

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, MAY 8, 2019

SESSION OF 2019

203D OF THE GENERAL ASSEMBLY

No. 33

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MIKE TURZAI) PRESIDING

PRAYER

HON. MICHAEL H. SCHLOSSBERG, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

At this moment there are 202 members of the Pennsylvania House of Representatives, 202 different districts, different histories, different ideologies, and different stories. But like the threads of a prayer shawl, we are all drawn together in a belief and service and an attitude of love. And while weeks like these may highlight our significant ideological and political differences, it does not change a fundamental truth: on our best days the values which bring us together are greater than those which push us apart.

Indeed, regardless of the various faiths and ideologies which currently stand under this magnificent dome, many of our traditions are unified under similar values. After all, it was Jesus who said, "A new commandment I give to you: Love one another. As I have loved you, so must you love one another." It is written in the Talmud, the sacred Jewish text, that "who acts from love is greater than who acts from fear." In discussing mercy, it was the prophet Muhammad who said, "...God is compassionate and is fond of compassion, and He gives to the compassionate what He does not give to the harsh."

May we spend today as living embodiments of these quotes, and may we serve with joy and gratitude – gratitude for all of our constituents, for all of those who work in this building, and gratitude for the brave women and men who protect our communities, our Commonwealth, and our country.

We know that the way forward to a brighter, more prosperous and more inclusive future is clouded and complicated, but we must remember that the only way to that place is together. May we begin today by reminding ourselves that we have fundamental obligations as members of the House of Representatives to do justice, to love mercy, to live our faith and moral code, and to do so in the spirit of love.

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, May 7, 2019, will be postponed until printed.

We are going to take roll early here today, so I am going to ask everybody to please come onto the House floor. We are going to take roll early today. All members, if you could, report to the House floor.

LEAVES OF ABSENCE

The SPEAKER. The majority whip, Kerry Benninghoff, has requested a leave of absence for Representative Fred KELLER of Snyder County for the day.

The minority whip would request a leave of absence for Mark ROZZI of Berks County for the day. Without objection, those requests will be granted.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 630, PN 625

By Rep. BARRAR

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in military leave of absence, further providing for employment discrimination for military membership or duty.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HB 770, PN 843

By Rep. HICKERNELL

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for definitions; and providing for pharmacy technician and pharmacy technician trainee registration, qualifications and supervision.

PROFESSIONAL LICENSURE.

HB 1050, PN 1779 (Amended) By Rep. BARRAR

An Act amending the act of December 15, 1982 (P.L. 1266, No.287), entitled "An act conferring limited residency status on military personnel, their dependents and civilian personnel assigned to an active duty station in Pennsylvania," further providing for residency of students.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HB 1172, PN 1781 (Amended) By Rep. HICKERNELL

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

PROFESSIONAL LICENSURE.

HB 1338, PN 1780 (Amended) By Rep. BARRAR

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in National Guard Youth Challenge Program, further providing for definitions and for administration, establishing the Keystone State Challenge Academy Fund and further providing for report and for audit required.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

SB 128, PN 91 By Rep. BARRAR

An Act amending Titles 51 (Military Affairs) and 74 (Transportation) of the Pennsylvania Consolidated Statutes, in Department of Military Affairs, providing for Civil Air Patrol; and, in authority of Department of Transportation, further providing for authority of department.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

MASTER ROLL CALL

The SPEAKER. Okay. Members, we are going to proceed to vote on the master roll. Please vote.

The following roll call was recorded:

PRESENT—198

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Cruz	Davidson	Keller, F.	Rozzi
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LEAVES ADDED—1

Rabb

The SPEAKER. There are 198 votes on the House floor. We have a quorum.

Representative Ryan Warner is invited to the rostrum along with some State champions from his district. If you can, please bring them on up to the rostrum. Following Representative Warner will be Representative Comitta, and then Representatives Kauffman, Snyder, and Hershey. These are all champions, and then we have a special presentation by Representative Steve Kinsey. Representative Steve Kinsey has a special group with us today.

VOTE CORRECTION

The SPEAKER. Representative Jake Wheatley is recognized on unanimous consent.

Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, if I can, I would like to correct the record from yesterday. I was recorded as a "yes" for HB 24. I would like to be recorded as a "no."

The SPEAKER. Yes, that will be recorded.

Members, if you could, please take your seats. These young men have traveled 3 1/2 hours to be with us today. Representative Bud Cook is coming up to join Representative Warner. Please take your seats. All members, please come to the House floor. Sergeants at Arms, please close the doors of the House. If a member should knock to come onto the floor, please let them on. However, these good folks have traveled some distance and they are going to be headed over to the Senate shortly.

