

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, DECEMBER 18, 2019

SESSION OF 2019

203D OF THE GENERAL ASSEMBLY

No. 74

### 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 Pastor Steve Stoltzfus of Harvest Union County Church in Mifflinburg, Pennsylvania. He is the guest of our friend and colleague, Representative David Rowe.

Pastor.

PASTOR STEVE STOLTZFUS, Guest Chaplain of the House of Representatives, offered the following prayer:

Father, we praise You for this day. Father, we praise You for the purposes that You have for it, for You alone are good. You are the author and the creator of life. You alone sustain us and uphold the universe by the Word of Your power. Father, I confess that apart from You and the gospel of Your son, Jesus Christ, I am helplessly lost. Forgive us for our pride that puffs us up and threatens to unqualify us. Forgive us for dishonoring You and Your Word, for believing that we are wiser than You.

Father, I thank You today for each and every person who is here. Thank You for their sacrifice and service to our State and to our nation. Father, we thank You today for the privilege to be able to live in this great nation, to live here and to work here and the opportunities that You have afforded to us by that. God, today I pray for these Representatives, God, that You would strengthen them and give them wisdom to serve You and the people of this great State, that they will lift their eyes to You and to seek You alone, that they will seek to honor You and Your Word, to stand on Your moral law.

God, I pray that You will give them strength and courage to obey You without question or compromise. God, I pray for their comfort today as they are away from their home and their families even in this Christmas season. I pray that You will give them strength to fulfill their duties.

My prayer today is that Your purposes would be accomplished here. Guard our hearts from pride and selfishness. We praise You again for this day and the opportunities that it affords us. We pray these things in the strong and mighty name of Jesus. Amen.

### PLEDGE OF ALLEGIANCE

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

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, December 17, 2019, has been postponed until printed.

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

**HB 1971, PN 2774**

By Rep. CAUSER

An Act amending the act of May 1, 1984 (P.L.206, No.43), known as the Pennsylvania Safe Drinking Water Act, further providing for definitions.

AGRICULTURE AND RURAL AFFAIRS.

**HB 1972, PN 2775**

By Rep. CAUSER

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, further providing for rules and regulations.

AGRICULTURE AND RURAL AFFAIRS.

### COMMUNICATION FROM PENNSYLVANIA STATE TREASURER'S OFFICE

The SPEAKER. The Speaker acknowledges a report from the Pennsylvania State Treasurer's Office on the Pennsylvania 529 College and Career Savings Program for Fiscal Year 2018-2019.

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

The SPEAKER. We have three championship teams with us today. We are so honored to have them. We are going to start with those teams. I would ask all members to please take their seats.

## GUESTS INTRODUCED

The SPEAKER. I do want to introduce Sharon Stoltzfus, who is here with our Pastor who gave our prayer today, Steve. Thank you so much to both of you, Steve and Sharon, for being here.

And then Bethany is Representative David Rowe's sister. Bethany, thank you very much. Please give them a warm welcome. Thank you.

Representative Dave Maloney and Representative Marcy Toepel are invited to the rostrum for the purpose of presenting a citation to a championship team and to a Coach of the Year. Let us bring up the Boyertown High School Women's Soccer Team. Come right down to the well of the House. And if we could have the captains – I believe they are the captains; maybe they are the seniors. It is the seniors on the team that are going to be joining Representative Maloney and Representative Toepel. Marcy is our majority caucus chair, the Republican caucus chair. All members, please take your seats.

## BOYERTOWN SENIOR HIGH SCHOOL GIRLS SOCCER TEAM PRESENTED

The SPEAKER. Representative Maloney, the floor is yours, sir.

Mr. MALONEY. Thank you, Mr. Speaker.

We do not always get this opportunity and it is a great opportunity for myself and for Representative Toepel today, and as a proud graduate of Boyertown High School, I myself became active and passionate about participating in scholastic sports and the role that sportsmanship has in forming respect and pride in our youth. Later in life these foundations led me and dedicated me to spending a lot of volunteer time as a PIAA official.

The dedication and perseverance needed to win a State championship as a team is much harder than many folks might think. You must pull all your effort into giving your teammates a chance to do their best and trust in them. That is what we have before us today.

This Boyertown Lady Bears team seemed to be on the ropes several times this season. Even during the championship game, a double-overtime effort, they managed to hold on and give their scorers a chance to put them over the top.

We have with us today their coach, Bill Goddard. He said this after a gritty overtime win to give Boyertown the PIAA championship trophy. I will quote: "...these kids, their character, the way they've represented themselves, the program, their community and their school, was a wonderful opportunity for our school and another state championship for our high school."

As I said before, great teams are hard to put together – finding the right chemistry, the right talent, and then putting it together with a clear plan and vision. That is why Bill Goddard was named the 2019 Class 4A "Coach of the Year" by the Pennsylvania Soccer Coaches Association.

Coach Goddard stressed three key things to winning the games: goalkeeping, defending, and restarts. Bill coached the Lady Bears with their season from 2001 to presently with a record of 207 wins, 106 losses, 21 ties, and has won 5 PAC (Pioneer Athletic Conference) championships for Boyertown. Coach, you and these ladies embody the spirit of our Boyertown community, and for that, we thank you.

I would like to present the coach, Mr. Speaker, with a citation for his accomplishments. I do want to remind you, Mr. Speaker, that he, along with this great team, had to defeat many competitors all over the State, one of which was North Allegheny. We are sorry about that.

The SPEAKER. Thank you so much, Representative Maloney. And, Coach, congratulations.

Mr. MALONEY. And now— I thought he would like that. Mr. Speaker, Representative Toepel.

Mrs. TOEPEL. Thank you, Mr. Speaker.

I also want to congratulate the Lady Bears on a remarkable season. The level of success these athletes have achieved does not happen by accident. It takes a lot of hard work, right? However, not only did these ladies have a fantastic season on the field, they also achieved the team GPA (grade point average) of 3.68 off the field. This was the 13th straight year that they were recognized with the United Soccer Coaches Team Academic Award. Your collective commitment to academic excellence is to be commended.

In addition to winning their first PIAA championship, this season also marked the 250th win for coach Bill Goddard, whom we are also recognizing here today. I want to commend him on a stellar record of achievement and the many years that he has devoted to the Boyertown soccer program. He clearly knows how to motivate and inspire young athletes and help them become the very best that they can be. I also want to point out Mikayla Moyer. Where are you? Raise your hand real high. She scored the winning goal. It was extremely exciting. I was not there, but I watched it on video, and I was cheering for you as well. Congratulations.

I want to congratulate Bill and the entire team, and I wish every member of the team the very best. Thank you, Mr. Speaker.

The SPEAKER. Thank you, Chair Marcy Toepel and Representative Dave Maloney. And to the Boyertown Girls Soccer Team, outstanding, outstanding season. Thank you for being with us today. We are so honored to have you.

And if we could bring the next championship team, the North Allegheny Girls Cross Country Team, right down here to my left. Thank you. And the Boyertown Girls Soccer Team can exit right off the floor. The Sergeants at Arms will close the doors of the House. All members, please be seated.

## NORTH ALLEGHENY SENIOR HIGH SCHOOL GIRLS CROSS COUNTRY TEAM PRESENTED

The SPEAKER. We are so honored to have the North Allegheny High School Girls Cross Country Team, which finished first out of 19 qualifying teams in the Class AAA to earn the Pennsylvania Interscholastic Athletic Association Championship. Congratulations. This is their second straight PIAA Championship. Coach Neff has now coached – Coach, six? – six State championship cross country teams, boys and girls, with the North Allegheny cross country teams. These young ladies won the Western Pennsylvania Interscholastic Athletic League Championship, District 7; that was their second straight WPIAL Championship. The North Allegheny Girls Cross Country Team has won nine WPIAL, W-P-I-A-L, Championships.

I want to tell you a little bit about the team. Hannah Lindgren – is Hannah here? – placed sixth overall in her last cross-country race. Keeley Misutka placed 11th, Maura Mlecko placed 62d, Caroline Daggett placed 95th, Jenna Mlecko placed 116th, Lexi Sundgren placed 128th, and Rachel Hockenberry placed 134th. Now, I would like to read some of the teammates that are here today. Just raise your hand if you are here: Maura Mlecko, Caroline Daggett, Jenna Mlecko, Lexi Sundgren, Rachel Hockenberry, Katie Ranallo, Emily Thompson, Samantha Waldo, Mazie Standish, Taylor Rechenmacher, and Keeley Misutka.

The head coach is John Neff, also a high school physics teacher, and assistant coach, E.J. Robertson. We are so honored to have you here today. What a great accomplishment. These young ladies are just at the top of their class. All of them are excellent student athletes, and we are very proud that they took the time to travel almost 4 hours here and 4 hours home to be with us in the State Capitol today. Congratulations, team.

### **WYOMING VALLEY WEST HIGH SCHOOL FIELD HOCKEY TEAM PRESENTED**

The SPEAKER. Representative Aaron Kaufer and Representative Gerald Mullery will be bringing up a championship field hockey team. If our staff, once the North Allegheny Cross Country Team has moved beyond, we are going to have them bring up the championship field hockey team. The entire team is welcome up to the front.

Representative Aaron Kaufer will be introducing this championship team. He will be followed by Representative Gerald Mullery.

Representative Kaufer, the floor is yours.

Mr. KAUFER. Thank you, Mr. Speaker.

And thank you to my fellow House members. It gives me great pleasure here today to welcome to the House chamber the PIAA Class AA State Field Hockey champions, my alma mater, the Wyoming Valley West Spartans of Luzerne County. Give them a round of applause, come on.

Now, I am pleased to say that this is their second-ever State championship, and I am sorry to do this to you, Coach Fith, but their last State championship was back in 2003 when I was a freshman in Coach Fith's phys ed class, so we are proud to see them here. You know, now I get to see it in a different capacity.

But back on November 16, the WVW Spartans went head to head against the Palmyra Cougars. With a goalless first half, both teams played hard and tried to dominate the remainder of the game. Now, Palmyra, they scored first, and actually, I caught the update on the Citizens' Voice. They were doing live streaming of it, and let me tell you, my heart sunk when I saw that, because just earlier that day I saw Seminary – I was rooting for the double win here at the Wyoming Valley Conference. I was so nervous. I was. But Ariane Rupnik answered with a game-tying goal, bringing the score to 1-1. A short while later, with less than 10 minutes left, Cameryn Forgash scored the go-ahead goal, putting Spartans in front of Palmyra 2-1 and stealing the win for the Spartans.

These young women were led with the expert guidance and leadership of head coach Linda Fithian, along with coaches Lois Kaschenbach, Diane Webster, John Fronzoni, and Lori Owens, who are here with us today. A team just is not a team; it is a

family. And these young ladies worked hard, and most importantly, worked together to achieve this momentous success. They exemplify what it means to be a true team and serve as role models to their peers.

With us here today – and if you could just raise your hand as I say your name – are Jillian Bonczewski, Rebekah Brody, Emma Marie Bealla, Emily Chamberlain, Elainea Lee Cunningham, Leah DePriest, Rory Ann Evans could not be with us here today, Cameryn Ally Forgash, Olivia Paige Gayoski, Lily Latimer, Zoe McNeill, Marissa Mooney, Brooke Pileggi, Chloe Pisack, Jenna Rovine, Sydney Rusnock, Ariana Rysz, Ariane Rupnik, Maddelyn Shedletsky, Skyler Stempien, Georgia Tsoles, Rina Tsoles, Paige Michaela Williams, and Malorie Giza.

I am extremely proud to honor this team's remarkable accomplishment by presenting them a citation here with Representative Mullery. I hope you will join me in a hearty round of applause and welcome to the State Capitol to this great group of champions right here.

The SPEAKER. Representative Mullery. Thank you, Representative Kaufer.

Mr. MULLERY. Thank you, Mr. Speaker.

In my 9 years here in the State Capitol, this is the first State champion team that I have had the opportunity to welcome. And if anybody knows me, they know that I am the father of two field hockey players, and I am an oftentimes loud-from-the-sidelines field hockey fanatic. So I think it is only appropriate that it is a field hockey team that we welcome here today.

It is also appropriate that it is this team. I have followed and cheered for many of these girls since the seventh grade, whether they were playing home and away in the Wyoming Valley Conference, at tournaments at Spooky Nook, or in Pottstown, Shooting Star, or Winter Escape, I have been there with my daughters and I have had the opportunity to watch these young ladies grow to the State champions that they are today.

And I can tell you that, unlike Aaron, it was not a surprise to me that they won, because everywhere that these girls have played, whether it is in a Spartan uniform or one of their travel teams, they have left a wake of wins in their path. This is an extremely dedicated group of players and coaches.

Mr. Speaker, I am going to tell you how dedicated. On Saturday they won the State title; less than 24 hours later the entire senior class participated in a charity hockey game in their home stadium to benefit the American Heart Association, which was a benefit for an opposing player's father from the Wyoming Valley Conference; and 24 hours after that, many of these girls were suited up and training for their indoor season. For the underclassman, they were training for their next season with Coach Fith.

For the seniors, they were training for their continued career in college at schools like Ohio State and Old Dominion and Northeastern; those are the three young ladies we have standing behind us. Two of these girls, Sydney and Jillian, are actually playing indoor with my daughter, so I get to continue rooting for them throughout the continuation of their indoor career this season.

Ladies, I just want to take this opportunity to once again welcome you to the Capitol, congratulate you on this State championship, and let you know that we are extremely proud of you and wish you nothing but the best in your future endeavors.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Mullery.

To the Wyoming Valley West Field Hockey Team, congratulations. What was the team that you beat, who was it? Oh, you beat Palmyra. Oh, that is a big rivalry, I bet, yeah. Hey, well, it is exciting having you here today. Just a great, great season. Keep up the great work. And Representatives, three of these ladies are going on to play in college? How many are going on right here? Oh my gosh, that is great. Keep it up. I think student athletes in college, just outstanding. So congratulations, and thanks for being with us. Chairman Peifer, no recruiting.

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

**HB 1279, PN 3058** (Amended)

By Rep. PYLE

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

LIQUOR CONTROL.

### **GUESTS INTRODUCED**

The SPEAKER. While they are taking that photo, I want to introduce you to some guests, and we are going to bring some of them up here for photos really quickly.

To the left of the rostrum, Mason Schwartz is here with his parents, Kristy and Michael. Come on up to the rostrum. Representative Fee, if you will join us. Is Representative Fee still there? Please come on up. Mason is a third grade student at Doe Run Elementary School in Manheim, Lancaster County, and as I said, they are good friends of Representative Mindy Fee. Please give them a warm welcome.

In the rear of the House, please welcome Gabrielle Hines. She is an intern in Representative Williams' office. Where is Gabrielle? Gabrielle, thanks for being with us.

In the rear of the House are members of Leadership Bedford County. I believe they are in the back there. At the break we are going to take a photo. They are sponsored by the Bedford County Chamber of Commerce, and they are guests of Representative Jesse Topper and Representative Carl Metzgar. Thank you so much for being with us today. Thank you.

