

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JANUARY 7, 2020

SESSION OF 2020

204TH OF THE GENERAL ASSEMBLY

No. 1

HOUSE OF REPRESENTATIVES

The House convened at 12 m., e.s.t.

**THE SPEAKER (MIKE TURZAI)
PRESIDING**

CALL TO ORDER

The SPEAKER. This being the day and the hour appointed by Article II, section 4, of the Constitution of Pennsylvania for the meeting of the General Assembly, the House of Representatives will now come to order.

PRAYER

The SPEAKER. We will at this time do a slight prayer, the Speaker is going to do a slight prayer, and then for those of you who are here, we are going to do the Pledge of Allegiance. So if you will all please rise for the prayer and the Pledge. Thank you.

HON. MIKE TURZAI, Speaker of the House of Representatives, offered the following prayer:

Dear Lord, please bless the members of the House of Representatives here in the Commonwealth of Pennsylvania. Each and every one of them ran for office, was elected to serve the citizens in their communities and the citizens across the State. We look for Your guidance to find common ground and friendship within and friendship beyond this beautiful chamber to make Pennsylvania ever better. May God bless. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, December 18, 2019, will be postponed until printed.

JOURNALS APPROVED

The SPEAKER. Members, we do have 2019 Journals – oh my goodness, to think we are into 2020 – we do have 2019 Journals that are in print. They are from:

Tuesday, June 11, 2019;
Wednesday, June 12, 2019; and
Monday, June 17, 2019.

Without objection, these will be approved.

RESIGNATIONS OF MEMBERS

The SPEAKER. Members, these are three important letters for us as a body.

The first is from the member who served the Eighth Legislative District, Representative Tedd Nesbit. That particular district, I believe, Parliamentarian, covers part of Mercer County and part of Butler County.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

December 16, 2019

Honorable Mike Turzai
Speaker
Pennsylvania House of Representatives
110 Main Capitol
Harrisburg, PA 17120

Dear Speaker Turzai,

Please accept this letter as formal notification that I am resigning as Pennsylvania State Representative of the 8th Legislative District effective January 2, 2020.

It has been an honor and a privilege to serve in the Pennsylvania House of Representatives, and I have greatly enjoyed and appreciated the opportunity to represent my constituents and the citizens of this Commonwealth. I am grateful for the mentorship and support my legislative initiatives received during my term in the General Assembly. It has been a rewarding experience working alongside my fellow colleagues in the shared purpose of creating a strong state government to benefit and improve the quality of life for all Pennsylvanians.

I am proud to have been a part of this distinguished institution. You will continue to have my deepest respect and admiration as you continue in your efforts to represent and lead this great state.

Please let me know if I can be of any additional assistance during the last few weeks of my remaining time.

Sincerely,
Rep. Tedd Nesbit
Pennsylvania General Assembly
8th Legislative District

* * *

The SPEAKER. We are also in receipt of this letter from our good colleague, Representative Gene DiGirolamo, who was chair of the Human Services Committee. He served the 18th Legislative District.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

December 17, 2019

Honorable Mike Turzai, Speaker
Room 139, Main Capitol Building
PO Box 202028
Harrisburg, PA 17120-2028

RE: Letter of Resignation

Dear Representative Turzai,

I am writing to inform you of my decision to resign from my position as the State Representative of the 18th District at the Pennsylvania House of Representatives; my last day will be January 5, 2020.

It has been both an honor and privilege to be a part of this legislative body and represent the constituents of the 18th District. I am proud of what we have accomplished. I have been fortunate enough to have many fond memories of my time here as well as lasting professional and personal relationships. I have thoroughly enjoyed working alongside you and my fellow legislators.

I have no doubt that the House of Representatives will continue to effectively and successfully represent the constituents of this Commonwealth. Although it is a bittersweet departure, it is time for me to serve the Commonwealth in a different capacity. I will always treasure my time at the House of Representatives. If I can be of any assistance through this transitional period, please don't hesitate to ask.

