can argue over the merits of the PSSAs. Overall, I think they provide some significant level of accountability and data. The private schools have different measures of accountability that those parents, grandparents, and guardians know about.

This is an opportunity to raise the per-pupil expenditure for the students that decide to stay in the Harrisburg School District. It also allows those parents and guardians to choose to take a scholarship, like those individuals that can afford the private schools. Now, keep in mind, there are people choosing private schools right now that hold two or three jobs to do it, and they have made that decision. But the levels of accountability remain in each school, and the parents and grandparents and students will have that opportunity to assess.

The SPEAKER pro tempore. Representative Sturla, on the amendment.

Mr. STURLA. Thank you, Madam Speaker.

I rise in support of the Longietti amendment. This is a very commonsense amendment that simply says if we have determined that these students are not learning and we have determined that because of tests that we have done, then if you want to know if those students actually are now given the opportunity to learn, you need to then test to make sure that they are actually learning. It is about as common sense as you can get.

Aside from that, though, I must say I am extremely, extremely heartened by the comments from the prime sponsor of the bill who has stated at every possible time for every possible amendment that has been offered that by increasing the per-pupil expenditures for the students in the Harrisburg School District, there is a likelihood that test scores and education levels will increase. I hope that we continue to promote that idea as we move forward in the State of Pennsylvania with education funding.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Thank you.

Representative Longietti, for the second time.

Mr. LONGIETTI. Thank you, Madam Speaker.

I would just succinctly say at this point that if we are going to judge a school district on PSSA Tests, and that is our measuring stick for judging that school district, then we ought to apply the same measuring stick to the private school that now is taking taxpayer dollars to educate that kid. And we should not be afraid of, in my view, sharing that information with parents. They can make their decision, but they ought to have that information, particularly when taxpayer dollars are being spent.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Representative Hennessey, do you wish to speak? On the amendment.

Mr. HENNESSEY. Thank you, Madam Speaker.

May I interrogate the maker of the amendment?

The SPEAKER pro tempore. Yes, go ahead. He is in agreement.

Mr. HENNESSEY. Madam Speaker, under your amendment, you would take a child who is on a scholarship to a private or nonpublic school and bring them back to the home school district to take the PSSA Test which is used, as I understand it, to assess the progress that the students are making in the home district. Is that correct?

Mr. LONGIETTI. Madam Speaker, we have constructed amendment here to be as measured as possible and to put no additional burden on a private school, and so what the amendment does is it allows the PSSA Test to be administered, and it allows it to be done at the cost of the public school of residence and at the public school of residence so that there would not be a burden on the private school.

Mr. HENNESSEY. Okay. And perhaps I did not state my question particularly well. If we take a scholarship student going to a private school and then bring him back to the home school district from which he left in order to take a PSSA Test, which is supposed to tell us the progress that the students in that home school district are making, does it not artificially skew the results because it is measuring not the progress of that student in the home district, it is measuring the progress of the student that he is making in the scholarship school?

Mr. LONGIETTI. Madam Speaker, what my amendment does is it simply makes sure that that student who has a voucher, that goes to a private school, is subjected to the same measuring stick as students in the public school. What we do not want to do is burden the private school when we apply that measuring stick, and so what we say in the amendment is that the cost of that assessment will be on the public school and it will be administered by the public school. But those results will still inure to the private school.

The SPEAKER pro tempore. On the amendment, Representative Hennessey.

Mr. HENNESSEY. Thank you, Madam Speaker.

I am still at a loss to understand how if we use the PSSA Test to see what progress students are making in a public school, how can we take a student who is in a scholarship school, bring them back into the public school class, test him, and then say that it is an accurate measure of what the public school education has resulted in? Because it seems to me we are bringing back a scholarship student who may be getting a better education in the scholarship school and then artificially skewing the results of the PSSA assessment of that public school.

The SPEAKER pro tempore. Thank you, Representative Hennessey. Is that a question for the—

Mr. HENNESSEY. Yes, it was.

The SPEAKER pro tempore. My apologies. It is a question.

Mr. HENNESSEY. Okay. I can say, right?

Mr. LONGIETTI. Could you repeat the question part?

Mr. HENNESSEY. If the PSSA assessment test is used to measure the progress that public school students are making in that particular school, if we take a student who does not attend those schools and goes to a scholarship school and bring him back in and test him among that pool of students from the public school, if he is getting a better education or if he is getting a worse education, does it not skew the results, because what we are looking for is how successful that particular public school is? Does not throwing in someone else—

The SPEAKER pro tempore. The gentleman suspend, please. Please ask your question.