In the rear of the House are students from Southwark School, located in Philadelphia. They are guests of Representative Fiedler. Please stand. We are so glad to have you. Everybody stand.

### **STATEMENT BY MS. FIEDLER**

The SPEAKER. On unanimous consent, Representative Fiedler will be recognized. And please feel free to come up and take a photos at the break too. Representative Fiedler.

Ms. FIEDLER. Thank you, Mr. Speaker.

I did want to recognize – as you had, thank you – the students from Southwark Elementary School in my district who are here. And also in the gallery, I have students from Furness High School who are joining us as well. If they could stand in the gallery and be recognized.

Thank you very much, Mr. Speaker.

The SPEAKER. Thank you to both schools for coming to see us today. Thank you.

### **GUESTS INTRODUCED**

The SPEAKER. Representative Jason Dawkins welcomes the Mighty Writers group, and please stand. The Mighty Writers group, please stand. Great to have you here. This group is celebrating its 10th anniversary. Outstanding. Thanks for being with us.

Members, I am going to ask all members to please come onto the House floor. Please open the doors of the House to let members come onto the House floor. Our final retiring member is going to be giving his remarks to this chamber. We have been blessed to have each of these retiring members have their own day to give remarks to his colleagues, his friends. So I am going to have everybody please come onto the floor to take your seats, and then I am going to close the doors of the House for his remarks. Thank you.

### **FAREWELL ADDRESS BY MR. WALSH**

The SPEAKER. Representative Justin Walsh, please come on up to the rostrum.

Justin is the second of our three departing legislators who will be moving on to the court of common pleas as a judge. Representative Walsh will be doing so in Westmoreland County. He is in his second term representing the 58th Legislative District. The good gentleman serves on the Game and Fisheries, Gaming Oversight, Judiciary, and Labor and Industry Committees. He is a lifelong resident of the Monongahela Valley. He was a 1990 graduate of Yough High School, holds a bachelor's degree in political science from St. Francis, earned his juris doctorate from Seton Hall University, and has been a partner in the law firm of Amatangelo, Baisley and Walsh in Donora, Pennsylvania.

Justin was an outstanding athlete himself, I believe in baseball and football, if I got it right? Football, mostly, and coaches youth sports. He is an active member of the Rehoboth Presbyterian Church in Belle Vernon, Pennsylvania. He resides in Rostraver with his lovely wife, Jennifer, and their three children, Nicholas, Payton, and Lily. Outstanding individual. He will serve the citizens of Westmoreland County proudly on the Westmoreland County Court of Common Pleas.

At this time I call up our good friend and colleague for his remarks. Representative Justin Walsh.

Mr. WALSH. Thank you, Mr. Speaker, and thank you for this opportunity to address the members of this august body.

Earlier this month I marked 3 years of service to the House of Representatives, so I can tell you that it is bittersweet that I stand before you today. Honestly, I have never been a huge fan of these send-offs, but standing here today, I realize that because of the honor that has been bestowed upon me by our constituents as members of this historical chamber, we must enter some form of gratitude to the official record. I have watched more than one of these addresses from the comfort of my office and would be disappointed if a few of my other members were not doing the same today, so I tip my glass to those guys. To those of you here today, I will keep my remarks brief and to the point.

With very few exceptions, I have enjoyed every day that I have entered this great hall and every day that I have stepped into my district offices and helped the residents of Westmoreland

County. The greatest joy of public service is being able to help someone, and that is why we continue to do what we do. Whether helping out is a small thing like ensuring that someone is able to obtain benefits from a State agency or program, or is a larger, more tangible success like bringing hundreds of jobs into the Mon Valley, I have received as much personal satisfaction from the larger successes as I have from the smaller ones. And I will miss this the most. Every legislator has a vision and a set of priorities for his district, and we all do whatever we can to shape that vision and to further advance the priorities we have in mind that will best help our folks back home.

I am so humbled at this point in my life to have realized the American dream. I grew up one of six boys, with a father who worked hard, but passed away young. A first-generation college graduate, I want my children to witness that through hard work and perseverance, you can accomplish anything, just like my parents taught me. Hard work has gotten me this far, but I have also been extremely blessed in my life. I have had the opportunity to open this body in prayer on several occasions, and during this, my last to stand on the dais, I want to pause and thank the Creator God for the rich heritage, resources, and joys he has afforded to the citizens of this Commonwealth.

I will also miss the camaraderie shared by the members of this House, and especially to the remaining members of my freshman class, I wish you all well. I would like to give special recognition to Representative Zach Mako from our class and who sat next to me for 3 years, who is serving in Afghanistan. Please stay safe and I look forward to when you can return to your legislative duties. And a special thanks to my neighbors here on the floor and back home, Representative Mike Reese, Representative George Dunbar, and Representative Eric Nelson. We have spent some long hours and days together here in the chamber. We have been good friends both in public service and back in our districts. We worked together as a team, and I think that is what I consider to be one of my greatest accomplishments, working together for the common good. We may not have always agreed on every issue, but we were able to put aside our differences so that our districts would be better for it. Thank you to all of you, and I will really miss working with you.

Mr. Speaker, I would like to especially thank you for your friendship. You have served as a mentor and a steady voice to the many members of our caucus. We would not be here without your steadfast leadership.

To the members of the Soup Caucus, I wish you many more hearty bowls of soup. And a special thanks to our caucus secretary, Patty Beecher.

And it depends on whom you talk to, but I want to address, I guess some people refer to us as the three amigos, others the three stooges, but to my friends Matt Dowling and Ryan Warner, you have really made this an enjoyable experience, and you guys are great legislators and I am going to miss our many days here in the Capitol, but we shall remain friends.

And just as important as the support from our colleagues here in the House is the support we receive when we go home at night. I could not have done this job without the support of my loving wife of 20 years, Jennifer, and our three beautiful children, Nicholas, Payton, and Lily. They have shown grace and understanding whenever I could not make a family dinner or a sporting event. I am looking forward to spending much more time with them back home.

I firmly believe that an elected official – in whatever branch of government and at whatever level – is only as good as the people who work with him or her. My staff, both here in Harrisburg and in the district, have enabled me to help hundreds of people, and I owe them a big debt of gratitude.

In the district office I have Jennifer Orsini, Nikki Ingram, and Mary Jane Peters. Here at the Capitol, and here with us today, we have Lindsay Ewing, and my communications coordinator, Tracy – and she is going to make sure I say this right – Polovick. They have put their heart and soul into helping our constituents and making me look good. No matter what I would ask or how great an obstacle I had before me, they always offered a smile and took on the challenge. I could not have asked for a better staff to have helped me.

We are good people here doing the best that we can. I know that over the years, this institution has seen its share of criticism. Some of it was fair. I believe that you truly do not know this institution or the people here until you have been here and served here.

My first time in this chamber was on the day of my swearing-in, and I remember the overwhelming awe I had when I was looking at this ornate room and the sheer sense of humbling pride that overtakes you. Most, if not all, of my colleagues can identify with this. What most of you have yet to experience is the feeling I am undergoing here today on what is presumed to be my last day here in this House. I am cautioning my colleagues to never take this for granted. We are so honored to be here doing the people's work. There are a lot of people here dedicated to public service and that is a quality that you just cannot find anywhere. But the most important thing that we do here on the floor is not the legislation we discuss and debate, but it is upholding the integrity of this institution. Our House is one of the oldest representative bodies in our country, if not in the world, and we owe it to our forefathers, along with the past, present, and future generations, to uphold the respect that this House deserves.

Again, my very best wishes to everyone here, and thank you for an amazing 3 years.

Thank you, Mr. Speaker.

## REMARKS BY SPEAKER

The SPEAKER. Justin, thank you for the kind remarks to our institution and to your colleagues. Justin, without a doubt, we are going to miss you. You are, in my interactions with you, one of the most commonsense-oriented legislators I ever had the blessing of meeting. You do not approach things from sort of an institutional perspective, but from a back-home perspective, and you just say, "Oh, that does not really make too much sense," and "Why can't we move that forward?" But you have always taken the time to get to know colleagues, really from all over the State with your really gregarious and outgoing nature. You would have accomplished even more – although you did much in your short, you know, your 3-year tenure – but you are going to be an outstanding jurist, in Westmoreland County, which is a pretty large county, population-wise. You will be in Greensburg and we hope that you will not forget to come back out and see us over the years.

Congratulations, my good friend. We are going to miss you.

(Commemorative gavel was presented.)

**GUESTS INTRODUCED**

The SPEAKER. In the rear of the House, Representative Burgos has some guests from the Philastine Relief Fund. Would they please stand. Mazen Khalil, Mahmoud Awwad, Iyad Mohammed, and Mohammad Badarneh. Thank you so much for being with us today. It is an honor to have you. Thank you.

We are going to break for meetings at this time and caucus.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. The majority Appropriations chair, Representative Stan Saylor, is recognized for a committee announcement, sir.

Mr. SAYLOR. Thank you, Mr. Speaker.

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

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

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

Are there any other committee chairs before I call on the caucus chairs, any committee meetings that we need to recognize the chairs for?

**REPUBLICAN CAUCUS**

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

Mrs. TOEPEL. Thank you, Mr. Speaker.

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

**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 12:15; 12:15.

The SPEAKER. Members, we will be returning to the floor at 12:45 p.m. Thank you.

**ANNOUNCEMENT BY MRS. DAVIDSON**

The SPEAKER. Oh, Representative Davidson. Representative Margo Davidson is recognized on unanimous consent.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

The southeast delegation, the Democratic southeast delegation will be meeting in the well of the House for a photo.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

And Representative Stephen Barrar, Chairman Barrar, do you have an announcement? No. Okay.

**RECESS**

The SPEAKER. Members, we will be back on the floor at 12:45 p.m. Thank you.

**RECESS EXTENDED**

The time of recess was extended until 1 p.m.

**AFTER RECESS**

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

**BILLS REREPORTED FROM COMMITTEE****HB 44, PN 2918**

By Rep. SAYLOR

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in Pennsylvania Board of Probation and Parole, further providing for investigation of circumstances of offense and providing for corrections officer statement, testimony and participation in hearing.

**APPROPRIATIONS.****HB 256, PN 2919**

By Rep. SAYLOR

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of assault by prisoner.

**APPROPRIATIONS.****HB 257, PN 3053**

By Rep. SAYLOR

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of assault by prisoner.

**APPROPRIATIONS.****HB 285, PN 258**

By Rep. SAYLOR

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for classes of income relating to employee stock ownership plans.

**APPROPRIATIONS.****HB 440, PN 3054**

By Rep. SAYLOR

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in criminal history record information, further providing for expungement, for petition for limited access, for clean slate limited access and for effects of expunged records and records subject to limited access; and, in administration of justice, further providing for attachment and summary punishment for contempts.

**APPROPRIATIONS.****HB 1348, PN 3056**

By Rep. SAYLOR

An Act providing for limited civil liability for agritourism activity providers, for notice of limited civil liability and for acknowledgment of limited civil liability.

## APPROPRIATIONS.

**HB 1477, PN 3057**

By Rep. SAYLOR

Amending Titles 18 (Crimes and Offenses) and 63 (Professions and Occupations (State Licensed)) of the Pennsylvania Consolidated Statutes, in criminal history record information, further providing for use of records by licensing agencies; providing for preliminary provisions and for Bureau of Professional and Occupational Affairs; consolidating the provisions of Act 48 of 1993; and making a related repeal.

## APPROPRIATIONS.

**HB 1849, PN 2556**

By Rep. SAYLOR

An Act designating a portion of Pennsylvania Route 39 in Dauphin County, from Dover Road to Forest Hills Drive, as the Officer Mark Gaspich Memorial Highway.

## APPROPRIATIONS.

**HB 1855, PN 3055**

By Rep. SAYLOR

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in Pennsylvania Board of Probation and Parole, further providing for parole power.

## APPROPRIATIONS.

**HB 1868, PN 2588**

By Rep. SAYLOR

An Act designating a bridge, identified as Bridge Key 11414, on U.S. Route 219 in Brady Township, Clearfield County, as the Lance Corporal Robert Clyde Gontero Memorial Bridge.

## APPROPRIATIONS.

**SB 133, PN 1185**

By Rep. SAYLOR

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for Lieutenant Governor.

## APPROPRIATIONS.

**SB 750, PN 1188**

By Rep. SAYLOR

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of General Services and its departmental administrative and advisory boards and commissions, further providing for grounds, buildings and monuments in general and providing for transfer the authority of Lieutenant Governor's Mansion; and making a related repeal.

## APPROPRIATIONS.

**LEAVES OF ABSENCE**

The SPEAKER. Representative Lori MIZGORSKI of Allegheny County requests leave for the day. That will be granted.

Representative Justin SIMMONS of Lehigh County requests leave for the day. That will be granted.

**HOUSE RESOLUTIONS  
INTRODUCED AND REFERRED**

**No. 646** By Representatives BIZZARRO, LONGIETTI, MARKOSEK, MURT, FREEMAN, DONATUCCI, FLYNN, PICKETT, HARKINS, KENYATTA, SCHLOSSBERG, MERSKI, SAINATO, NEILSON, EVERETT, BERNSTINE, READSHAW, HOWARD, DEASY, DELLOSO, HILL-EVANS, DeLUCA, SCHMITT, SONNEY, MILLARD, ROEBUCK and WHEELAND

A Resolution urging Major League Baseball to revise its plan to eliminate affiliation with three Minor League Baseball teams in Pennsylvania.

Referred to Committee on COMMERCE, December 18, 2019.

**No. 647** By Representatives BIZZARRO, HENNESSEY, SCHLOSSBERG, BURNS, MURT, HILL-EVANS, KOSIEROWSKI, READSHAW, SONNEY, NEILSON, YOUNGBLOOD, KORTZ and MILLARD

A Resolution designating the month of February 2020 as "Esports Month" in Pennsylvania.

Referred to Committee on COMMERCE, December 18, 2019.

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 2143** By Representatives BIZZARRO, THOMAS, BURGOS, HANBIDGE, GROVE, KENYATTA, HILL-EVANS, O'MARA, NEILSON, McNEILL, HOHENSTEIN, RYAN, SAINATO, YOUNGBLOOD, READSHAW, HOWARD, DEASY and DeLUCA

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in organization and jurisdiction of courts of common pleas, further providing for problem-solving courts.

Referred to Committee on JUDICIARY, December 18, 2019.

**No. 2144** By Representatives BOROWICZ, PYLE, MILLARD, KNOWLES, METCALFE, MOUL, ZIMMERMAN, BERNSTINE, STRUZZI, FRITZ, HERSHEY, GILLEN and IRVIN

An Act prohibiting the use of taxpayer funds for inmate gender-confirmation surgery and hormone therapy.

Referred to Committee on JUDICIARY, December 18, 2019.

**No. 2145** By Representatives HOWARD, RABB, SCHLOSSBERG, SHUSTERMAN, DONATUCCI, McNEILL, KINSEY, VITALI, WILLIAMS, WARREN, YOUNGBLOOD and CIRESI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, providing for the offense of carrying firearms while under the influence of alcohol.

Referred to Committee on JUDICIARY, December 18, 2019.