Sincerely,
Gene DiGirolamo
State Representative
18th Legislative District

* * *

The SPEAKER. And finally, December 23, 2019, from Representative Justin Walsh, who served the 58th Legislative District – Representative DiGirolamo served, his district, the 18th, is completely situated in Bucks County, Pennsylvania – and Representative Justin Walsh, representing the 58th Legislative District is within the boundaries of Westmoreland County.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

Mr. Clarence Myer
Pennsylvania House of Representatives
Room 133
Main Capitol Building
Harrisburg, PA 17120-0225

December 23, 2019

Dear Clancy,

I, Justin Walsh, will hereby resign from my position of State Representative for the 58th Legislative District of the Commonwealth of Pennsylvania effective at 11:59 p.m. on January 5, 2020.

It has been an honor and privilege to serve in the Pennsylvania State House of Representatives.

Sincerely,
Justin Walsh
State Representative
58th Legislative District

REMARKS BY SPEAKER

The SPEAKER. So given that we have these three resignations, two have been sworn in as judges on the courts of common pleas, one in Mercer County, one in Westmoreland County; and then our colleague, Representative Gene DiGirolamo, has been sworn in as county commissioner in Bucks County. So we wish them all just the best in their new endeavors of public service.

COMMUNICATION FROM SPEAKER

COMMITTEE CHAIRMEN APPOINTMENTS

The SPEAKER. As of yesterday, the Speaker appointed Representative Tom Murt to chair the Human Services Committee and Representative Gary Day to chair the Aging Committee. Representative Murt had been serving as chair of the Aging Committee. He now moves to Human Services. Representative Gary Day will become the chair of the Aging Committee. This is precipitated by the fact that Representative Gene DiGirolamo had been the chair of the Human Services Committee and he has retired from the House of Representatives and is now going to serve as a county commissioner in Bucks County.

The following communication was submitted:

January 6, 2020

Members,

Effective today, I have appointed Representative Tom Murt to chair the Human Services Committee and have appointed Representative Gary Day to chair the Aging Committee. We know that both Chairmen will do outstanding work in their respective roles.

Take care,
Mike Turzai
Speaker of the Pennsylvania House of Representatives

COMMUNICATION FROM DEPARTMENT OF ENVIRONMENTAL PROTECTION

The SPEAKER. The Speaker acknowledges receipt of the Industrial Land Recycling Fund Annual Report for Fiscal Year July 1, 2018 – June 30, 2019, from the Pennsylvania Department of Environmental Protection.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. With respect to the three districts that are now vacant – the 8th District, the 18th District, and the 58th District – each of those districts, obviously, will need to elect a new State Representative. So the Speaker has signed writs setting forth the dates of the special elections for each of those three seats. The special election dates will be March 17 for each of the three districts. So that is the 8th District, the 18th District, and the 58th District, and those writs will be filed this afternoon. The Speaker has signed those writs. They will be filed this afternoon. The special elections for each of those seats will be March 17, 2020.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 648 By Representatives YOUNGBLOOD, DERMODY, HARRIS, McCLINTON, DAWKINS, CRUZ, DONATUCCI, KINSEY, FRANKEL, BARRAR, A. DAVIS, HENNESSEY, MURT, MALAGARI, BIZZARRO, MIZGORSKI, MILLARD, McNEILL, SAINATO, WILLIAMS, CALTAGIRONE, SAPPEY, ULLMAN, HARKINS, BOBACK, O'MARA, STEPHENS, HAHN, POLINCHOCK, ZABEL, BURNS, HOHENSTEIN, LONGIETTI, HILL-EVANS, STAATS, READSHAW, KEEFER, SCHLOSSBERG, SCHWEYER, KORTZ, TOEPEL, OBERLANDER, DEASY, DeLUCA, WHITE and FARRY

A Resolution recognizing the bravery and professionalism of the Philadelphia Police Department during the events of August 14, 2019.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, January 2, 2020.

No. 649 By Representatives MACKENZIE, BERNSTINE, BIZZARRO, BOBACK, BURNS, DONATUCCI, HILL-EVANS, JAMES, KORTZ, LONGIETTI, McNEILL, MILLARD, B. MILLER, MURT, NEILSON, PICKETT, READSHAW, RYAN, SCHMITT, SONNEY, STAATS, YOUNGBLOOD, WHEELAND and DEASY

A Resolution recognizing the week of January 27 through 31, 2020, as "Tax Identity Theft Awareness Week" in Pennsylvania.