Mr. HENNESSEY. I thought I did. Okay?

Does not putting them into the pool of the tested students skew the results of that school?

Mr. LONGIETTI. Thank you, Madam Speaker.

It would not skew the results at all because in the world that we live in currently, public charter school students also go through a PSSA Test. They take that test at their home district of residence. The results of that test for those students are attributed to the charter school, not to the home school. And so this would just follow that exact same model. So the private school student who receives a voucher would have the same measuring stick, the PSSA Test. Those test results would then inure to the private school. They are just taking it in that setting. So it would not skew the results. It would just aggregate the results for the private school.

Mr. HENNESSEY. Thank you, Madam Speaker.

That concludes my interrogation.

The SPEAKER pro tempore. Thank you.

MOTION FOR PREVIOUS QUESTION

The SPEAKER pro tempore. Speaker Turzai, on the amendment.

Mr. TURZAI. Actually, I would like to make a motion, Madam Chair.

The SPEAKER pro tempore. The gentleman will state his motion.

Mr. TURZAI. I would like to move the previous question.

And at this time I turn it over to the Chair.

The SPEAKER pro tempore. Does the gentleman wish to have the previous question apply to both the amendment and the bill?

POINT OF ORDER

The SPEAKER pro tempore. Speaker Turzai is recognized.

Mr. TURZAI. Madam Chair, my understanding, and it is a question to a point of order – I think I am saying it correctly – the point of order is, the motion to move the previous question would be applicable to this amendment and all remaining amendments. The hour is late and – it is very late – and all the remaining amendments are comparable to the amendments that have been already been offered. So I would ask that the—

POINT OF ORDER

Mr. HARRIS. Madam Speaker?

Mr. TURZAI. I would ask if—

Mr. HARRIS. Point of order, Madam Speaker?

Mr. TURZAI. I just need to get a clarification on my point of order.

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. HARRIS. Madam Speaker, the gentleman is debating his motion. It is my understanding there is no debate on this motion.

POINT OF ORDER

Mr. CUTLER. Point of order, Madam Chair?

The SPEAKER pro tempore. Everybody, suspend for one moment.

For what purpose does the majority leader rise?

Mr. CUTLER. Point of order, Madam Chair.

I believe what the good gentleman was doing was answering the inquiry as to whether or not the motion applied to both the underlying amendment, all remaining amendments. And I believe the good gentleman was not debating but further explaining the motion as requested to by the Chair.

The SPEAKER pro tempore. That is correct. The gentleman is correct.

Are there 20 members who will second the motion to move to the previous question? If so, please stand. Make sure you are not standing unless this is your purpose.

Representative Bernstine, Representative Wheeland, Representative Metzgar, Representative Topper, Representative Knowles, Representative Masser, Representative Kauffman, Representative Schemel, Representative Moul, Representative Cutler, Representative Cox, Representative Rothman, Representative Klunk, Representative Gary Day, Representative Metcalfe, Representative Roae, Representative Pyle, Representative Dush, Representative James, and Representative Ortitay.

Twenty members have seconded the motion; the motion stands.

On the question,

Will the House agree to the motion?

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. It is noted that Representative Kaufner is on the floor.

CONSIDERATION OF HB 1800 CONTINUED

The SPEAKER pro tempore. Speaker Turzai.

Mr. TURZAI. Madam Chair, given guidance by our counsel, my esteemed majority leader, the motion should actually be stated as just a motion on the previous question for this particular amendment, that I need to state it that way. So the motion for the previous question will be just on this amendment, not on the remaining amendments because we were already on the amendment, is what I have been told.

The SPEAKER pro tempore. Thank you.

Members, may I have your attention, please. The motion for the previous question having been made and seconded, those in favor of the motion for the previous question on amendment 3923 will vote "aye"; those opposed will vote "no."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—105

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

NAYS—92

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

NOT VOTING—0**EXCUSED—6**

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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

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

The SPEAKER pro tempore. Members, those in favor of amendment 3923 will vote "aye"; those opposed, "no."