**No. 2146** By Representatives BROOKS, GROVE, ROTHMAN, JONES, BERNSTINE, THOMAS, JAMES, PICKETT, KEEFER, MOUL, ZIMMERMAN, CIRESI, JOZWIAK, GAYDOS and GILLEN

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, providing for regulatory transparency portal.

Referred to Committee on STATE GOVERNMENT, December 18, 2019.

**No. 2147** By Representatives FIEDLER, KENYATTA, LEE, MULLERY, HARKINS, BRADFORD, DAWKINS, RABB, NEILSON, MURT, CALTAGIRONE, KINSEY, McCLINTON, DELLOSO, ISAACSON, A. DAVIS, OTTEN, SCHLOSSBERG, BURGOS, FLYNN, YOUNGBLOOD, CEPHAS, FRANKEL, MARKOSEK, MULLINS, CIRESI, RAVENSTAHL, READSHAW, ROEBUCK, BOYLE, BRIGGS, SANCHEZ, SOLOMON, HILL-EVANS, HOHENSTEIN, DEASY, INNAMORATO, DONATUCCI, SIMS, WILLIAMS, DAVIDSON, SHUSTERMAN, ULLMAN, WEBSTER, T. DAVIS, SCHWEYER, VITALI, DALEY, O'MARA and KRUEGER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the Public School Building Emergency Repair and Renovation Grant Program; establishing the Public School Building Emergency Repair and Renovation Grant Fund; and making an appropriation.

Referred to Committee on APPROPRIATIONS, December 18, 2019.

**No. 2148** By Representatives CAUSER, DIAMOND, FEE, GABLER, HERSHEY, IRVIN, JAMES, JOZWIAK, KLUNK, LAWRENCE, MILLARD, MOUL, OBERLANDER, OWLETT, PICKETT, RAPP, SANKEY, SAYLOR, SCHMITT, WENTLING, ZIMMERMAN and WHEELAND

An Act amending the act of June 22, 2001 (P.L.390, No.29), known as the Conservation and Preservation Easements Act, further providing for purpose of act, for definitions, for creation, transfer and duration; providing for forest conservation easements; and further providing for judicial and related actions, for validity, for applicability, for uniformity of application and construction and for coal interests not affected and notice of mineral interests required.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, December 18, 2019.

**No. 2149** By Representatives CAUSER, PASHINSKI, RAPP, DIAMOND, FEE, GABLER, HERSHEY, IRVIN, JAMES, JOZWIAK, LAWRENCE, MILLARD, MOUL, OBERLANDER, OWLETT, PICKETT, SANKEY, SAYLOR, WENTLING and ZIMMERMAN

An Act amending the act of October 21, 1988 (P.L.1036, No.116), known as the Hardwoods Development Council Act, further providing for Hardwoods Development Council.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, December 18, 2019.

## MASTER ROLL CALL

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

The following roll call was recorded:

### PRESENT—197

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

### ADDITIONS—0

### NOT VOTING—0

### EXCUSED—5

Cruz	Mizgorski	Simmons	White
Mako			

The SPEAKER. There are 197 members on the master roll, so we have a quorum.



## SUPPLEMENTAL CALENDAR A

## BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1868, PN 2588**, entitled:

An Act designating a bridge, identified as Bridge Key 11414, on U.S. Route 219 in Brady Township, Clearfield County, as the Lance Corporal Robert Clyde Gontero Memorial Bridge.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

I know the good gentleman has some guests here as well. What I would like everybody to do is to please take your seat. This is honoring a lance corporal in the good gentleman's district by naming a bridge, and there is powerful story, powerful narrative, and the family is here today. So we are going to take our seats and the Sergeants at Arms are going to close the doors of the House. We do have guests here today.

Please close the doors of the House. Members, please take your seats.

Representative Gabler, please proceed, sir.

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

It is my great honor and pleasure to stand before you to ask for your support of HB 1868, which proposes to name a bridge on U.S. Route 219 in Brady Township, Clearfield County, as the Lance Corporal Robert Clyde Gontero Memorial Bridge. You know, when we have the opportunity to bring something like this to the floor, it always impresses me the human story that comes behind one of these recognitions. And so today we are joined by the family, but I am not going to introduce the family because my colleague, Representative Dush, actually has a much more personal story to be able to offer, but I will say this: to be able to bring this forward is truly a recognition of what is important to the community and what is important to each and every one of us.

As we stand here as Americans, we would not be here without the sacrifice of those who have gone before, those who have paid the ultimate price, and LCpl. Robert Clyde Gontero did exactly that. And so on behalf of my constituency, on behalf of the 75th District, on behalf of the citizens of Brady Township, on behalf of the veterans organizations who have stood up and asked specifically for this bridge to be named in recognition of this great American hero, I ask for your affirmative vote. And I want to introduce at this time my colleague, Representative Cris Dush, to further speak on the human story behind this important recognition.

Thank you, Mr. Speaker.

The **SPEAKER**. Representative Cris Dush, the floor is yours.

Mr. **DUSH**. Thank you, Mr. Speaker. This might be a little hard.

Fifty years ago last July, an 8-year-old kid stood next to a casket. He told his dad, "Dad, Bobby isn't dead. I see his chest

moving." His dad told that 8-year-old kid, "Son, it's just the tears." I was that 8-year-old kid. Where Representative Gabler and I are from, 1969 was a little bit different from what we saw on the television. Our people knew and understood what our folks who volunteered, like Bobby Gontero, why they were going, why they raised their hands.

He was killed in Quang Nam Province while he was out on a patrol. When he came back, our communities got together; I will never forget the line. We went in with a couple of his buddies. Bobby was a good cousin. He was also a bit of a prankster. One story, his mom was sick and his dad was on the road quite a bit and he was staying with my grandmother, our grandmother, and if you knew my grandfather, big old guy, pretty gruff, but Bobby went and dumped all the sugar out of the dish one morning, filled it up with salt, and when my grandfather came back to put sugar in his coffee, it was not a pleasant scene, but everybody got a lot of laughs out of it.

There are a lot of good stories that I cannot really go into right now, but you know, it is the sacrifices that people make and the legacy of those people who put their lives on the line and sacrificed. It is one of the things that led me to get into the Air Force and to actually get into a position where I would be carrying a weapon every day. It is what led me to volunteer to go to Iraq. It is the importance of these bridges.

There is another story that I learned later. It turns out Bobby had left another legacy right before he left. She is here with us today, his daughter, Robyn.

The **SPEAKER**. Please stand.

Mr. **DUSH**. Robyn Nelson. Robyn is here with her husband, Carl, and her daughter, Ryleigh. And if you happen to come up and take a look at that photograph and with Ryleigh sitting there, you cannot miss her for whose granddaughter she is. Robyn has another daughter, Savannah. And it is the stories that we need to do, the ways that we memorialize the people who have actually put their lives on the line, who have actually paid that price. We cannot take things like this for granted. That is why I am always there when my Legion and VFW (Veterans of Foreign Wars) guys are asking, and why we should be doing the – if we are going to be naming roads and bridges, it should be for people like this, people that have actually sacrificed everything for us.

I thank you for the unanimous vote in support of this bill.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

## YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Cruz	Mizgorski	Simmons	White
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 SPEAKER. To the family of LCpl. Robert Clyde Gontero, I hope, I hope, I do not know, but I do hope that you are able to travel regularly, consistently over that bridge on U.S. Route 219 in Brady Township, Clearfield County, and that every day that you get to travel over it, you have I know a sad, but a warm spot, given the honor that everybody here conveys to you. God bless you. Thank you so much.

Members, we will open the doors of the House. Thank you so much for your kindness.

CALENDAR

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 196, PN 168**, entitled:

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

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 Diamond, do you want to lead off? Representative Briggs has raised his hand. You are the prime sponsor, and you can be called on twice. Oh, I am sorry. Representative Zabel, do you want to lead? Yes, absolutely, and I can call you again to close as well.

So Representative Russ Diamond on HB 196, PN 168, page 11. Sir, you may proceed.

Mr. DIAMOND. Thank you, Mr. Speaker.

HB 196 is a joint resolution to amend the Pennsylvania Constitution to change the way we elect appellate court judges and to bring diversity to those courts. Currently we elect all appellate court jurists on a statewide basis. This legislation would create regional appellate court districts instead. There would be 9 Commonwealth Court districts, 15 Superior Court districts, and 7 Supreme Court districts. These districts would be defined by the General Assembly following the redistricting principles found in our Constitution, requiring populations as equal as possible in each district with compact and contiguous geographic boundaries, and would comport with the Federal Voting Rights Act of 1965. Candidates for appellate court seats would be required to reside in the district they seek to represent on the court, and the elections to fill those seats would be districtwide rather than statewide affairs.

Thank you, Mr. Speaker.

The SPEAKER. Representative Briggs. Yes, sir, you may proceed.

Mr. BRIGGS. Thank you, Mr. Speaker.

I moved over to this side for the microphone because our microphone always seems to be much softer.

So, Mr. Speaker, I rise today to oppose HB 196. Mr. Speaker, any way you slice it, HB 196 is an attempt to rig the judiciary through judicial gerrymandering. Mr. Speaker, I have a laundry list of reasons why I oppose this bill, and I will try to be brief and succinct in my comments.

First, Mr. Speaker, before I get to the substance of the bill, I have to address the process. To change the way a coequal branch of government is organized and how justices and judges are chosen is a major undertaking, and we do our constituents a disservice if we do not do our jobs and develop a good piece of legislation.

Mr. Speaker, what is more, I have continually made requests for a public hearing on this bill to no avail. My position is clear: If a bill proposes a constitutional amendment, we should hold at least one public hearing on the bill. Mr. Speaker, what is the harm to shine the light in on the process and allow the public to see what we are doing? I aver, Mr. Speaker, when politicians in Harrisburg evade transparency for the sake of speed, they are hiding something.

Mr. Speaker, this is an attempt to rig the judiciary. This is nothing more, nothing less. Mr. Speaker, when you know your policies are out of touch with the majority of the State, you have no other option but to rig the system with judicial gerrymandering. Moreover, Mr. Speaker, this process reeks of bad faith. During the committee meeting back in April, we were given assurances that we would have an opportunity to work together to improve the bill. I think the exact remarks were that we would engage in a robust amendment process. Unfortunately, Mr. Speaker, the bill was listed for second almost immediately, and we were not given adequate opportunity to work with the prime sponsor to improve the bill with agreed-to amendments. Moreover, Mr. Speaker, on second consideration, we witnessed a new low in the House. Mr. Speaker, the parliamentary and intellectually disingenuous tricks used to rule almost all amendments out of order can only be described as a farce.

Mr. Speaker, we have members that go back to their districts and preach about property tax elimination, but when given the opportunity to vote to do exactly that on two occasions, they bent to the will of the powers that be. Mr. Speaker, organized labor opposes the bill; the Pennsylvania Association for Justice, Common Cause, and Pennsylvanians for Modern Courts all oppose this bill.

Mr. Speaker, this is a bad bill. It shows a fundamental lack of understanding of the judiciary. Judges are supposed to interpret the laws we pass and decide if lower courts have made errors of law. Judges are not supposed to represent any particular interest or regional biases. Mr. Speaker, it does not matter if you are from Point Marion or Port Clinton, Union City or Forest City, Plymouth Township or Cranberry Township, and everywhere in between, appellate court decisions impact the rights of all Pennsylvanians.

Mr. Speaker, no matter how you try to justify this misguided bill, we all know this is a veiled attempt to rig the courts. Mr. Speaker, the majority gerrymandered the Commonwealth during the last redistricting process, and the Supreme Court said so. Mr. Speaker, this bill is the harebrained idea of the very people that proposed to impeach the entire Supreme Court last year, and it is nothing more than sour grapes. Mr. Speaker—

### POINT OF ORDER

Mr. CUTLER. Point of order, Mr. Speaker.

The SPEAKER. Yes, sir. The majority leader, point of order, sir.

Mr. CUTLER. I believe the good gentleman is straying away from the policy of the underlying bill and trying to get into

motive, which I believe our rules prohibit. I would encourage him to stay on the policy of the underlying bill, and we will be happy to discuss the demographic issues surrounding the current makeup of the court as we debate this issue.

The SPEAKER. Representative Briggs, please, it is a fair point. If you could stick to the policy. But I do want to, just before you proceed – I can assure you that Kelly, who is our macebearer today, and James Fata, who is often our macebearer, that all the mike levels are set at the exact same level, but you are welcome to use any microphone you wish in this chamber, other than this one, unless you are giving a farewell remark, and I know you are not. I know you are not. I know you are not, but please, if you could just stay on the subject at hand. There is a lot there, policy-wise, to address without getting into people's motives on both sides.

Mr. BRIGGS. Thank you, Mr. Speaker.

We can debate all of those points and we look forward to a day when – anyway.

Mr. Speaker, the unconstitutional gerrymandered maps were overturned by statewide elected judges. The gerrymandered maps rigged the election of all congressional districts to assure Republicans dominated despite policies that are too fringe for the majority of the Pennsylvanians. Politicians got to pick their constituents and citizens were left no real opportunity to choose their Representatives.

HB 196 does not fool anyone. We can see that the reason it was fast-tracked is because when people with power see the loss of that power, they will do anything to try and keep that power. Mr. Speaker, power does not corrupt; fear corrupts. Fear of the loss of power, in this case.

Mr. Speaker, this bill will ensure the best and the brightest legal minds are not sitting on our appellate courts, but the best connected sit on these courts.

Mr. Speaker, at the end of the day, when the system is not perfect, I will put my faith in the will of the people. This bill limits the people's choices.

Mr. Speaker, we all see what is coming. We all know the party for the people is riding a wave, and those who have manipulated the process in this favor are on their way out. Mr. Speaker, this bill is judicial gerrymandering with the intent to rig the judiciary. I am disgusted by the process and purpose of HB 196.

Mr. Speaker, if you cannot win fair and square, rig it. Do not let them. Vote against judicial gerrymandering. Vote "no."

The SPEAKER. Representative Zabel, sir.

Mr. ZABEL. Thank you, Mr. Speaker.

I would like to talk about the policy of this bill. I stand to oppose it for two reasons. I think this bill fundamentally misunderstands and misconstrues what an appellate judge is supposed to do. My second problem with it is, I think this is going to further politicize the judicial branch in a way that I do not think any of us really want.

Let us talk about what an appellate court judge actually does. Their job, the job of an appellate court judge is to interpret the law and to ensure that it is properly and uniformly applied across the State. Judges are not policymakers. An appellate court judge should not and cannot consider a regional preference when they are coming to their decision. That cannot be part of it. When we pass a bill in the House, we do not intend that bill to mean one thing in southwestern PA and another thing in the northeast. The law is the law. Regional affiliation should play no part in our appellate judicial system.

My second reason for opposing this bill is, I believe in an independent judiciary. I believe it is our duty as legislators to not just respect, but protect the independence and integrity of our coequal branches of government. We do not always do that, frankly, and lately it seems to me we are getting worse. At every level of government, on both sides of the aisle, we have politicized the judiciary. It has fundamentally undermined the public's trust in our judges. It is what has led Chief Justice John Roberts, Chief Justice of the United States Supreme Court, to say, "We do not have Obama judges or Trump judges, Bush judges or Clinton judges,...that independent judiciary is something we should all be thankful for."