Referred to Committee on FINANCE, January 2, 2020.

No. 650 By Representatives MEHAFFIE, HARKINS, LONGIETTI, PICKETT, GREINER, VITALI, KORTZ, STAATS, KENYATTA, RYAN, HENNESSEY, ROTHMAN, HICKERNELL, JONES, SONNEY, SANKEY, FREEMAN, MURT, NEILSON, EVERETT, YOUNGBLOOD, BROWN, RAPP, READSHAW, DEASY, BURNS, OBERLANDER, KAUFFMAN, SAYLOR, SCHLEGEL CULVER, HILL-EVANS, GROVE, HEFFLEY, SCHMITT, MILLARD, ZIMMERMAN, B. MILLER and WHEELAND

A Resolution recognizing the 110th anniversary of Milton Hershey School and the life-changing opportunities it provides to children from low-income families.

Referred to Committee on EDUCATION, January 2, 2020.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2150 By Representatives T. DAVIS, McNEILL, CALTAGIRONE, SCHLOSSBERG, KINSEY, A. DAVIS, HILL-EVANS, HOWARD, CIRESI, FREEMAN, DALEY, GALLOWAY, GILLEN, KIRKLAND, SAMUELSON, BOBACK, PASHINSKI, DRISCOLL, OTTEN, FITZGERALD, MERSKI, HANBIDGE, DONATUCCI, ISAACSON and YOUNGBLOOD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in miscellaneous offenses, providing for the offense of unlawful use of recording devices in residential units used for transient lodging.

Referred to Committee on JUDICIARY, January 2, 2020.

No. 2151 By Representatives GAYDOS, KNOWLES, BERNSTINE, BROOKS, CALTAGIRONE, COOK, DELOZIER, DeLUCA, DUNBAR, EVERETT, GILLEN, GILLESPIE, GROVE, MACKENZIE, MENTZER, METCALFE, MULLERY, MURT, NELSON, REESE, ROAE, SAYLOR, SIMMONS, SOLOMON, STEPHENS, THOMAS, TURZAI, MIZGORSKI and BENNINGHOFF

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, reducing the size of the General Assembly.

Referred to Committee on STATE GOVERNMENT, January 2, 2020.

No. 2169 By Representatives WEBSTER, MURT, MALAGARI, ZABEL, KENYATTA, McNEILL, KULIK, SHUSTERMAN, SCHLOSSBERG, WILLIAMS, ULLMAN, FARRY, READSHAW, VITALI, HILL-EVANS, DELLOSO, HOWARD, SAINATO and CIRESI

An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, further providing for death benefit amount.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, January 2, 2020.

No. 2174 By Representatives MIHALEK, SCHROEDER, MUSTELLO, GAYDOS, ROWE, BERNSTINE, EVERETT, FEE, GROVE, HEFFLEY, JOZWIAK, OWLETT, PICKETT, RYAN, STAATS, TOPPER, GLEIM and SAYLOR

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in human trafficking, further providing for evidence and defenses to human trafficking.

Referred to Committee on JUDICIARY, January 6, 2020.

No. 2175 By Representatives SCHROEDER, MIHALEK, MUSTELLO, GAYDOS, ROWE, BERNSTINE, CIRESI, EVERETT, FEE, GROVE, HEFFLEY, JOZWIAK, OWLETT, PICKETT, RYAN, STAATS, TOPPER, GLEIM and SAYLOR

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

Referred to Committee on JUDICIARY, January 6, 2020.

No. 2176 By Representatives MUSTELLO, SCHROEDER, MIHALEK, GAYDOS, ROWE, BERNSTINE, EVERETT, FEE, GROVE, JOZWIAK, OWLETT, PICKETT, RYAN, STAATS, TOPPER, GLEIM and SAYLOR

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, further providing for the offense of unlawful contact with minor.

Referred to Committee on JUDICIARY, January 6, 2020.