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

The following roll call was recorded:

YEAS—61

Bizzarro	Donatucci	Krueger	Readshaw
Bradford	Driscoll	Kulik	Rozzi
Briggs	Fitzgerald	Longietti	Sainato
Burns	Flynn	Madden	Samuelson
Caltagirone	Frankel	Malagari	Sanchez
Carroll	Freeman	Markosek	Sappery
Ciresi	Galloway	Matzie	Shusterman
Comitta	Goodman	McCarter	Snyder
Conklin	Hanbidge	McNeill	Solomon
Cruz	Harkins	Merski	Sturla
Daley	Hohenstein	Mullery	Ullman
Davis, T.	Howard	Mullins	Vitali
Deasy	Kim	O'Mara	Warren
DeLissio	Kortz	Pashinski	Webster
Deloso	Kosierowski	Ravenstahl	Zabel
DeLuca			

NAYS—136

Barrar	Gillen	Marshall	Roae
Benninghoff	Gillespie	Masser	Roebuck
Bernstine	Gleim	McClinton	Rothman
Boback	Gregory	Mehaffie	Rowe
Borowicz	Greiner	Mentzer	Ryan
Boyle	Grove	Metcalfe	Sankey
Brown	Hahn	Metzgar	Saylor
Bullock	Harrell	Mihalek	Schemel
Burgos	Harris	Millard	Schlossberg
Causar	Heffley	Miller, B.	Schmitt
Cook	Helm	Miller, D.	Schroeder
Cox	Hennessey	Mizgorski	Schweyer
Culver	Hershey	Moul	Simmons
Cutler	Hickernell	Murt	Sims
Davidson	Innamorato	Mustello	Sonney
Davis, A.	Irvin	Nelson	Staats
Dawkins	Isaacson	Nesbit	Struzzi
Day	James	O'Neal	Thomas
Delozier	Jones	Oberlander	Tobash
Dermody	Jozwiak	Ortitay	Toepel
Diamond	Kail	Otten	Toohil
DiGirolamo	Kaufer	Owlett	Topper
Dunbar	Kauffman	Peifer	Walsh
Dush	Keefer	Petrarca	Warner
Ecker	Keller	Pickett	Wentling
Emrick	Kenyatta	Polinchock	Wheatley
Evans	Kinsey	Puskaric	Wheeland
Everett	Kirkland	Pyle	White
Farry	Klunk	Quinn	Williams
Fee	Knowles	Rabb	Youngblood
Fiedler	Lawrence	Rader	Zimmerman
Fritz	Lee	Rapp	
Gabler	Lewis	Reese	Turzai,
Gainey	Mackenzie	Rigby	Speaker
Gaydos	Maloney		

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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

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

BILL PASSED OVER

The SPEAKER pro tempore. Members, HB 1800 is over.

**THE SPEAKER (MIKE TURZAI)
PRESIDING**

SUPPLEMENTAL CALENDAR A CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 941, PN 2922**, entitled:

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

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 Heffley. Oh, I am sorry. Did you want to speak? Yeah, Representative Heffley, you may proceed.

Mr. HEFFLEY. Thank you, Mr. Speaker.

Mr. Speaker, I would ask my colleagues for an affirmative vote on HB 941. I also would like to thank the good gentleman from Beaver County for his work in working together on this legislation. It is much needed, has been requested by our local community pharmacies for relief, and this will provide the transparency that is needed to ensure our pharmacies are reimbursed and they will be able to stay in business.

I also want to thank staff from the Health Committee and the chairwoman of the Health Committee for seeing this bill through. It has been worked on for about 3 years now, and I would ask for an affirmative vote. Thank you.

The SPEAKER. Representative Matzie.

Mr. MATZIE. Thank you, Mr. Speaker.

I, too, would like to thank the gentleman from Carbon, and also the gentleman from York, the cochair. He and I are cochairs of the bipartisan, bicameral Community Pharmacy Caucus. This is a long time coming, something we have been working on for

several years. So it is good we are finally to this point. Hopefully we kick it over to the Senate and it becomes law.

Again, I thank the gentleman from Carbon and the gentleman from York and all the members for their cooperation in this bipartisan effort.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

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—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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 942, PN 2088**, entitled:

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

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—197

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

Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufer	Otten	Walsh
Dermody	Kauffman	Owlett	Warner
Diamond	Keefer	Pashinski	Warren
DiGirolamo	Keller	Peifer	Webster
Donatucci	Kenyatta	Petrarca	Wentling
Driscoll	Kim	Pickett	Wheatley
Dunbar	Kinsey	Polinchock	Wheeland
Dush	Kirkland	Puskaric	White
Ecker	Klunk	Pyle	Williams
Emrick	Knowles	Quinn	Youngblood
Evans	Kortz	Rabb	Zabel
Everett	Kosierowski	Rader	Zimmerman
Farry	Krueger	Rapp	
Fee	Kulik	Ravenstahl	Turzai,
Fiedler	Lawrence	Readshaw	Speaker
Fitzgerald	Lee	Reese	

NAYS—0

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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 943, PN 2089**, entitled:

An Act providing for consumer prescription drug pricing disclosure and pharmacy freedom to communicate.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, Representative Gaydos.