Well, I agree with Chief Justice Roberts. I believe in an independent judiciary. For that reason, I do not think Pennsylvanians should be in the business of electing its appellate court judges. I am a supporter of the principle of merit selection, as I know many of you are who are sitting here, and I hope that one day we will resume our debate on that idea. But in the meantime, we have this bill, which will encourage candidates for judicial office to run campaigns based on regional issues and policies. That is bad. In short, it will encourage judges to campaign politically, it will create conflicts of interest, and perhaps what is most troubling about it, it will send a message to Pennsylvanians that the administration of justice depends on where you come from.

I ask you, my colleagues on both sides of the aisle, to vote "no" on this bill. Let us work together to strengthen and not weaken an independent judiciary. That is something we could all be thankful for. Thank you.

The SPEAKER. Representative Conklin.

Mr. CONKLIN. Thank you, Mr. Speaker.

I just have a quick question for the maker of the bill.

The SPEAKER. Representative Diamond.

The good gentleman, the sponsor of the bill, has agreed to stand for interrogation.

You may proceed.

Mr. CONKLIN. Thank you, Mr. Speaker.

When you had given your opening statement on the crux of the bill – I have read it a couple times through. When you talked about diversity, when you are talking diversity, I was looking to see if your diversity meant African-American, Latino, female, or what is your idea within the bill what you consider diversity?

Mr. DIAMOND. Thank you, Mr. Speaker.

That is an excellent question. There are a number of ways that diversity comes into play, if we go to regional appellate court districts. First of all is the most important diversity in Pennsylvania, which is the diversity of our entire Commonwealth. I am not sure that anyone else in this room has had the privilege of running three statewide campaigns like I have, and I have realized that in Pennsylvania, you could probably divide Pennsylvania up into seven or eight individual States, all with their own traditions, cultures, political philosophies, and perhaps, judicial philosophies.

As far as diversity as towards gender on our courts, it is interesting that our courts have more women on than men. Of the 31 seats, we have more women than men in those seats on our appellate courts in Pennsylvania. Women have made great strides in obtaining these seats in our courts.

However, although I did not, in my 50-year history in researching this bill, I did not account for people of color. I did not go through and hand count them – well, this one is White, this one is Black, this one is Latino, that sort of thing. I do want to

note that on today's court, of the 31 appellate court seats we have, people of color, there is only one person of color; one person of color on our appellate courts today. I think that is shameful, when African-Americans make up 13 percent of our population.

Truly, if we break down these appellate court seats into regions, I believe African-Americans, Latinos, and Asians will have a much better chance of obtaining seats. Now, certainly, this is not an affirmative action bill where we are mandating that any people of color have to be elected in certain districts, but certainly when you regionalize a court like this, much like our seats are regionalized, you will have a much better chance of getting that racial diversity that would match the racial diversity of our Commonwealth overall.

Thank you, Mr. Speaker.

The SPEAKER. Representative Conklin, do you wish to speak on the bill?

Mr. CONKLIN. Yes.

Thank you, Mr. Speaker.

I will take that as a "no," that the diversity is not for an individual's gender or the pigment of their skin. But I will take that as the diversity is from where you are from and your ability to get on the Supreme Court or the appellate court or whatever court it may be will be strictly by your ZIP (Zoning Improvement Plan) Code and not by, truly, qualifications. See, what bothers me is that when we have somebody that is doing statewide rulings and that when we go to the point where we consider that the popular vote does not matter, but we strictly want to be able to do a gerrymandered way of electing individuals through a part that lets voices from throughout the State be incurred within that population, it makes me wonder, truly, if this is the most effective way.

I understand what the gentleman is trying to do, I believe. That being from central Pennsylvania, many of us wonder, when you do look at a statewide election, whether it is able to be won. But at the end of the day, when we are looking at a statewide justice, I believe that everybody in every part of the State should be able to vote for that individual.

What I am asking the gentleman, as we get down through, I am asking for this bill to be defeated, but most of all what I am asking for is, as we go down this road, let us not keep going into ZIP Codes matter. Let us be about qualifications. Let us not be putting up roadblocks that the popular vote does not count but it becomes a regional affiliation. We cannot live under those circumstances and we cannot begin to thrive under those circumstances. So I am asking my colleagues – I understand that on the surface it may look good, but at the end of the day, if we really want to do what is best for diversity and we really want to do what is best for the citizens of Pennsylvania, let us give the people of Pennsylvania the opportunity to vote.

Vote "no." Thank you, Mr. Speaker.

The SPEAKER. I do not see anybody else who wishes to speak.

Representative Diamond, the prime sponsor of the bill.

Mr. DIAMOND. Thank you, Mr. Speaker.

Just to address a couple points that were brought up by opponents of the bill. My bill does not regionalize the way any cases are heard, nor does it regionalize any other administrative or other case-management aspect of our courts. I should also note, Mr. Speaker, that even though we are all elected from regional seats, we make statewide decisions every day.

When we talk about qualifications of the members of our appellate courts, if you look over the last 50 years, the opponents of this bill would have you believe that the only qualified people or most of the qualified people come from only two counties in our Commonwealth. Two counties in our Commonwealth, despite only having 21.8 percent of the population, have provided 58 percent of our appellate court judges. I believe the communities of interest regionally in our Commonwealth deserve to be heard from on an equal footing, just as we come to compromise here when we create statutory law. That same sort of diversity needs to go into the decisions that are made on our courts when they hear cases on appeal and when they set precedent for future rulings in Pennsylvania.

Mr. Speaker, HB 196 is a constitutional amendment. That means after we pass it, the people have to approve it. This will ultimately go to the people to approve, whether they want their regional interests and philosophies and judicial theories to be heard on our courts, which has not happened for the last 50 years on our appellate courts. I ask my colleagues for an affirmative vote.

Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—102

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

NAYS—95

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

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

NOT VOTING—0

EXCUSED—5

Cruz	Mizgorski	Simmons	White
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.

**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1870, PN 2589**, entitled:

An Act designating a bridge on that portion of State Route 1036 over Six Mile Run, Broad Top Township, Bedford County, as the Sergeant David Leon Barber Memorial Bridge.

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

\* \* \*

The House proceeded to second consideration of **HB 916, PN 2582**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; and, in driving after imbibing alcohol or utilizing drugs, providing for evaluation for substance monitoring.

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 1913, PN 2676**, entitled:

An Act designating a bridge, identified by Bridge Key 19699, on that portion of State Route 2003 over Mahoning Creek in Big Run Borough, Jefferson County, as the SP4 James Wise, Jr., and PFC James Wingert USMC Memorial Bridge.

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

\* \* \*

The House proceeded to second consideration of **HB 1915, PN 2678**, entitled:

An Act designating a bridge on that portion of State Route 8042 over U.S. Route 40, West Brownsville Borough, Washington County, as the SFC Thomas McDonough Memorial Bridge.

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

\* \* \*

The House proceeded to second consideration of **HB 1973, PN 2736**, entitled:

An Act designating a bridge on that portion of State Route 4027 over Bald Eagle Creek, Sharon Township, Blair County, as the Cpl. Donald L. Westley Memorial Bridge.

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

\* \* \*

The House proceeded to second consideration of **HB 2000, PN 2805**, entitled:

An Act designating the portion of County Line Road between Warminster Road and Newtown Road in Montgomery County as the Captain William J. Ahlum Memorial Highway.

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 2001, PN 2806**, entitled:

An Act designating the portion of County Line Road between Warminster Road and Jacksonville Road in Montgomery County, as the Specialist 4 Harold E. Cashman Memorial Highway.

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 742, PN 1429**, entitled:

An Act providing for vehicle emissions modeling by Department of Transportation and for report to General Assembly.

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

**SUPPLEMENTAL CALENDAR A CONTINUED**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 750, PN 1188**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of General Services and its departmental administrative and advisory boards and commissions, further providing for grounds, buildings and monuments in general and providing for transfer the authority of Lieutenant Governor's Mansion; and making a related repeal.

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—176

Barrar	Flynn	Madden	Rothman
Benninghoff	Frankel	Malagari	Rowe
Bernstine	Freeman	Maloney	Rozzi
Boback	Fritz	Markosek	Ryan
Borowicz	Gabler	Marshall	Sainato
Boyle	Galloway	Masser	Samuelson
Brooks	Gaydos	Matzie	Sanchez
Brown	Gillen	McNeill	Sankey
Bullock	Gillespie	Mehaffie	Sappay
Burns	Gleim	Mentzer	Saylor
Caltagirone	Goodman	Metcalfe	Schemel
Carroll	Gregory	Metzgar	Schlossberg
Causer	Greiner	Mihalek	Schmitt
Cephas	Grove	Millard	Schroeder
Ciresi	Hahn	Miller, B.	Schweyer
Comitta	Heffley	Miller, D.	Shusterman
Conklin	Helm	Moul	Sims
Cook	Hennessey	Mullery	Snyder
Cox	Hershey	Mullins	Solomon
Culver	Hickernell	Murt	Sonney
Cutler	Hohenstein	Mustello	Staats
Davis, A.	Howard	Nelson	Stephens
Davis, T.	Innamorato	Nesbit	Struzzi
Day	Irvin	O'Mara	Sturla
Deasy	Isaacson	O'Neal	Thomas
DeLissio	James	Oberlander	Tobash
Delloso	Jones	Ortitay	Toepel
Delozier	Jozwiak	Owlett	Toohil
DeLuca	Kail	Pashinski	Topper
Dermody	Kaufer	Peifer	Ullman
Diamond	Kauffman	Petrarca	Walsh
DiGirolamo	Keefer	Pickett	Warner

Donatucci	Keller	Polinchock	Warren
Dowling	Kirkland	Puskaric	Webster
Driscoll	Klunk	Pyle	Wentling
Dunbar	Knowles	Quinn	Wheatley
Dush	Kortz	Rader	Wheeland
Ecker	Kosierowski	Rapp	Williams
Emrick	Krueger	Ravenstahl	Youngblood
Evans	Kulik	Readshaw	Zabel
Everett	Lawrence	Reese	Zimmerman
Farry	Lee	Rigby	
Fee	Lewis	Roae	Turzai,
Fiedler	Longietti	Roebuck	Speaker
Fitzgerald	Mackenzie		

NAYS—21

Bizzarro	Dawkins	Kenyatta	Merski
Bradford	Gainey	Kim	Neilson
Briggs	Hanbidge	Kinsey	Otten
Burgos	Harkins	McCarter	Rabb
Daley	Harris	McClinton	Vitali
Davidson			

NOT VOTING—0

EXCUSED—5

Cruz	Mizgorski	Simmons	White
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 return the same to the Senate with the information that the House has passed the same without amendment.

**BILL SIGNED BY SPEAKER**

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

**SB 750, PN 1188**

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of General Services and its departmental administrative and advisory boards and commissions, further providing for grounds, buildings and monuments in general and providing for transfer the authority of Lieutenant Governor's Mansion; and making a related repeal.

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

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1849, PN 2556**, entitled:

An Act designating a portion of Pennsylvania Route 39 in Dauphin County, from Dover Road to Forest Hills Drive, as the Officer Mark Gaspich Memorial Highway.

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?

Members, please take your seats. Members, please take your seats.

Representative Lewis, sir, on the bill.

Please take your seats.

Mr. LEWIS. Thank you, Mr. Speaker.

Thank you, colleagues, for considering this bill. Officer Mark Gaspich passed away a little over a year ago in the line of duty as a corrections officer. He was a beloved member and leader of our community in the 105th District, Lower Paxton. West Hanover and South Hanover Townships are the municipalities within that district, and Mark was from the Linglestown area. He was a member of Linglestown Fire Company No. 1, Station 35. He was also a corrections officer. For a time he ran his own deli. The other members of the Dauphin delegation will attest that he is well known and respected throughout the area.

And so this is very important to our community. We are so grateful for your consideration of this because of how beloved and respected Mark and his family are in the area. And it is like I told the folks in my community – and we are going to name this section of Linglestown Road, before you get into Linglestown – that 50 years from now when families are driving through and kids ask their parents who Mark Gaspich was, I hope that they learn about a guy who loved his community and cared for others more than he cared for himself, and he died while protecting and serving all of us.

So thank you for your consideration, and I just want to say, Mark, we will never forget you. Thank you.

The SPEAKER. Thank you, Representative Lewis.

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	Fiedler	Lee	Reese
Benninghoff	Fitzgerald	Lewis	Rigby
Bernstine	Flynn	Longietti	Roae
Bizzarro	Frankel	Mackenzie	Roebuck
Boback	Freeman	Madden	Rothman
Borowicz	Fritz	Malagari	Rowe
Boyle	Gabler	Maloney	Rozzi
Bradford	Gainey	Markosek	Ryan
Briggs	Galloway	Marshall	Sainato
Brooks	Gaydos	Masser	Samuelson
Brown	Gillen	Matzie	Sanchez
Bullock	Gillespie	McCarter	Sankey
Burgos	Gleim	McClinton	Sappery
Burns	Goodman	McNeill	Saylor
Caltagirone	Gregory	Mehaffie	Schemel
Carroll	Greiner	Mentzer	Schlossberg
Causer	Grove	Merski	Schmitt
Cephas	Hahn	Metcalfe	Schroeder
Ciresi	Hanbidge	Metzgar	Schweyer
Comitta	Harkins	Mihalek	Shusterman
Conklin	Harris	Millard	Sims
Cook	Heffley	Miller, B.	Snyder

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Cruz	Mizgorski	Simmons	White
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 1348**, **PN 3056**, entitled:

An Act providing for limited civil liability for agritourism activity providers, for notice of limited civil liability and for acknowledgment of limited civil liability.

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?

BILL PASSED OVER

The SPEAKER. We are going to go over that bill.

\* \* \*

The House proceeded to third consideration of **HB 285**, **PN 258**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for classes of income relating to employee stock ownership plans.

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 Metcalfe, do you wish to go first or—  
Representative Wheatley, on the bill, sir.  
Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise today in opposition to HB 285, and I understand that we are in a season of giving and we all want to give our citizens in the Commonwealth wonderful gifts. I just want to make sure that the gift that we are giving in HB 285 is a true gift and not a gag gift. I want to be clear that my opposition is not to the concept of employee stock ownership. I think we all want to provide for space for that to happen. My concern is that what we are providing may not be technically sound and that what we think that we are giving to our friends and colleagues and citizens is not actually what they will get.

HB 285 takes two sections from the Federal Internal Revenue Code, which applies to corporations, and simply brings forth what the Federal Internal Revenue Service applies to corporations and tries to fit it into Pennsylvania's particular program. It is kind of like forcing a square peg into round hole.