No. 2177 By Representatives GAYDOS, SCHROEDER, MIHALEK, MUSTELLO, ROWE, BERNSTINE, CIRESI, EVERETT, FEE, GROVE, HEFFLEY, JOZWIAK, OWLETT, PICKETT, RYAN, STAATS, TOPPER, GLEIM and SAYLOR

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for sexual offender treatment.

Referred to Committee on JUDICIARY, January 6, 2020.

No. 2178 By Representatives ROWE, SCHROEDER, MIHALEK, MUSTELLO, GAYDOS, BERNSTINE, CIRESI, EVERETT, FEE, GROVE, HEFFLEY, JOZWIAK, OWLETT, PICKETT, RYAN, STAATS, TOPPER, GLEIM and SAYLOR

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child custody, further providing for consideration of criminal conviction.

Referred to Committee on JUDICIARY, January 6, 2020.

No. 2179 By Representatives WARNER, DUNBAR, REESE, BERNSTINE, WALSH, MILLARD, NELSON, TOOHL, DeLUCA, ZIMMERMAN, MOUL, SAYLOR, KEEFER, JOZWIAK and DOWLING

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for responsibilities and obligations of department, applicants and recipients.

Referred to Committee on HEALTH, January 2, 2020.

No. 2181 By Representatives WARNER, SAYLOR, DUNBAR, MILLARD, ROTHMAN, BARRAR, BERNSTINE, KEEFER, KAUFFMAN, GROVE, B. MILLER, IRVIN, BENNINGHOFF, GILLEN, WALSH, COX, DOWLING, MASSER and NELSON

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, further providing for responsibilities and obligations of the Department of Human Services, applicants and recipients and establishing the Electronic Benefits Transfer Card Management Program.

Referred to Committee on HEALTH, January 2, 2020.

No. 2182 By Representatives QUINN, READSHAW, McNEILL, NEILSON and DeLUCA

An Act amending the act of February 14, 1986 (P.L.2, No.2), known as the Acupuncture Licensure Act, further providing for definitions, for regulation of the practice of acupuncture, for penalties and for approval of acupuncture educational programs.

Referred to Committee on PROFESSIONAL LICENSURE, January 2, 2020.

No. 2183 By Representatives SAYLOR, BERNSTINE, DeLUCA, GILLESPIE, HELM, KORTZ, MILLARD, MOUL, PICKETT, ROTHMAN, RYAN, WHEELAND, ZIMMERMAN and GAYDOS

An Act amending Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for procedures in domestic relations and litigation; repealing provisions relating to hearing by master, jury trial, mediation programs, fees and costs, review of programs, existing programs and consolidation of proceedings; conferring powers and duties on the unified judicial system, the Secretary of the Commonwealth and the Legislative Reference Bureau; establishing the Family Justice Account; and making editorial changes.

Referred to Committee on JUDICIARY, January 2, 2020.

No. 2184 By Representatives SAYLOR, BERNSTINE, DeLUCA, GILLESPIE, HELM, KORTZ, MILLARD, MOUL, PICKETT, ROTHMAN, RYAN, WHEELAND, ZIMMERMAN and GAYDOS

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, providing for hearing and deciding cases involving dissolution of marriage, custody, child support, spousal support, alimony, equitable division of marital property and related family law matters.

Referred to Committee on JUDICIARY, January 2, 2020.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 153, PN 929

Referred to Committee on COMMERCE, January 2, 2020.

BILLS REMOVED FROM TABLE

The SPEAKER. The majority leader moves that HB 376 and HB 1189 be removed from the tabled calendar and placed on the active calendar.

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

BILLS TABLED

The SPEAKER. The majority leader moves that HB 376 and HB 1189 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.

CALENDAR**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 111, PN 1630**, entitled:

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

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 111 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 111 be removed from the tabled calendar and placed on the active calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Monday, January 13, 2020, will be our next day here in the House. And at this time our good friend and colleague, Representative Mary Isaacson, moves that the House be adjourned until Monday, January 13, 2020, and that is at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 12:16 p.m., e.s.t., the House adjourned.