Ms. GAYDOS. Thank you, Mr. Speaker.

I rise in support of HB 943, the Consumer Prescription Drug Pricing and Freedom Disclosure Act, and primarily because patients should have the right to know the best price for medicine that they are purchasing, and government should have the right to know where their money is being spent.

Currently pharmacy benefit managers contract with pharmacies telling them – often the contained language is a gag clause, which prevents pharmacists from telling customers that they can save money if they pay with cash instead of using their health insurance, and that is definitely wrong. In many instances, copays are more expensive than cash. The legislation will go a long way towards consumer protection in removing this gag order

that currently burdens pharmacists, and the effect of the bill will be a more transparent and consumer-friendly prescription drug marketplace where patients benefit from the full disclosure of pharmacists.

Pharmacists across the Commonwealth have long expressed this frustration, and I have been asked to address this, which this bill will seek to end. This legislation ensures that pharmacists will have the right to share relevant data with elected officials, as well as concerns for their patients, because where public dollars are being spent, government should have the right to know.

I ask for an affirmative vote for this bill. 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—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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 944, PN 2090**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for pharmacy benefits manager audit and obligations.

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 Fritz. Waives off.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

Barrar	Flynn	Lewis	Rigby
Benninghoff	Frankel	Longietti	Roae
Bernstine	Freeman	Mackenzie	Roebuck
Bizzarro	Fritz	Madden	Rothman
Boback	Gabler	Malagari	Rowe
Borowicz	Gainey	Maloney	Rozzi
Boyle	Galloway	Markosek	Ryan
Bradford	Gaydos	Marshall	Sainato
Briggs	Gillen	Masser	Samuelson
Brown	Gillespie	Matzie	Sanchez
Bullock	Gleim	McCarter	Sankey
Burgos	Goodman	McClinton	Sappey
Burns	Gregory	McNeill	Saylor
Caltagirone	Greiner	Mehaffie	Schemel
Carroll	Grove	Mentzer	Schlossberg
Causer	Hahn	Merski	Schmitt
Ciresi	Hanbidge	Metcalfe	Schroeder
Comitta	Harkins	Metzgar	Schweyer
Conklin	Harrell	Mihalek	Shusterman
Cook	Harris	Millard	Simmons
Cox	Heffley	Miller, B.	Sims
Cruz	Helm	Miller, D.	Snyder

Culver	Hennessey	Mizgorski	Solomon
Cutler	Hershey	Moul	Sonney
Daley	Hickernell	Mullery	Staats
Davidson	Hohenstein	Mullins	Struzzi
Davis, A.	Howard	Murt	Sturla
Davis, T.	Innamorato	Mustello	Thomas
Dawkins	Irvin	Nelson	Tobash
Day	Isaacson	Nesbit	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufner	Otten	Walsh
Dermody	Kauffman	Owlett	Warner
Diamond	Keefer	Pashinski	Warren
DiGirolamo	Keller	Peifer	Wester
Donatucci	Kenyatta	Petrarca	Wentling
Driscoll	Kim	Pickett	Wheatley
Dunbar	Kinsey	Polinchock	Wheeland
Dush	Kirkland	Puskaric	White
Ecker	Klunk	Pyle	Williams
Emrick	Knowles	Quinn	Youngblood
Evans	Kortz	Rabb	Zabel
Everett	Kosierowski	Rader	Zimmerman
Farry	Krueger	Rapp	
Fee	Kulik	Ravenstahl	Turzai,
Fiedler	Lawrence	Readshaw	Speaker
Fitzgerald	Lee	Reese	

NAYS—0

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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 1220, PN 2923**, entitled:

An Act providing for cytomegalovirus education and newborn screening.

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 Cruz is recognized.
Mr. CRUZ. Thank you, Mr. Speaker.

Mr. Speaker, over the past several years I have supported and sponsored a resolution declaring June as "CMV Awareness Month" in Pennsylvania. I thank all my colleagues for their overwhelming, continued support for those efforts in the

resolution urging awareness and education about the risks of CMV (cytomegalovirus), a very common virus that has little impact on healthy adults, but can have devastating effects on newborns and infants infected during the short time of delivery.

Mr. Speaker, by voting "yes" on HB 1220 today, we will turn a feel-good resolution into action. This HB 1220 ensures that expecting mothers are educated about CMV and the associated risks for their newborns. It also requires screening for CMV if a newborn fails the mandatory hearing screening or if requested by the parents.