For the members that may not be aware, there were two hearings held on this bill over the last 2 years, and in one of the hearings, one of the testifiers who spoke in support of this program, even that testifier said that he recommends striking the language which incorporates Federal Code section 402 (e)(4) because the inclusion of that section has "no practical effect and could result in confusion among tax professionals." And I am not quite sure how much clearer we could be, and it is one of the reasons why I am standing up and I think it is one of the reasons why our Department of Revenue is opposing this legislation, because the bill itself will cause confusion for our citizens, especially our tax preparers, who will look at this Federal regulation and try to figure out how we apply our Pennsylvania, specific Tax Code to it.

Now, I am going to say this and I am going to say it again, because I think there is a general sense that opposing this bill somehow means you oppose the concept in the bill. We are not saying – as a matter of fact, this bill does not even, it really does not address the content of employee stock ownership. It really does not. So we are not against that concept. As a matter of fact, in committee I offered to work with the majority party and work on language that could tighten this up, just so that we would not have any misconceptions around what our program will look like.



I just want to be clear: when we talk about the program – because I think, again, there has to be some clarity, Mr. Speaker – Pennsylvania has a very unique tax structure because we offer two choices for businesses. They can be corporate taxpayers, where the corporation itself pays taxes on its income, or they can set up what I am going to refer to as pass-through entities, where the owner of the business pays the personal income tax rate on their individual profits. When I say "pass-through," let us be clear, I am not trying to be negative. It is just a terminology of how they are assessing their taxes. So in Pennsylvania when you have a pass-through, an individual who is the only employee in their small business, or it could be a corporation that has multinational status operating as an individual pass-through entity.

In Pennsylvania, one of the advantages we have that is built into our tax rate, our Tax Code, is for pass-through businesses that do not have – at the Federal level, they have a way to graduate, to assess taxes on a graduated basis and they mean test their taxes. In Pennsylvania, we have a flat tax rate for those pass-through entities. As a matter of fact, they cannot get any lower, they cannot get any lower tax rate than the one we provide in our PIT (personal income tax). Now, in exchange for that advantage – because we annually balance our budget, we must annually balance our budget, unlike the Federal government where they can run deficits and they can mean test and they can do other things to fill in for the income that they will undoubtedly lose – we cannot just decide to take the Federal Tax Code and then apply it unilaterally to corporations operating in our Commonwealth. As a matter of fact, a good example, for those who want to have a good example of why we cannot do that, we just had one last year when we did it with the bonus depreciation issue. We took the Federal tax language and applied it unilaterally without having a specific Pennsylvania solution to it, and we ended up having to come back and work in a bipartisan way to make sure we can make the necessary changes so that when the Feds made a change, it did not automatically impact us in a negative way.

And so what I want to encourage us to do – I know we are in a rush to do the right thing for our citizens and our corporations, and you will hear people talk about this being necessary because it will incentivize more of these employee stock ownership options being done. We have 300 already in the Commonwealth, so there is nothing that is preventing this from happening already. As a matter of fact, a lot of companies are doing it. So we do not have a rush to do something right away. We can actually get this right. We can take our time and get this right, and it is not a major step to get it right. It just means that we have to work together and tweak some things in the language of this bill, because technically, this bill, this simple one-pager, not even one paragraph change is so simplistic, it is going to have us and our citizens dumbfounded when it comes time to try to use it.

And so all I am asking, Mr. Speaker, is that my colleagues vote against this HB 285. And a vote against 285 is not saying that you are against this option; it is a vote to say can we actually get this done right.

## MOTION TO RECOMMIT

Mr. WHEATLEY. As a matter of fact, Mr. Speaker, while I am standing up, if I can, Mr. Speaker—

The SPEAKER. Yes.

Representative Wheatley.

Mr. WHEATLEY. I would like to offer a motion of recommitting this HB 285 back to the Finance Committee, and hopefully, in the season of giving, my majority chairman will work with me and the Department of Revenue and work with the sponsor of this bill to actually tweak the language so that we do not end up coming back 6 months from now, 8 months from now, or a year from now to do the same thing we did with the bonus depreciation. So I would like to, hopefully, get the Republican majority to help us with this so we do not have to make critical errors while we are in a rush to get home.

The SPEAKER. On a motion to recommit, any member can debate this. But the good gentleman has stated a motion to recommit this bill to Finance.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair calls upon the Finance chair, Mike Peifer, on this motion to recommit.

Mr. PEIFER. Thank you, Mr. Speaker.

I do appreciate the chairman of the Finance Committee. We worked very well together in our committee and this specific bill. We did have two committee hearings and we heard from business owners across the Commonwealth and we heard from the professionals, attorneys, and planners that are so instrumental to our job providers here, and they clearly said that this plan that they have is working. They clearly said that the Internal Revenue Code, which they are following, provides for ownership for the workers. The workers keep the businesses here in Pennsylvania and they felt that the Internal Revenue Code that was in place – that they follow currently – was written and followed and did not need to be changed. Never have we seen an amendment to this bill. So quite frankly, Mr. Speaker, I would like to have the House members vote "no" on the motion to recommit to Finance.

Thank you, Mr. Speaker.

The SPEAKER. Representative Wheatley, on the motion to recommit to Finance, sir.

Mr. WHEATLEY. Yes, Mr. Speaker.

And I appreciate the chairman's words, and as I said in committee, we do not – when I say "we," the Democratic side of the aisle – we are not opposed to this concept. And one of the reasons – as a matter of fact, there was an attempt in committee to work through the technical parts of this bill that we had challenges with, and our hope was that before we would make a final vote on this that we would have a chance, because I think even in the committee debate, there was a conversation around the Department of Revenue wanting to sit down with the maker of this bill and to work through some of the issues that we saw with the interpretation.

Now, let us be clear: because of the ambiguity of the language, we do not even know what the financial realities could be for our Commonwealth, and so I think it is vital for us to get this right, and all that we are asking for, again, because there is no urgency to do something critically today to help these companies. As a

matter of fact, again, I keep stressing: companies are availing themselves to this option already; 300 are already availing themselves to this option. What I am saying is, we want to help them. We want to help make that process even better. So we want our language to be right and we do not want them at the time where they are thinking that they have, you know, this option around the State PIT, that there is any confusion of how they will assess it.

So all I am asking for is some time. You know, Mr. Speaker, if my chairman of the Finance Committee would commit – I mean, I am willing to come in over the next couple weeks to work with him and the maker of this bill, and I am sure the department will make themselves available so that when we come back in January, this could be one of the first bills that we see again. So there is nothing that prevents us from working through the language issue, outside of our own impatience.

So I would just encourage the members to, again, we should have learned a lesson with bonus depreciation, that when we just attach ourselves to the Federal Code and they make changes that we do not have control over—

The SPEAKER. Sir. Sir. Please. With all due respect, we have the motion to recommit right now. We are off that issue. It is a narrow issue. And you have made the point as to why you want it to go back to the Finance Committee. I really think we are far astray. I do apologize, but we are far astray on this now. But you have made the points you wish to make.

Representative Wheatley, anything else to add on that?

Representative Peifer, do you want to add anything more on the motion to recommit?

You may proceed.

Mr. PEIFER. Thank you, Mr. Speaker.

We have the opportunity today to deliver for the employees in this Commonwealth and for the business owners of this Commonwealth and for people who would like to keep their businesses here right now. We have worked on this bill for a year and a half, and I have never seen one amendment. I have never seen one amendment. So I would like the members to vote "no" on the motion to recommit.

Thank you, Mr. Speaker.

The SPEAKER. All those in favor of recommitting to the Finance Committee will vote "aye"; any opposed will vote "nay."

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

The following roll call was recorded:

YEAS—91

Bizzarro	Donatucci	Kosierowski	Readshaw
Boyle	Driscoll	Krueger	Roebuck
Bradford	Evans	Kulik	Rozzi
Briggs	Fiedler	Lee	Sainato
Bullock	Fitzgerald	Longiotti	Samuelson
Burgos	Flynn	Madden	Sanchez
Burns	Frankel	Malagari	Sappey
Caltagirone	Freeman	Markosek	Schlossberg
Carroll	Gainey	Matzie	Schweyer
Cephas	Galloway	McCarter	Shusterman
Ciresi	Goodman	McClinton	Sims
Comitta	Hanbidge	McNeill	Snyder
Conklin	Harkins	Merski	Solomon
Daley	Harris	Miller, D.	Sturla
Davidson	Hohenstein	Mullery	Ullman

Davis, A.	Howard	Mullins	Vitali
Davis, T.	Innamorato	Neilson	Warren
Dawkins	Isaacson	O'Mara	Webster
Deasy	Kenyatta	Otten	Wheatley
DeLissio	Kim	Pashinski	Williams
Delloso	Kinsey	Petrarca	Youngblood
DeLuca	Kirkland	Rabb	Zabel
Dermody	Kortz	Ravenstahl	

NAYS—106

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

NOT VOTING—0

EXCUSED—5

Cruz	Mizgorski	Simmons	White
Mako			

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,  
Shall the bill pass finally?

The SPEAKER. Representative Wheatley, on the bill.

Mr. WHEATLEY. Again, Mr. Speaker, I thank you for recognizing me.

Again, I understand the time and space that I am finding myself in. I just want to put this on the record that I think we really do need to evaluate, you know, our process as it relates to this bill. Because, again, and if I am within order, the process of just taking – which is what HB 285, if you read the language, it just takes two sections of the Federal Internal Revenue Service Code and applies it to Pennsylvania. The challenge with that is it does not do anything with the other parts of the code at the Federal level and it does not take into account the uniqueness of Pennsylvania's Tax Code. So for those of you who are thinking that when you vote for this, it somehow is going to make it simple and better for our business owners to transfer stock ownership with their employees, what I am going to tell you is, it does

nothing to address the actual process of that. So that is first. It only does something around the tax benefits that may or may not materialize, based on the transference.

And it will be a very confusing process that their tax preparers will have to figure out and get some direction for. And again, let me say this, our PIT, which is what most of our business partners who are not C corps pay, and what is going to happen, for those who believe in this fairness argument, there will be winners and losers who can avail themselves in this conversation and we will be using our tax policy without having a specific, you know, framing of this issue so we make sure we are clear on what we are doing and who we are doing it for and for whom. We will be creating this real confused environment.

And so again, we will do what we want to do here. I understand it. I am going to encourage us not to rush into this decision, get our ducks in order, and create a bill that really addresses the things that we want to address in this. And again, the Democrats, whoever supports or does not support this, it is not that we do not support the concept.

So again I would encourage a "no" vote on HB 285. I understand that there is a need to do something. I just hope that we do the right thing. So I appreciate the time, Mr. Speaker.

The SPEAKER. Thank you.

Okay, this is who I have listed to speak: Representative Gaydos, Representative Jones, Representative Rothman, and then the prime sponsor of the bill, Representative Metcalfe.

Representative Gaydos.

Ms. GAYDOS. Thank you, Mr. Speaker.

This bill was brought to my attention from constituents in my district who are very happy with the treatment that they received with getting the employee stock ownership plans. There are 300, they say, in the State of Pennsylvania. There should be 3,000 that enable employees to have the opportunity to own pieces of their employer's company to continue it to stay in the State.

There are 48 other States that have this. This just brings this into compliance or into consistency with what other States are already doing. So I ask my colleagues for an affirmative vote.

The SPEAKER. Representative Mike Jones.

Mr. JONES. Thank you, Mr. Speaker.

Just a few quick statistics for everyone here: 30 percent of citizens over 55 years old have zero dollars in savings; 56 percent of those over 55 have less than \$50,000 in savings; and 70 percent of our business owners over 55 have no transition plan for that business. That results in many of our businesses being sold to out-of-State entities and our middle- and lower middle-income families not doing anything to address that savings – what I would consider a crisis. In York County, it is estimated that we have more ESOP (employee stock ownership program) participants per capita than any county in the United States, and I can tell you many firsthand stories of secretaries, forklift operators, and the like who have walked away with in excess of \$1 million as a result of their ESOP participation.

There are few, if any, vehicles that do a better job of keeping our Pennsylvania businesses here in Pennsylvania. ESOPs are more successful, all things being equal, than any other business, and there is nothing that we can do, that I am aware of, that does a better job of putting more money into our citizens, especially our middle- and lower middle-income employees, many of whom will make more through their participation in the ESOP than they make in salary in the ESOP program. So I strongly, strongly support this bill, and I encourage my colleagues to do the same.

The SPEAKER. Representative Greg Rothman. Waives off.

The prime sponsor, Representative Daryl Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I would appreciate an affirmative vote so that we can help more businesses stay here in the Commonwealth and help our citizens realize better retirement income opportunities from the ESOP plans.

Thank you, Mr. Speaker.

The SPEAKER. Representative Mary Jo Daley.

Ms. DALEY. Thank you, Mr. Speaker.

So a couple of things that I have heard here in testimony today that I think are just important to reiterate. I have heard a number of Representatives who are saying we should pass this bill, talk about the ESOPs that they have in their counties and how successful they are. So clearly, we are not, in Pennsylvania, stopping anyone from having ESOPs. We have them. In fact, we have 300 of them. And it is not really possible for 48 States to have them because, let us see, out of the 50 States, there are 7 States that do not have a personal income tax, and so how can 48 States offer this if there are not 48 states with a PIT?

And another point, the Pennsylvania income tax rules are really different than the Federal government's. The Federal government has a variety of different rates, and we have a flat tax of 3.07 percent. And the Federal government does not need to do a balanced budget, and yet Pennsylvania does. I mean, there are only a couple of things, but I feel like it is really important. I sit on the Finance Committee and it is kind of frustrating to sit and hear that we have 300 of them and we hear people talking about how we are stopping people from doing them.

So I do not think it is really actually all that funny. I think it is serious business that we are doing. We ought to be, potentially, using the subcommittee that we have in the Finance Committee on tax modernization and reform to have further discussions. It was quite clear in the Finance Committee meeting that we were looking for a collaborative approach – not just an amendment approach, but a collaborative approach – to work out the differences that we had in that kind of a way so the Democrats would feel all comfortable in voting for this.

Thank you, Mr. Speaker.

The SPEAKER. Representative Greg Rothman.

Mr. ROTHMAN. Mr. Speaker, thank you.

Just to be clear, the Federal government, the Internal Revenue Service has guidelines on employee stock ownership plans. Pennsylvania's guidelines are in conflict with them. We are trying to bring them in line to encourage the businesses that currently exist in the Commonwealth of Pennsylvania who want to do ESOPs. I mean, 300 is not enough, and the conflict is causing them not to do it. If you think employee stock ownership is a good thing, you should support this bill, clearly. Just because it is not 700 pages long does not mean it is confusing. In fact, it is pretty simple. There are businesses in Pennsylvania that would like to become employee stock ownership plan companies that are discouraged to do so because of our Department of Revenue, and this bill corrects that.

So please vote "yes" if you care about the workers and want to give them a chance to become owners. 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—130

Barrar	Gabler	Longietti	Rapp
Benninghoff	Galloway	Mackenzie	Reese
Bernstine	Gaydos	Malagari	Rigby
Bizzarro	Gillen	Maloney	Roae
Boback	Gillespie	Marshall	Rothman
Borowicz	Gleim	Masser	Rowe
Brooks	Gregory	Matzie	Rozzi
Brown	Greiner	Mehaffie	Ryan
Burns	Grove	Mentzer	Sainato
Carroll	Hahn	Metcalfe	Sankey
Causar	Harkins	Metzgar	Saylor
Comitta	Heffley	Mihalek	Schemel
Conklin	Helm	Millard	Schmitt
Cook	Hennessey	Miller, B.	Schroeder
Cox	Hershey	Moul	Snyder
Culver	Hickernell	Mullins	Sonney
Cutler	Innamorato	Murt	Staats
Davis, T.	Irvin	Mustello	Stephens
Day	James	Nelson	Struzzi
Delozier	Jones	Nesbit	Thomas
Diamond	Jozwiak	O'Neal	Tobash
DiGirolamo	Kail	Oberlander	Toepel
Dowling	Kaufner	Ortitay	Toohil
Driscoll	Kauffman	Owlett	Topper
Dunbar	Keefer	Pashinski	Ullman
Dush	Keller	Peifer	Walsh
Ecker	Kim	Petrarca	Warner
Emrick	Klunk	Pickett	Wentling
Everett	Knowles	Polinchock	Wheeland
Farry	Kosierowski	Puskaric	Zimmerman
Fee	Krueger	Pyle	
Flynn	Lawrence	Quinn	Turzai,
Fritz	Lewis	Rader	Speaker

NAYS—67

Boyle	Donatucci	Kulik	Samuelson
Bradford	Evans	Lee	Sanchez
Briggs	Fiedler	Madden	Sappery
Bullock	Fitzgerald	Markosek	Schlossberg
Burgos	Frankel	McCarter	Schweyer
Caltagirone	Freeman	McClinton	Shusterman
Cephas	Gainey	McNeill	Sims
Ciresi	Goodman	Merski	Solomon
Daley	Hanbidge	Miller, D.	Sturla
Davidson	Harris	Mullery	Vitali
Davis, A.	Hohenstein	Neilson	Warren
Dawkins	Howard	O'Mara	Webster
Deasy	Isaacson	Otten	Wheatley
DeLissio	Kenyatta	Rabb	Williams
Deloso	Kinsey	Ravenstahl	Youngblood
DeLuca	Kirkland	Readshaw	Zabel
Dermody	Kortz	Roebuck	

NOT VOTING—0

EXCUSED—5

Cruz	Mizgorski	Simmons	White
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 440, PN 3054**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in criminal history record information, further providing for expungement, for petition for limited access, for clean slate limited access and for effects of expunged records and records subject to limited access; and, in administration of justice, further providing for attachment and summary punishment for contempts.

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 Nesbit, do you wish to speak? 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	Fiedler	Lee	Reese
Benninghoff	Fitzgerald	Lewis	Rigby
Bernstine	Flynn	Longietti	Roae
Bizzarro	Frankel	Mackenzie	Roebuck
Boback	Freeman	Madden	Rothman
Borowicz	Fritz	Malagari	Rowe
Boyle	Gabler	Maloney	Rozzi
Bradford	Gainey	Markosek	Ryan
Briggs	Galloway	Marshall	Sainato
Brooks	Gaydos	Masser	Samuelson
Brown	Gillen	Matzie	Sanchez
Bullock	Gleim	McCarter	Sankey
Burgos	Gleim	McClinton	Sappery
Burns	Goodman	McNeill	Saylor
Caltagirone	Gregory	Mehaffie	Schemel
Carroll	Greiner	Mentzer	Schlossberg
Causar	Grove	Merski	Schmitt
Cephas	Hahn	Metcalfe	Schroeder
Ciresi	Hanbidge	Metzgar	Schweyer
Comitta	Harkins	Mihalek	Shusterman
Conklin	Harris	Millard	Sims
Cook	Heffley	Miller, B.	Snyder
Cox	Helm	Miller, D.	Solomon
Culver	Hennessey	Moul	Sonney
Cutler	Hershey	Mullery	Staats
Daley	Hickernell	Mullins	Stephens
Davidson	Hohenstein	Murt	Struzzi
Davis, A.	Howard	Mustello	Sturla
Davis, T.	Innamorato	Neilson	Thomas
Dawkins	Irvin	Nelson	Tobash
Day	Isaacson	Nesbit	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Deloso	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
Dowling	Kim	Pickett	Wheatley
Driscoll	Kinsey	Polinchock	Wheeland
Dunbar	Kirkland	Puskaric	Williams
Dush	Klunk	Pyle	Youngblood
Ecker	Knowles	Quinn	Zabel
Emrick	Kortz	Rabb	Zimmerman
Evans	Kosierowski	Rader	
Everett	Krueger	Rapp	Turzai,
Farry	Kulik	Ravenstahl	Speaker
Fee	Lawrence	Readshaw	

NAYS—0

NOT VOTING—0

EXCUSED—5

Cruz	Mizgorski	Simmons	White
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 256, PN 2919**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of assault by prisoner.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Representative Vitali, Representative Matzie.  
We will start with Representative Vitali.

Mr. VITALI. I just wanted to check one thing out with regard to this bill. It is something that – will the maker stand for brief interrogation?

The SPEAKER. He has waived off, or he will stand for interrogation?

Yes, the good gentleman will stand for interrogation.

Mr. VITALI. I have here a statement from the ACLU (American Civil Liberties Union) that this bill, by lowering the threshold from aggravated assault with assault, this could trigger a mandatory life without a parole in certain circumstances. Is that correct?

Mr. METZGAR. Mr. Speaker, I believe that you are perhaps confusing this bill with HB 1855, Representative Bernstine's bill.

Mr. VITALI. Well, yes, according to my notes, it is 256.  
But I will note that this is opposed by Families Against Mandatory Minimums and the ACLU, and that is a question that concerns me, triggering a mandatory life without parole. Thank you.

The SPEAKER. Representative, is that it? Okay. Boy, that was easy.

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—146

Barrar	Fritz	Madden	Readshaw
Benninghoff	Gabler	Maloney	Reese
Bernstine	Galloway	Marshall	Rigby
Bizzarro	Gaydos	Masser	Roae
Boback	Gillen	Matzie	Rothman
Borowicz	Gillespie	McNeill	Rowe
Brooks	Gleim	Mehaffie	Rozzi
Brown	Goodman	Mentzer	Ryan
Burns	Gregory	Merski	Sainato
Caltagirone	Greiner	Metcalfe	Samuelson
Carroll	Grove	Metzgar	Sankey
Causer	Hahn	Mihalek	Sappey
Ciresi	Harkins	Millard	Saylor
Comitta	Heffley	Miller, B.	Schemel
Conklin	Helm	Moul	Schmitt
Cook	Hennessey	Mullery	Schroeder
Cox	Hershey	Mullins	Snyder
Culver	Hickernell	Murt	Sonney
Cutler	Irvin	Mustello	Staats
Davis, T.	James	Neilson	Stephens
Day	Jones	Nelson	Struzzi
Delloso	Jozwiak	Nesbit	Thomas
Delozier	Kail	O'Mara	Tobash
DeLuca	Kaufner	O'Neal	Toepel
Dermody	Kauffman	Oberlander	Toohil
Diamond	Keefer	Ortitay	Topper
DiGirolamo	Keller	Owlett	Ullman
Dowling	Klunk	Pashinski	Walsh
Dunbar	Knowles	Peifer	Warner
Dush	Kortz	Petrarca	Warren
Ecker	Kosierowski	Pickett	Webster
Emrick	Krueger	Polinchock	Wentling
Everett	Kulik	Puskaric	Wheeland
Farry	Lawrence	Pyle	Zimmerman
Fee	Lewis	Quinn	
Flynn	Longietti	Rader	Turzai,
Freeman	Mackenzie	Rapp	Speaker

NAYS—51

Boyle	Driscoll	Kim	Sanchez
Bradford	Evans	Kinsey	Schlossberg
Briggs	Fiedler	Kirkland	Shueywer
Bullock	Fitzgerald	Lee	Shusterman
Burgos	Frankel	Malagari	Sims
Cephas	Gainey	Markosek	Solomon
Daley	Hanbidge	McCarter	Sturla
Davidson	Harris	McClinton	Vitali
Davis, A.	Hohenstein	Miller, D.	Wheatley
Dawkins	Howard	Otten	Williams
Deasy	Innamorato	Rabb	Youngblood
DeLissio	Isaacson	Ravenstahl	Zabel
Donatucci	Kenyatta	Roebuck	

NOT VOTING—0

EXCUSED—5

Cruz Mizgorski Simmons White  
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 257, PN 3053**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of assault by prisoner.

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

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.  
The question is, shall the bill pass finally?

Representative Vitali.  
Mr. VITALI. Thank you.

Again, this is a trend in our criminal justice system that appeared decades ago and then people wised up to trying to sentence their way out of this crimes problem and realized this is a wrongheaded approach. But it all seems to be coming back this week, and this is just another effort along those lines.

You know, I used to do criminal defense work prior to coming to the legislature, and the idea, the discretion to have sentences run concurrently versus consecutively is something that is and should be in the discretion of the trial judge. The trial judge has the facts and circumstances of each particular case at hand. We do not. We are just, you know, doing a concept of some criminal proceeding we may be imagining in our heads, but the judge is in a best position to determine this. We are taking that discretion out of the hands of a judge, and I think if I was, you know, listening correctly in caucus, this could result in unwanted, more severe sentences than perhaps justice would require.

So I do think we should keep this in the hands of the judge to make that determination, and I would urge a "no" vote. Again, this is opposed by ACLU, Families Against Mandatory Minimums, and other groups. Thank you.

The SPEAKER. Representative Cris Dush.  
Mr. DUSH. Thank you, Mr. Speaker.

I had not anticipated having to stand up on this, but given the comments that were just made, I feel I have to.

When a person is locked up in the Department of Corrections, they are there for corrective behavior because of something that happened that put them in that position. Yes, we are eliminating the discretion of the judge to allow that same individual, if he

performs a crime on some of the staff inside the Department of Corrections or another inmate and actually ends up assaulting that person, causing bodily injury, yeah, we are going to remove the ability of the judge to allow that person to just sit there and do the same time as he was already locked up for. You know, they are there for correction and to learn to correct their behavior. If they are involved in criminal activity inside the institution, they are not learning that lesson, and if they are in a jurisdiction where they know that it happens quite frequently, that they are given concurrent time – and unfortunately, those inmates do know it – then yes, we have absolutely every reason to expect to impose a harsher sentence and have them do a separate time for separate crime.

For the sake of every single person that puts on those uniforms or just walks in and serves inside our correctional facilities, this needs to pass. Thank you, Mr. Speaker.

The SPEAKER. The prime sponsor, Representative Metzgar.  
Mr. METZGAR. Thank you, Mr. Speaker.

With all due respect to my colleague from Delaware County, this particular bill is about making sure that an inmate, someone who is incarcerated, who commits a crime while incarcerated, gets sentenced consecutively instead of concurrently. And what that means to the inmate is that he does not get a free pass and the penalty is not really actually felt by that person. It means that he or she will actually feel the penalty, and in my case, in SCI (State correctional institution) Somerset, for the murder of a corrections officer, there needs to be a separate and distinct penalty. That is what this bill is about. Yes, it means that you, as a judge, cannot sentence someone to serve that penalty at the same time as you are serving another penalty, but that is what this is about. It is to disincentivize someone from hurting staff at our facilities, and if there are no repercussions for hurting our staff, then they will continue to do that. And we have experienced a murder of our staff and we need to find a way to protect them, and that is what this bill does.

So I encourage my colleagues to vote for it. 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—144

Barrar	Galloway	Maloney	Readshaw
Benninghoff	Gaydos	Markosek	Reese
Bernstine	Gillen	Marshall	Rigby
Bizzarro	Gillespie	Masser	Roae
Boback	Gleim	Matzie	Rothman
Borowicz	Goodman	McNeill	Rowe
Brooks	Gregory	Mehaffie	Rozzi
Brown	Greiner	Mentzer	Ryan
Burns	Grove	Merski	Sainato
Caltagirone	Hahn	Metcalfe	Samuelson
Carroll	Harkins	Metzgar	Sankey
Causar	Heffley	Mihalek	Sappey
Ciresi	Helm	Millard	Saylor
Comitta	Hennessey	Miller, B.	Schemel
Conklin	Hershey	Moul	Schmitt
Cook	Hickernell	Mullery	Schroeder
Cox	Irvin	Mullins	Snyder
Culver	James	Murt	Sonney
Cutler	Jones	Mustello	Staats
Davis, T.	Jozwiak	Neilson	Stephens

Day	Kail	Nelson	Struzzi
DeLozier	Kaufar	Nesbit	Sturla
DeLuca	Kauffman	O'Neal	Thomas
Diamond	Keefer	Oberlander	Tobash
DiGirolamo	Keller	Ortitay	Toepel
Dowling	Klunk	Owlett	Toohil
Dunbar	Knowles	Pashinski	Topper
Dush	Kortz	Peifer	Ullman
Ecker	Kosierowski	Petrarca	Walsh
Emrick	Krueger	Pickett	Warner
Everett	Kulik	Polinchock	Wentling
Farry	Lawrence	Puskaric	Wheeland
Fee	Lewis	Pyle	Zimmerman
Flynn	Longietti	Quinn	
Freeman	Mackenzie	Rader	Turzai,
Fritz	Madden	Rapp	Speaker
Gabler	Malagari		

NAYS—53

Boyle	Donatucci	Kenyatta	Sanchez
Bradford	Driscoll	Kim	Schlossberg
Briggs	Evans	Kinsey	Schweyer
Bullock	Fiedler	Kirkland	Shusterman
Burgos	Fitzgerald	Lee	Sims
Cephas	Frankel	McCarter	Solomon
Daley	Gainey	McClinton	Vitali
Davidson	Hanbidge	Miller, D.	Warren
Davis, A.	Harris	O'Mara	Webster
Dawkins	Hohenstein	Otten	Wheatley
Deasy	Howard	Rabb	Williams
DeLissio	Innamorato	Ravenstahl	Youngblood
Delloso	Isaacson	Roebuck	Zabel
Dermody			

NOT VOTING—0

EXCUSED—5

Cruz	Mizgorski	Simmons	White
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 1855**, **PN 3055**, entitled:

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in Pennsylvania Board of Probation and Parole, further providing for parole power.

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 Aaron Bernstine is recognized.

Mr. BERNSTINE. Thank you, Mr. Speaker.

Mr. Speaker, I rise today in support of HB 1855. HB 1855 is named Markie's Law. Markie's Law is named after Markie Mason, who was brutally murdered on July 8 of this year. He was stabbed by someone who should have never been allowed out of prison. This criminal that stabbed him originally received 20 to 40 years in jail. He was let out at his minimum through the parole system, at 20 years, after having numerous, numerous violent offenses while in prison.

We worked very hard on this legislation. We worked with, especially, District Attorney Josh Lamancusa from Lawrence County, the Police Chiefs Association, the District Attorneys Association, as well as our leadership team, the committee.

And I would also like to thank – I know that when the family came here, the family had the opportunity to meet with many, both Republicans and Democrats, and I also express my thanks to Governor Wolf for the opportunity that he took to meet with the family.