Knowing the families who have been affected by CMV, including those that have lost their babies because of this infection, this bill is more than necessary; it is a bill that will save lives. Mr. Speaker, I urge all my colleagues to vote "yes" on HB 1220.

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

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—197

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

Evans	Kortz	Rabb	Zabel
Everett	Kosierowski	Rader	Zimmerman
Farry	Krueger	Rapp	
Fee	Kulik	Ravenstahl	Turzai,
Fiedler	Lawrence	Readshaw	Speaker
Fitzgerald	Lee	Reese	

NAYS—0

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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.

SUPPLEMENTAL CALENDAR B

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 947, PN 2898**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; in licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for sales and liquor licensees and restrictions, for performing arts facility license, for limiting number of retail licenses to be issued in each county, for licenses not assignable and transfers and for hours of operation relative to manufacturers, importing distributors and distributors; and, in distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, further providing for distilleries.

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

The SPEAKER. Representative Schweyer is called upon for a brief description of the underlying bill and the Senate amendments.

He defers to the chair of the Liquor Control Committee, Chairman Jeff Pyle, with respect to the underlying bill and the Senate amendments.

Mr. PYLE. Thank you, Mr. Speaker.

Mr. Speaker, the Representative, the gentleman from Allentown, and members of our committee worked very hard to put together a compromise bill that had elements of both sides involved in this bill. The House Liquor Committee wholly supports HB 947, and we would highly encourage the amendment that is attached to it for a positive concurrence vote from this body.

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

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

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

The following roll call was recorded:

YEAS—194

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

NAYS—3

Burns	Gillen	Lawrence
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NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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

Ordered, That the clerk inform the Senate accordingly.

STATEMENT BY MR. SCHWEYER

The SPEAKER. Representative Schweyer, on unanimous consent on the bill, sir.

Mr. SCHWEYER. Thank you, Mr. Speaker.

And very quickly, I just want to thank Chairman Pyle and Chairman Deasy for all their help in getting this bill across the finish line and allowing us to move forward. So once again, great committee to work with, incredibly bipartisan, and once again I would like to thank them and their staffs.

The SPEAKER. Thank you, Representative Schweyer.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 733, PN 1324**, entitled:

An Act providing for the Pennsylvania Gaming Economic Development and Tourism Fund Capital Budget for 2019; itemizing projects to be assisted by the Department of Community and Economic Development, together with their estimated financial costs; authorizing recurring payments for certain projects; and making appropriations.

On the question,

Will the House concur in Senate amendments to House amendments?

The SPEAKER. Is there a chair who wishes to speak on this? Okay. Thank you.

The Appropriations chair, Stan Saylor, moves that the House concur in the Senate amendments to the House amendments to the underlying bill.

And the Chair recognizes Chairman Saylor for a brief description of these amendments.

Mr. SAYLOR. Thank you, Mr. Speaker.

The Senate amended the bill in late October, as it passed the House on June 27 simply by removing provisions that no longer require that are pertaining to certain project allocations through the Gaming Economic Development and Tourism Fund, and it added additional language describing the new project allocation previously included in the bill.

Mr. Speaker, I ask for an affirmative vote on the bill.

The SPEAKER. Representative Vitali.

Mr. VITALI. Would the gentleman stand for interrogation?

The SPEAKER. Chairman Saylor has indicated he will stand for interrogation. You may proceed.

Mr. VITALI. Could you describe the projects that are involved here?

Mr. SAYLOR. Mr. Speaker, the project is described as "TO A REGIONAL ECONOMIC DEVELOPMENT CORPORATION LOCATED IN TWO CONTIGUOUS COUNTIES OF THE THIRD CLASS WHERE A CITY OF THE THIRD CLASS IS LOCATED IN BOTH COUNTIES OF THE THIRD CLASS FOR DEBT SERVICE ON THE CONSTRUCTION OF THE DA VINCI SCIENCE CENTER IN A CITY OF THE THIRD CLASS WITH A POPULATION OF BETWEEN 115,000 AND 120,000 BASED UPON THE 2010 FEDERAL DECENNIAL CENSUS...."

Mr. VITALI. Okay. So there are three projects. So one seems to be the Da Vinci Science Center?
 Mr. SAYLOR. Yes.
 Mr. VITALI. And what are the other two?
 Mr. SAYLOR. That is the only new project in there.
 Mr. VITALI. Okay. So this bill is just funding one project or three?
 Mr. SAYLOR. Yes.
 Mr. VITALI. Yes; I mean, it was not a yes-or-no question.
 Mr. SAYLOR. Yeah, it is just adding that one project.
 Mr. VITALI. So this bill is just about the Da Vinci Science Center?
 Mr. SAYLOR. Yes.
 Mr. VITALI. Okay. Thank you.