This legislation would delay parole for 2 years for an individual that is incarcerated if they commit a violent offense while in prison. It would also, under some circumstances, delay their parole for 1 year for other issues such as having contraband, trying to escape, or having weapons or attempting to escape.

So, Mr. Speaker, I would ask my members, my colleagues, to support HB 1855 in support of Markie's Law. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Greg Vitali.

Mr. VITALI. Again, just want to point out, opposed by the ACLU, opposed by Families Against Mandatory Minimums. Families Against Mandatory Minimums indicate this would "...impose overly punitive sanctions...and unnecessarily expand Pennsylvania's already bloated criminal..." system. I just want the members to be aware of the opposition to this.

The SPEAKER. Representative Bernstine.

Mr. BERNSTINE. Thank you, Mr. Speaker.

Mr. Speaker, this legislation is supported by the Pennsylvania District Attorneys Association; many other district attorneys, including our local district attorney; the Police Chiefs Association; as well as the Corrections Officers Association; and most importantly, it is supported by the family of this young child who was brutally murdered this year on July 8.

Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—149

Barrar	Galloway	Maloney	Rigby
Benninghoff	Gaydos	Markosek	Roae
Bernstine	Gillen	Marshall	Rothman
Bizzarro	Gillespie	Masser	Rowe
Boback	Gleim	Matzie	Rozzi
Borowicz	Goodman	Mehaffie	Ryan
Brooks	Gregory	Mentzer	Sainato

Brown	Greiner	Merski	Samuelson
Burns	Grove	Metcalfe	Sankey
Caltagirone	Hahn	Metzgar	Sappey
Carroll	Harkins	Mihalek	Saylor
Causer	Heffley	Millard	Schemel
Ciresi	Helm	Miller, B.	Schmitt
Conklin	Hennessey	Moul	Schroeder
Cook	Hershey	Mullery	Shusterman
Cox	Hickernell	Mullins	Snyder
Culver	Howard	Murt	Sonney
Cutler	Irvin	Mustello	Staats
Davis, T.	James	Neilson	Stephens
Day	Jones	Nelson	Struzzi
DeLozier	Jozwiak	Nesbit	Sturla
DeLuca	Kail	O'Mara	Thomas
Diamond	Kaufner	O'Neal	Tobash
DiGirolamo	Kauffman	Oberlander	Toepel
Dowling	Keefer	Ortitay	Toohil
Driscoll	Keller	Owlett	Topper
Dunbar	Klunk	Pashinski	Ullman
Dush	Knowles	Peifer	Walsh
Ecker	Kortz	Petrarca	Warner
Emrick	Kosierowski	Pickett	Warren
Evans	Krueger	Polinchock	Wentling
Everett	Kulik	Puskaric	Wheeland
Farry	Lawrence	Pyle	Zabel
Fee	Lewis	Quinn	Zimmerman
Flynn	Longietti	Rader	
Freeman	Mackenzie	Rapp	Turzai,
Fritz	Madden	Readshaw	Speaker
Gabler	Malagari	Reese	

NAYS—47

Boyle	DeLissio	Kenyatta	Roebuck
Bradford	Delloso	Kim	Sanchez
Briggs	Dermody	Kinsey	Schlossberg
Bullock	Fiedler	Kirkland	Schweyer
Burgos	Fitzgerald	Lee	Sims
Cephas	Frankel	McCarter	Solomon
Comitta	Gainey	McClinton	Vitali
Daley	Hanbidge	McNeill	Webster
Davidson	Harris	Miller, D.	Wheatley
Davis, A.	Hohenstein	Otten	Williams
Dawkins	Innamorato	Rabb	Youngblood
Deasy	Isaacson	Ravenstahl	

NOT VOTING—1

Donatucci

EXCUSED—5

Cruz	Mizgorski	Simmons	White
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 **SB 133, PN 1185**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for Lieutenant Governor.

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—130

Barrar	Fritz	Madden	Rigby
Benninghoff	Gabler	Maloney	Roae
Bernstine	Galloway	Marshall	Rothman
Boback	Gaydos	Masser	Rowe
Borowicz	Gillespie	Matzie	Rozzi
Boyle	Gleim	Mehaffie	Ryan
Brooks	Goodman	Mentzer	Sankey
Brown	Gregory	Metcalfe	Saylor
Caltagirone	Greiner	Metzgar	Schemel
Carroll	Grove	Mihalek	Schmitt
Causer	Hahn	Millard	Schroeder
Comitta	Heffley	Miller, B.	Snyder
Cook	Helm	Moul	Solomon
Cox	Hennessey	Mullery	Sonney
Culver	Hershey	Mullins	Staats
Cutler	Hickernell	Murt	Stephens
Davis, A.	Irvin	Mustello	Struzzi
Davis, T.	James	Nelson	Thomas
Day	Jones	Nesbit	Tobash
DeLozier	Jozwiak	O'Mara	Toepel
DeLuca	Kail	O'Neal	Toohil
Diamond	Kaufner	Oberlander	Topper
DiGirolamo	Kauffman	Ortitay	Ullman
Dowling	Keefer	Owlett	Vitali
Dunbar	Keller	Peifer	Walsh
Dush	Kenyatta	Pickett	Warner
Ecker	Kim	Polinchock	Wentling
Emrick	Klunk	Puskaric	Wheeland
Everett	Knowles	Pyle	Zabel
Farry	Kosierowski	Quinn	Zimmerman
Fee	Lawrence	Rader	
Flynn	Lewis	Rapp	Turzai,
Freeman	Mackenzie	Reese	Speaker

NAYS—67

Bizzarro	Driscoll	Krueger	Readshaw
Bradford	Evans	Kulik	Roebuck
Briggs	Fiedler	Lee	Sainato
Bullock	Fitzgerald	Longietti	Samuelson
Burgos	Frankel	Malagari	Sanchez
Burns	Gainey	Markosek	Sappey
Cephas	Gillen	McCarter	Schlossberg
Ciresi	Hanbidge	McClinton	Schweyer
Conklin	Harkins	McNeill	Shusterman
Daley	Harris	Merski	Sims
Davidson	Hohenstein	Miller, D.	Sturla
Dawkins	Howard	Neilson	Warren
Deasy	Innamorato	Otten	Webster
DeLissio	Isaacson	Pashinski	Wheatley
Delloso	Kinsey	Petrarca	Williams
Dermody	Kirkland	Rabb	Youngblood
Donatucci	Kortz	Ravenstahl	

NOT VOTING—0



## EXCUSED—5

Cruz Mizgorski Simmons White  
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 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

## BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 726, PN 762**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for sentences for offenses committed with firearms.

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

The SPEAKER. We have an amendment filed by Representative Dan Frankel. Waives off.

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

\* \* \*

The House proceeded to second consideration of **HB 1850, PN 2531**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for sentences for offenses committed with firearms and for sentences for certain drug offenses committed with firearms.

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

The SPEAKER. There is an amendment, amendment 3287. It is filed by Representative Frankel. It has been withdrawn.

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

\* \* \*

## BILL PASSED OVER

The SPEAKER. HB 1851 is over.

\* \* \*

The House proceeded to second consideration of **HB 1852, PN 2533**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for sentences for second and subsequent offenses and providing for consecutive sentences for crimes of violence.

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

The SPEAKER. Amendment 3284, filed by Representative Frankel, has been withdrawn.

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

## SUPPLEMENTAL CALENDAR A CONTINUED

## BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1477, PN 3057**, entitled:

Amending Titles 18 (Crimes and Offenses) and 63 (Professions and Occupations (State Licensed)) of the Pennsylvania Consolidated Statutes, in criminal history record information, further providing for use of records by licensing agencies; providing for preliminary provisions and for Bureau of Professional and Occupational Affairs; consolidating the provisions of Act 48 of 1993; and making a related repeal.

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 Readshaw.

Mr. READSHAW. Thank you, Mr. Speaker.

Mr. Speaker, I am going to vote "no" on HB 1477, and I would like to take this moment to explain why. As we observe the definition and the explanation of HB 1477, we used defining words such as provides Commonwealth licensing boards with alternatives to issue licenses to individuals. The bill creates restricted licenses and allows all other licensing boards to consider factors in licensing decisions. All these comments or definitions are accurate. The difficulty is, the legislation was not assigned to the appropriate committee, and that would be or should have been the House Professional Licensure Committee who would have, obviously, had expertise in the consideration of this licensing legislation.

As minority chairman of the Professional Licensure Committee and in studying this legislation, I have identified 20-some questions and concerns in this legislation that would not have occurred – I repeat – would not have occurred if the legislation would have been assigned to the proper committee. An example of one of my findings, on page 35, line 5, identifies licensees who are health-care practitioners. Not all licensees

under the health-related boards qualify as health-care practitioners and they ought to be excluded.

I am going to share my concerns with the Senate as this bill goes there. I have no doubts it will pass today, but my concern is it was assigned to the inappropriate committee. The Professional Licensure Committee should have had the consideration in the developing of this legislation.

In voting "no," I just want to say that I am not against the topic or the substance of the legislation, I just do not agree to the committee that it was assigned to.

And I thank you, Mr. Speaker.

The SPEAKER. Thank you.

Representative Delozier, do you wish to speak on the bill?

The prime sponsor, Representative Sheryl Delozier.

Ms. DELOZIER. Thank you, Mr. Speaker.

I ask for a supportive vote for HB 1477. This bill in and of itself is something that we have been working on, trying to work with the criminal justice reform and the ability to understand that those with a criminal record that come out should not be disqualified from seeking certain jobs that require State licensure simply because they have a criminal record. If it is something that is directly related to the profession, that is something that can disqualify.

But the ability to allow more doors to open when people come out to find employment I think is something that is a good step forward. It is commonsense public policy to allow for that. And we want people that will most likely, after being sentenced, come back into our communities to have the opportunity to be able to set their lives right, make up for a mistake that they made, and move on and be good citizens, good family members, and good taxpayers in our Commonwealth.

So I ask for an affirmative vote. I thank my partner in this, Representative Harris, for a lot of time and effort that we have tried to work forward to get an even balance and be able to give people a second chance while still allowing the boards to protect the safety of the public that they serve.

So thank you very much, Mr. Speaker.

The SPEAKER. Thank you.

Representative Jordan Harris.

Mr. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, today I rise to support HB 1477, a bipartisan piece of legislation worked on to reform how we do professional licenses in Pennsylvania.

Mr. Speaker, right now a person could go to nursing school, could get their degree, could pass their boards and exams, and then in Pennsylvania, still be denied a license to practice their craft because of something they did 10, 15, or 20 years ago. Mr. Speaker, right now we are training people in our correctional institutions to do jobs that they may not get licensed to do when they get out of the correctional institution.

Mr. Speaker, the truth of the matter is, the only way we lower the recidivism rate in Pennsylvania is by giving people jobs, giving people opportunities to work, giving people opportunities to take care of their family. And for far too long we have given opportunities to some of our licensing boards to deny people for things that they did a long time ago.

Now, Mr. Speaker, as I have often said, listen, if you have been convicted of embezzlement, maybe I do not want you to be licensed as a C.P.A. (certified public accountant). But, Mr. Speaker, I do not care if my barber sold drugs, I just want to make sure he can take care of this thinning that is happening at the top of my head. I am working on it. You all pray for me.

The truth of the matter is that this bill gives an opportunity for so many of our constituents who have done the right thing – they went to school, they went and got a trade, and they are trying to move on with their lives. It is time that we move out of the way and we let them move on with their lives so they can be productive, positive citizens and so that they can take care of their families, so that they can feed their loved ones.

I ask everybody to vote "yes" for HB 1477, a bill that will continue to help us reform our criminal justice system in Pennsylvania.

Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

#### YEAS—193

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

NAYS—4

DeLuca            Kortz            Kulik            Readshaw

NOT VOTING—0

EXCUSED—5

Cruz            Mizgorski        Simmons        White  
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 SPEAKER. Members, we have resolutions to vote upon, and then some members I know wish to speak on resolutions.

CALENDAR CONTINUED

RESOLUTIONS

Mr. READSHAW called up **HR 554, PN 2650**, entitled:

A Resolution honoring the continuing work of the Veterans Courts in this Commonwealth.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufner	Otten	Walsh
Dermody	Kauffman	Owlett	Warner
Diamond	Keefer	Pashinski	Warren
DiGirolamo	Keller	Peifer	Webster
Donatucci	Kenyatta	Petrarca	Wentling
Dowling	Kim	Pickett	Wheatley
Driscoll	Kinsey	Polinchock	Wheeland
Dunbar	Kirkland	Puskaric	Williams
Dush	Klunk	Pyle	Youngblood
Ecker	Knowles	Quinn	Zabel
Emrick	Kortz	Rabb	Zimmerman
Evans	Kosierowski	Rader	
Everett	Krueger	Rapp	Turzai,
Farry	Kulik	Ravenstahl	Speaker
Fee	Lawrence	Readshaw	

NAYS—0

NOT VOTING—0

EXCUSED—5

Cruz            Mizgorski        Simmons        White  
Mako

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

\* \* \*

Mr. RIGBY called up **HR 623, PN 2962**, entitled:

A Resolution designating the month of December 2019 as "Sgt. Michael Strank Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Barrar	Fiedler	Lee	Reese
Benninghoff	Fitzgerald	Lewis	Rigby
Bernstine	Flynn	Longietti	Roae
Bizzarro	Frankel	Mackenzie	Roebuck
Boback	Freeman	Madden	Rothman
Borowicz	Fritz	Malagari	Rowe
Boyle	Gabler	Maloney	Rozzi
Bradford	Gainey	Markosek	Ryan
Briggs	Galloway	Marshall	Sainato
Brooks	Gaydos	Masser	Samuelson
Brown	Gillen	Matzie	Sanchez
Bullock	Gillespie	McCarter	Sankey
Burgos	Gleim	McClinton	Sappery
Burns	Goodman	McNeill	Saylor
Caltagirone	Gregory	Mehaffie	Schemel
Carroll	Greiner	Mentzer	Schlossberg
Causar	Grove	Merski	Schmitt
Cephas	Hahn	Metcalfe	Schroeder
Ciresi	Hanbidge	Metzgar	Schweyer
Comitta	Harkins	Mihalek	Shusterman
Conklin	Harris	Millard	Sims
Cook	Heffley	Miller, B.	Snyder
Cox	Helm	Miller, D.	Solomon
Culver	Hennessey	Moul	Sonney
Cutler	Hershey	Mullery	Staats
Daley	Hickernell	Mullins	Stephens
Davidson	Hohenstein	Murt	Struzzi
Davis, A.	Howard	Mustello	Sturla