BILL PASSED OVER TEMPORARILY

The SPEAKER. We are just going to go briefly over the bill. We will be back to it shortly.

BILL SIGNED BY SPEAKER

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

HB 947, PN 2898

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; in licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for sales and liquor licensees and restrictions, for performing arts facility license, for limiting number of retail licenses to be issued in each county, for licenses not assignable and transfers and for hours of operation relative to manufacturers, importing distributors and distributors; and, in distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, further providing for distilleries.

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

The SPEAKER. Members, we may be back to SB 733, PN 1324. We just need to get some clarification.

CALENDAR CONTINUED

RESOLUTIONS

Mr. READSHAW called up **HR 350, PN 1857**, entitled:

A Resolution urging the licensing boards and commissions under the Department of State to review how military education and training may partially or completely fulfill licensure requirements and to develop suggested pathways to licensure for active duty military and veterans.

On the question,
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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

* * *

Mr. MALAGARI called up **HR 526, PN 2603**, entitled:

A Resolution recognizing October 6, 2019, as "German-American Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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

* * *

RESOLUTION PASSED OVER

The SPEAKER. We are over on HR 527, PN 2604. The prime sponsor is not here.

* * *

Mrs. BULLOCK called up **HR 528, PN 2605**, entitled:

A Resolution designating the week of October 6 through 12, 2019, as "Love Your Avenue Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

Everett	Kosierowski	Rader	Zimmerman
Farry	Krueger	Rapp	
Fee	Kulik	Ravenstahl	Turzai,
Fiedler	Lawrence	Readshaw	Speaker
Fitzgerald	Lee	Reese	

NAYS—0

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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

* * *

Mr. ECKER called up **HR 544, PN 2662**, entitled:

A Resolution designating November 30, 2019, as "Small Business Saturday" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Barrar	Flynn	Lewis	Rigby
Benninghoff	Frankel	Longietti	Roae
Bernstine	Freeman	Mackenzie	Roebuck
Bizzarro	Fritz	Madden	Rothman
Boback	Gabler	Malagari	Rowe
Borowicz	Gainey	Maloney	Rozzi
Boyle	Galloway	Markosek	Ryan
Bradford	Gaydos	Marshall	Sainato
Briggs	Gillen	Masser	Samuelson
Brown	Gillespie	Matzie	Sanchez
Bullock	Gleim	McCarter	Sankey
Burgos	Goodman	McClinton	Sappey
Burns	Gregory	McNeill	Saylor
Caltagirone	Greiner	Mehaffie	Schemel
Carroll	Grove	Mentzer	Schlossberg
Causar	Hahn	Merski	Schmitt
Ciresi	Hanbidge	Metcalfe	Schroeder
Comitta	Harkins	Metzgar	Schweyer
Conklin	Harrell	Mihalek	Shusterman
Cook	Harris	Millard	Simmons
Cox	Heffley	Miller, B.	Sims
Cruz	Helm	Miller, D.	Snyder
Culver	Hennessey	Mizgorski	Solomon
Cutler	Hershey	Moul	Sonney
Daley	Hickernell	Mullery	Staats
Davidson	Hohenstein	Mullins	Struzzi
Davis, A.	Howard	Murt	Sturla
Davis, T.	Innamorato	Mustello	Thomas
Dawkins	Irvin	Nelson	Tobash
Day	Isaacson	Nesbit	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufer	Otten	Walsh
Dermody	Kauffman	Owlett	Warner
Diamond	Keefer	Pashinski	Warren
DiGirolamo	Keller	Peifer	Webster
Donatucci	Kenyatta	Petrarca	Wentling
Driscoll	Kim	Pickett	Wheatley

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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

* * *

Mr. EVERETT called up **HR 573, PN 2719**, entitled:

A Resolution designating the month of November 2019 as "Infant Safe Sleep Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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

* * *

Mr. READSHAW called up **HR 587, PN 2767**, entitled:

A Resolution designating December 15, 2019, as "Bill of Rights Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Barrar	Flynn	Lewis	Rigby
Benninghoff	Frankel	Longiotti	Roae
Bernstine	Freeman	Mackenzie	Roebuck
Bizzarro	Fritz	Madden	Rothman
Boback	Gabler	Malagari	Rowe
Borowicz	Gainey	Maloney	Rozzi
Boyle	Galloway	Markosek	Ryan
Bradford	Gaydos	Marshall	Sainato
Briggs	Gillen	Masser	Samuelson
Brown	Gillespie	Matzie	Sanchez
Bullock	Gleim	McCarter	Sankey
Burgos	Goodman	McClinton	Sappey
Burns	Gregory	McNeill	Saylor
Caltagirone	Greiner	Mehaffie	Schemel
Carroll	Grove	Mentzer	Schlossberg
Causer	Hahn	Merski	Schmitt
Ciresi	Hanbidge	Metcalfe	Schroeder
Comitta	Harkins	Metzgar	Schweyer
Conklin	Harrell	Mihalek	Shusterman
Cook	Harris	Millard	Simmons
Cox	Heffley	Miller, B.	Sims
Cruz	Helm	Miller, D.	Snyder
Culver	Hennessey	Mizgorski	Solomon
Cutler	Hershey	Moul	Sonney
Daley	Hickernell	Mullery	Staats
Davidson	Hohenstein	Mullins	Struzzi
Davis, A.	Howard	Murt	Sturla
Davis, T.	Innamorato	Mustello	Thomas
Dawkins	Irvin	Nelson	Tobash
Day	Isaacson	Nesbit	Toepel

Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
DeLozier	Kail	Ortitay	Vitali
DeLuca	Kaufner	Otten	Walsh
Dermody	Kauffman	Owlett	Warner
Diamond	Keefer	Pashinski	Warren
DiGirolamo	Keller	Peifer	Webster
Donatucci	Kenyatta	Petrarca	Wentling
Driscoll	Kim	Pickett	Wheatley
Dunbar	Kinsey	Polinchock	Wheeland
Dush	Kirkland	Puskaric	White
Ecker	Klunk	Pyle	Williams
Emrick	Knowles	Quinn	Youngblood
Evans	Kortz	Rabb	Zabel
Everett	Kosierowski	Rader	Zimmerman
Farry	Krueger	Rapp	
Fee	Kulik	Ravenstahl	Turzai,
Fiedler	Lawrence	Readshaw	Speaker
Fitzgerald	Lee	Reese	

NAYS—0

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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

* * *

Mr. READSHAW called up **HR 589, PN 2769**, entitled:

A Resolution designating the month of November 2019 as "Archives Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Barrar	Flynn	Lewis	Rigby
Benninghoff	Frankel	Longiotti	Roae
Bernstine	Freeman	Mackenzie	Roebuck
Bizzarro	Fritz	Madden	Rothman
Boback	Gabler	Malagari	Rowe
Borowicz	Gainey	Maloney	Rozzi
Boyle	Galloway	Markosek	Ryan
Bradford	Gaydos	Marshall	Sainato
Briggs	Gillen	Masser	Samuelson
Brown	Gillespie	Matzie	Sanchez
Bullock	Gleim	McCarter	Sankey
Burgos	Goodman	McClinton	Sappey
Burns	Gregory	McNeill	Saylor
Caltagirone	Greiner	Mehaffie	Schemel
Carroll	Grove	Mentzer	Schlossberg
Causer	Hahn	Merski	Schmitt
Ciresi	Hanbidge	Metcalfe	Schroeder
Comitta	Harkins	Metzgar	Schweyer
Conklin	Harrell	Mihalek	Shusterman
Cook	Harris	Millard	Simmons
Cox	Heffley	Miller, B.	Sims
Cruz	Helm	Miller, D.	Snyder
Culver	Hennessey	Mizgorski	Solomon
Cutler	Hershey	Moul	Sonney
Daley	Hickernell	Mullery	Staats

Davidson	Hohenstein	Mullins	Struzzi
Davis, A.	Howard	Murt	Sturla
Davis, T.	Innamorato	Mustello	Thomas
Dawkins	Irvin	Nelson	Tobash
Day	Isaacson	Nesbit	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufer	Otten	Walsh
Dermody	Kauffman	Owlett	Warner
Diamond	Keefer	Pashinski	Warren
DiGirolamo	Keller	Peifer	Webster
Donatucci	Kenyatta	Petrarca	Wentling
Driscoll	Kim	Pickett	Wheatley
Dunbar	Kinsey	Polinchock	Wheeland
Dush	Kirkland	Puskaric	White
Ecker	Klunk	Pyle	Williams
Emrick	Knowles	Quinn	Youngblood
Evans	Kortz	Rabb	Zabel
Everett	Kosierowski	Rader	Zimmerman
Farry	Krueger	Rapp	
Fee	Kulik	Ravenstahl	Turzai,
Fiedler	Lawrence	Readshaw	Speaker
Fitzgerald	Lee	Reese	

NAYS—0

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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

* * *

Mr. MALONEY called up **HR 614, PN 2877**, entitled:

A Resolution commemorating the 100th anniversary of the Boyertown American Legion Post 471, and recognizing and honoring the legacy of General Carl Spaatz and the American Legion as a staunch advocate for veterans and their families.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Barrar	Flynn	Lewis	Rigby
Benninghoff	Frankel	Longietti	Roae
Bernstine	Freeman	Mackenzie	Roebuck
Bizzarro	Fritz	Madden	Rothman
Boback	Gabler	Malagari	Rowe
Borowicz	Gainey	Maloney	Rozzi
Boyle	Galloway	Markosek	Ryan
Bradford	Gaydos	Marshall	Sainato
Briggs	Gillen	Masser	Samuelson
Brown	Gillespie	Matzie	Sanchez
Bullock	Gleim	McCarter	Sankey
Burgos	Goodman	McClinton	Sappery
Burns	Gregory	McNeill	Saylor
Caltagirone	Greiner	Mehaffie	Schemel
Carroll	Grove	Mentzer	Schlossberg
Causer	Hahn	Merski	Schmitt
Ciresi	Hanbidge	Metcalfe	Schroeder

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Brooks	Dowling	Neilson	Stephens
Cephas	Mako		

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

The SPEAKER. There are no other resolutions.
We are done with votes for today.

ANNOUNCEMENT BY MR. McCARTER

The SPEAKER. Representative McCarter I believe has an announcement.

Mr. McCARTER. Thank you very much, Mr. Speaker.
Just a reminder to the members of the Climate Caucus that the program at the Hilton will begin at 7:45 for dinner. So if we could make it there, 7:45 this evening. Thank you.

REMARKS SUBMITTED FOR THE RECORD

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

Thank you, Mr. Speaker.
I would like to thank my colleagues for supporting HR 526, recognizing October 6 as "German-American Day." This resolution honors the important role German-Americans played not only in Pennsylvania, but throughout our nation.

Between the 1680s and the American Revolution, most of the estimated 100,000 German immigrants moving to North America settled in Pennsylvania. The first settlement of German immigrants in North America was in what is now northwest Philadelphia. On October 6, 1683, 13 German families relocated from the region of Krefeld, Germany, to Pennsylvania to found Germantown. By 1689, this settlement had grown so large it needed to be incorporated. Many were Quakers and Mennonites looking for religious freedom. And in the following years their numbers only increased.

These German immigrants stood up against the evils they witnessed in society, and many provided the labor and knowledge to fuel a free press. In 1688 Germantown Quaker Petition marked the first protest against African-American slavery made by a religious body in the English Colonies. German immigrants built the first paper mill in the Colonies. German immigrants also ran one of the Colonies' largest printing presses. Even today, German-Americans continue to shape the cultural landscape of Pennsylvania. More than 3.3 million people in the State claim some form of German ancestry.

Please join me in support of HR 526 and recognize the importance of German-Americans in Pennsylvania. Thank you, Mr. Speaker.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. And, members, remember we have a 10 a.m. start tomorrow. That was originally on the notice, that was originally on the notice was 10 a.m. It is a 10 a.m. start tomorrow.

We will start with the speakers on resolutions, so that would be Representative Malagari, Representative Ecker, and Representative Maloney. I will start with you at 10 a.m. And that would HR 526, HR 544, and HR 614.

URBAN AFFAIRS COMMITTEE MEETING

The SPEAKER. Representative Sue Helm, the chair of the Urban Affairs Committee, I believe for a committee announcement.

Ms. HELM. Thank you, Mr. Speaker.

The House Urban Affairs Committee will conduct a voting meeting tomorrow, November 21, at 9 a.m., in room B-31, Main Capitol. Thank you.

The SPEAKER. The Urban Affairs Committee will meet tomorrow at 9 a.m. in room B-31.

Are there any other announcements?

BILLS RECOMMITTED

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

HB 410;
 HB 533;
 HB 1880;
 HB 1985;
 SB 314;
 SB 317;
 SB 473;
 SB 751; and
 SB 857.

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 137;
 HB 616;
 HB 1290;
 HB 1750;
 HB 1751;
 HB 1879;
 SB 166;
 SB 841; and
 SB 905.

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1283**, **PN 1854**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in judgments and other liens, further providing for exemption of particular property.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 1283 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 1283 be removed from the tabled calendar and placed on the active calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Representative Gary Day moves that the House be adjourned until Thursday, November 21, 2019, at 10 a.m., e.s.t., unless sooner recalled by the Speaker. Thank you, Representative Day. Tomorrow at 10 a.m.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 7:10 p.m., e.s.t., the House adjourned.