Davis, T.	Innamorato	Neilson	Thomas
Dawkins	Irvin	Nelson	Tobash
Day	Isaacson	Nesbit	Toepel
Deasy	James	O'Mara	Toohil
DeLissio	Jones	O'Neal	Topper
Delloso	Jozwiak	Oberlander	Ullman
Delozier	Kail	Ortitay	Vitali
DeLuca	Kaufer	Otten	Walsh
Dermody	Kauffman	Owlett	Warner
Diamond	Keefer	Pashinski	Warren
DiGirolamo	Keller	Peifer	Webster
Donatucci	Kenyatta	Petrarca	Wentling
Dowling	Kim	Pickett	Wheatley
Driscoll	Kinsey	Polinchock	Wheeland
Dunbar	Kirkland	Puskaric	Williams
Dush	Klunk	Pyle	Youngblood
Ecker	Knowles	Quinn	Zabel
Emrick	Kortz	Rabb	Zimmerman
Evans	Kosierowski	Rader	
Everett	Krueger	Rapp	Turzai,
Farry	Kulik	Ravenstahl	Speaker
Fee	Lawrence	Readshaw	

NAYS—0

NOT VOTING—0

EXCUSED—5

Cruz	Mizgorski	Simmons	White
Mako			

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

\* \* \*

Mr. O'NEAL called up **HR 627, PN 2987**, entitled:

A Resolution urging the President and the Congress of the United States to enact S. 1757 or similar legislation to award the Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Cruz	Mizgorski	Simmons	White
Mako			

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

\* \* \*

Mr. WARREN called up **HR 630, PN 2984**, entitled:

A Resolution commemorating the 50th anniversary of the Apollo 11 lunar landing mission on July 20, 2019.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

Caltagirone	Gregory	Mehaffie	Saylor
Carroll	Greiner	Mentzer	Schemel
Causer	Grove	Merski	Schlossberg
Cephas	Hahn	Metcalfe	Schmitt
Ciresi	Hanbidge	Metzgar	Schroeder
Comitta	Harkins	Mihalek	Schweyer
Conklin	Harris	Millard	Shusterman
Cook	Heffley	Miller, B.	Sims
Cox	Helm	Miller, D.	Snyder
Culver	Hennessey	Moul	Solomon
Cutler	Hershey	Mullery	Sonney
Daley	Hickernell	Mullins	Staats
Davidson	Hohenstein	Murt	Stephens
Davis, A.	Howard	Mustello	Struzzi
Davis, T.	Innamorato	Neilson	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	Kaufner	Otten	Vitali
Dermody	Kauffman	Owlett	Walsh
Diamond	Keefer	Pashinski	Warner
DiGirolamo	Keller	Peifer	Warren
Donatucci	Kenyatta	Petrarca	Webster
Dowling	Kim	Pickett	Wentling
Driscoll	Kinsey	Polinchock	Wheatley
Dunbar	Kirkland	Puskaric	Wheeland
Dush	Klunk	Pyle	Williams
Ecker	Knowles	Quinn	Youngblood
Emrick	Kortz	Rabb	Zabel
Evans	Kosierowski	Rader	
Everett	Krueger	Rapp	Turzai,
Farry	Kulik	Ravenstahl	Speaker
Fee	Lawrence		

NAYS-0

NOT VOTING-1

Zimmerman

EXCUSED-5

Cruz	Mizgorski	Simmons	White
Mako			

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

\* \* \*

Mr. ROTHMAN called up **HR 631, PN 2985**, entitled:

A Resolution congratulating the United States Marine Corps Reserve Toys for Tots Program and the Marine Toys for Tots Foundation on their continued efforts to provide a message of hope to less fortunate children and commending all those who volunteer their time to contribute to this goal.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Cruz	Mizgorski	Simmons	White
Mako			

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

\* \* \*

Mr. HENNESSEY called up **HR 639, PN 3015**, entitled:

A Resolution designating December 18, 2019, as "Second Gulf War Veterans Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Cruz	Mizgorski	Simmons	White
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 further votes.

Representative Sappey is recognized. Representative Sappey is recognized.

Members, to each and every one of you, merry Christmas, happy Hanukkah. Enjoy the holiday season. Kwanzaa. Happy Kwanzaa. Festivus. Thank you. Festivus. If I am missing any others, tell me, because I am wishing it to each and every one of you. Enjoy this beautiful holiday season with your families and friends.

See you, Representative Gainey.  
Everybody, thank you so much.

Now I am going to call on members for the record, and then I am going to let folks who want to speak on resolutions have that opportunity.

VOTE CORRECTIONS

The SPEAKER. Representative Sappey, my apologies. Please proceed.

Ms. SAPPEY. Thank you, Mr. Speaker.

I wish to change my vote on HB 285 from a negative to affirmative. Thank you.

The SPEAKER. Thank you.

Representative Shusterman.

Ms. SHUSTERMAN. Thank you, Mr. Speaker.

I would like to change my vote on HB 285 from negative to affirmative.

The SPEAKER. Thank you.

Ms. SHUSTERMAN. Happy holidays.

The SPEAKER. Happy holidays, Representative Shusterman. Representative O'Mara.

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

For HB 285 I was recorded in the negative but would like to be recorded in the positive.

The SPEAKER. Thank you, Representative O'Mara.

Ms. O'MARA. And thank you, and happy holidays.

The SPEAKER. Happy holidays.

Representative Margo Davidson.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

On HB 285 I would like to be recorded in the affirmative; I was recorded in the negative. Happy holidays. Merry Christmas.

The SPEAKER. Thank you. Happy holidays, Representative Davidson. Thank you.

Representative Ciresi, sir.

Mr. CIRESI. Mr. Speaker, on HB 285 I was a "nay," and I would like to be a "yea" also.

The SPEAKER. Yes, sir. The record will so reflect.

Representative Maria Donatucci, please. Wait, Maria, hold on.

Ms. DONATUCCI. Be a "no" vote.

The SPEAKER. Representative, will you repeat, please. We did not get that. Will you repeat? I am sorry.

Ms. DONATUCCI. Sure. On HB 1855 my vote did not register at all, and I would like to be a "no" vote.

The SPEAKER. Thank you.

Ms. DONATUCCI. Thank you.

The SPEAKER. Is there anybody else that wishes to correct the record before I call upon members to speak on resolutions?

### SENATE MESSAGE

#### HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 500, PN 1433**, and **SB 501, PN 1434**.

### 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:

#### **SB 500, PN 1433**

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, providing for County Adult Probation and Parole Advisory Committee, for county probation officers' firearm education and training, for justice reinvestment grants, phase 2, for continuing county probation and parole grants and for county intermediate punishment funding.

#### **SB 501, PN 1434**

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in judicial boards and commissions, providing for commission, for composition of commission and for powers and duties of commission, for adoption of guidelines for sentencing, for adoption of guidelines for county intermediate punishment, for adoption of guidelines for State intermediate punishment and for adoption of risk assessment instrument; in judgments and other liens, further providing for personal earnings exempt from process; in sentencing, further providing for sentences for offenses against infant persons, for sentencing generally, for collection of restitution, reparation, fees, costs, fines and penalties, for payments of court costs, restitution and fines, for order of probation, for sentence of partial confinement, for sentence of total confinement, for sentence of county intermediate punishment, for information required upon commitment and subsequent disposition, for modification or revocation of order of probation, for court-imposed sanctions for offenders violating probation, for modification or revocation of county intermediate punishment sentence and for revocation of State intermediate punishment sentence; in county intermediate punishment, further providing for county intermediate punishment programs and for continued eligibility; in motivational boot camp, further providing for definitions, for selection of inmate participants and for motivational boot camp program; in State intermediate punishment, further providing for scope of chapter, for definitions, for referral to State intermediate punishment program, for drug offender treatment program and for reports; in recidivism risk reduction incentive, further providing for definitions, for sentencing, for evaluation and for reports; in miscellaneous provisions, further providing for confidentiality of victim information; in Pennsylvania Board of Probation and Parole, further providing for definitions, for general powers of board, for probation services, for parole power, providing for short sentence parole and for reentry supervision, further providing for violation of terms of parole, for parole procedure and for victim statements, testimony and participation in hearing and providing for parolee homicide review; in county probation officers' firearm education and training, further providing for County Probation Officers' Firearm Education and Training Commission and for commission membership; making conforming amendments; and making a related repeal.

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

The SPEAKER. I have Representative Rigby who wishes to speak, Representative O'Neal who wishes to speak, Representative McClinton who wishes to speak, and Representative Dush. As always, we do ask members to keep their remarks to 3 minutes. While we do not have an official rule to this effect, we do ask members to please keep their remarks to no longer than 3 minutes.

### STATEMENT BY MR. RIGBY

The SPEAKER. Representative Rigby, you may proceed.

Mr. RIGBY. Thank you, Mr. Speaker.

Thank you to the members for supporting my HR 623, which designates the month of December 2019 as "Sgt. Michael Strank Month" in Pennsylvania. Most of you have seen Sgt. Michael Strank and do not even realize it. Strank immigrated to Johnstown from Czechoslovakia with his family at the age of 3. He later enlisted in the Marine Corps in 1939, 2 years before the bombing of Pearl Harbor. Strank was promoted to the rank of sergeant and led his men in an assault on the Japanese territory of Iwo Jima in February 1945. While there, Sgt. Michael Strank and five fellow Marines raised a large flag to denote an American presence. In the process of doing so, these six men were captured by the eventual Pulitzer Prize-winning photographer, Joseph Rosenthal, and that iconic photo remains to this day as a symbol of heroism in wartime. Sergeant Strank was killed in action on Iwo Jima 1 week later and is interred at the Arlington National Cemetery.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Rigby.

### STATEMENT BY MR. O'NEAL

The SPEAKER. Representative Tim O'Neal.

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

I rise today to thank my colleagues for their unanimous vote urging the President and Congress to enact legislation to award the Congressional Gold Medal collectively to the U.S. Army Ranger veterans of World War II in recognition of their extraordinary service.

As a Ranger myself, I am proud of this elite force's history. The first modern Ranger battalion was formed at the beginning of the United States involvement in World War II. Only 3,000 of the 15 million soldiers who served in the war were Rangers. This is just .02 percent of the soldiers that served in World War II – quite a distinction. These men were highly trained to attack in the dead of night from the least likely route, climb cliffs, and speed march, enabling them to infiltrate behind enemy lines on foot.

Of this small number, at least 48 came from Pennsylvania, with 3 of them from Altoona. Two of these three Rangers climbed the cliffs of Pointe du Hoc, and one destroyed five out of the six long-range artillery pieces there.

Only 41 known World War II Rangers are still alive. We need to honor these heroes now before none can accept the medal on behalf of their comrades.

In conclusion, thank you for your support of the U.S. Army Rangers who served in World War II. Rangers lead the way.

The SPEAKER. Thank you, Representative O'Neal.

**STATEMENT BY MS. McCLINTON**

The SPEAKER. Representative Joanna McClinton.

Ms. McCLINTON. Thank you, Mr. Speaker.

Mr. Speaker, I rise this afternoon to thank you and all of our colleagues for unanimously supporting HB 440.

Mr. Speaker, when I got elected in August of 2015 in a special election, the first bill I ever proposed to these colleagues was for an automatic expungement bill. Why should people leave court after being acquitted or after receiving a pardon from the Board of Pardons and have to go through the process of then clearing up their record, getting an expungement so that they can in fact get gainful employment? This was a barrier for some.

When I was an assistant public defender, I would sometimes run down the hall and say, "Hey, Mr. So-and-So or Ms. So-and-So, take this card; come back within a timeframe so that you can apply for an expungement because you were acquitted." Well, today our colleagues have addressed that issue. Thanks to the bipartisan support from my good friend and soon-to-be judge, Representative Tedd Nesbit, and all of the rest of the folks here, we were able to get that bill done on our last day of legislative session in the year of 2019. It could not have happened without great support from the Families Against Mandatory Minimums, from the Pennsylvania Chamber of Commerce, from the Pennsylvania Association of Criminal Defense Lawyers, from the Pennsylvania District Attorneys Association. These folks have come together, they have supported this idea, and it is finally on the way to Governor Wolf's desk.

Thank you so much, Mr. Speaker, and thank you to all of our colleagues for continuing to champion criminal justice reform right here in the Commonwealth of Pennsylvania.

The SPEAKER. Thank you, Representative McClinton.

**STATEMENT BY MR. DUSH**

The SPEAKER. Representative Cris Dush.

Mr. DUSH. Thank you, Mr. Speaker.

I rise today to thank the members for their unanimous support of yet another bill dedicating a memorial to one of our fallen.

HB 1770 is to honor a gentleman who put his life on the line the day that he was given his military retirement orders. He actually had them in hand when he found out that his unit was getting deployed again. Then, learning of his unit's mobilization to Iraq and in spite of knowing he would be working with a bunch of Marines – some of us around here understand that – he chose to deploy with his unit, along with the I and II Marine Expeditionary Forces in Iraq under the 2d Infantry Brigade Combat Team. While leading an eight-member Pennsylvania Guard patrol that came under small-arms fire in Mudiq, Iraq, he was wounded, and on March 23, 2006, SFC Randy McCaulley paid the ultimate price in protecting each of us and our families. Today we commit this House of Representatives to honoring his service in a way that will serve to remind people every day of his heroism, his dedication to this country and the people in it.

Mr. Speaker and members of House, again I am grateful for the unanimous support for this bill to direct PennDOT to place memorial signs dedicating the bridge of over Crooked Creek on Route 286, in Rayne Township, Indiana County, as the "SFC Randy McCaulley Memorial Bridge." Thank you.

The SPEAKER. Thank you, Representative Dush.

**BILLS RECOMMITTED**

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

HB 726;  
 HB 916;  
 HB 1850;  
 HB 1852;  
 HB 1870;  
 HB 1913;  
 HB 1915;  
 HB 1973;  
 HB 2000;  
 HB 2001; and  
 SB 742.

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 523;  
 HB 918;  
 HB 1408;  
 HB 1830;  
 HB 2073;  
 SB 690;  
 SB 691; and  
 SB 692.

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 1710;  
 HB 1711; and  
 HB 1712.

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

**BILLS TABLED**

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



HB 1710;  
HB 1711; and  
HB 1712.

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

### **BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1074, PN 1614**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, providing for governing bodies of airport authorities located in counties of the second class.

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

### **BILL TABLED**

The SPEAKER. The majority leader moves that HB 1074 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 1074 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.

### **SENATE MESSAGE**

#### **RECESS RESOLUTION FOR CONCURRENCE**

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

In the Senate,  
December 18, 2019

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Tuesday, January 7, 2020, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses Tuesday, January 7, 2020, it reconvene on Monday, January 27, 2020, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses the week of January 27, 2020, it reconvene on Monday, February 3, 2020, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Tuesday, January 7, 2020, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses Tuesday, January 7, 2020, it reconvene on Monday, January 13, 2020, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses the week of January 13, 2020, it reconvene on Tuesday, January 21, 2020, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses the week of January 21, 2020, it reconvene on Monday, February 3, 2020, unless sooner recalled by the Speaker of the House of Representatives.

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

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

### **BILLS AND RESOLUTIONS PASSED OVER**

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

### **ADJOURNMENT**

The SPEAKER. Representative Brett Miller moves that the House be adjourned until Tuesday, January 7, 2020, at 12 m., e.s.t., unless sooner recalled by the Speaker. That is a nonvoting day, and we are required to be here by the Constitution.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 3:01 p.m., e.s.t., the House adjourned.