So we are going to close the doors of the House. Members, if you could, just take a seat. Staff, please take a seat.

THAYNE AND RUNE LAWRENCE PRESENTED

The SPEAKER. Representative Warner, you may proceed.

Mr. WARNER. Thank you, Mr. Speaker.

Mr. Speaker, it is with great honor that I rise today to recognize two outstanding student athletes from the Frazier School District, which I am proud to say is my alma mater. They are brothers, Thayne and Rune Lawrence. Thayne Lawrence may be recognizable because he also won a State championship last year. He is a junior at Frazier High School. He won his second straight PIAA Class AA State Championship at Hershey in March, scoring three takedowns and an escape for a 7-2 decision over Kane Area High School's Alec English.

Rune Lawrence, a seventh grader, became Frazier School District's first junior high State champion when he won the Pennsylvania Junior Wrestling Junior High Championship at 132 pounds at Johnstown in March. He defeated wrestlers from Muncy, Shippensburg, Canton, Cumberland Valley, and Washington on his way to the title. It takes a great deal of talent, along with a lot of hard work and discipline, to compete at this level while still balancing schoolwork and other activities.

I applaud both of these men for their commitment to giving all of these endeavors 110 percent. The lessons you are learning today, both on and off the mat, will go a long way to ensuring your personal and professional success in the future.

Of course, these young men could not succeed without the guidance and support of their family and their coaches. We are also joined today by Buck Watkins, Frazier High School wrestling coach, and Craig Kordich, Frazier Middle School wrestling coach.

Gentlemen, you have made your families proud, you have made your coaches proud, you have made our community proud, and you have made me extremely proud to have the opportunity to stand before this august body to recognize your outstanding achievements.

Fellow members, please join me in giving brothers, Thayne and Rune Lawrence, as well as their coaches, a round of applause. Go Commodores.

The SPEAKER. Representative Warner, thank you so much, Representative Cook. Young men, congratulations. That is outstanding. Thanks for traveling to be with us today.

Representative Carolyn Comitta is invited to the rostrum, and we are going to bring up the Bayard Rustin High School Hockey Team. So the entire team should come up. Where is the team? Can you raise your hands. Just come right down the side here, gentlemen, and we are going to bring you to the well of the

House, and the captains or seniors, come up with Representative Comitta, please.

Members, please take your seats. These young men have traveled a good 2 hours to be with us and we are so honored that they would come, so I am going to have everybody take their seats before we start. Staff, please. I need staff to take their seats as well, other than the photographers. Sergeants at Arms, if you could just have everybody take a seat. There are seats in the back that the staff can take. Members, if you could be seated. This championship team has traveled some distance to be with us. Members, if you could, if you could take your seats before we start.

BAYARD RUSTIN HIGH SCHOOL ICE HOCKEY TEAM PRESENTED

The SPEAKER. Representative Comitta, the floor is yours.

Mrs. COMITTA. Thanks very much, Mr. Speaker.

I am delighted to be standing here today with Representative Christina Sappey. She and I thank you for the opportunity to recognize an extraordinary group of young athletes.

Bayard Rustin High School's Golden Knights Ice Hockey Team has once again won the Class A Pennsylvania Cup State Championship, earning their seventh – count them – seventh State title. This 11-to-3 win against Montour High School's Spartans was truly remarkable because it was the Golden Knights' sixth consecutive Pennsylvania State Cup Championship victory. This winning streak broke the State's record. I am honored to recognize the team and their coaches for this memorable win and their unwavering dedication on and off the ice that undoubtedly led them here today. The team is led by their wonderful longtime head coach, Nick Russo, who is standing right behind me. Thank you. Thank you.

It takes a good coach to win seven State titles. It takes a great team and a great coach.

On the ice, the Knights were propelled by team captain Matt Owens, also behind me, and alternate captains David Carney and Bryan Widdis, also right behind us. Owens had a hat trick and an assist in the team's State championship victory. Teammate Nicholas Ferraro added one goal and four assists. Goalie Joel Keller stopped 29 of the 32 shots he faced. Where is Joel Keller in the front here? Joel, raise your hand. Thank you, Joel, goalie, and Nicholas Ferraro, one goal and four assists. Raise your hand, Nick.

The Golden Knights' admirable commitment to ice hockey has not only led them to their seventh State victory, but they have also earned nine Flyer Cups and broke the regional record by winning six of them in a row. Their hard work and vigorous training have routinely brought them to nationals, where they won first place in 2017 and placed third this year.

Again, thank you for allowing me to introduce and honor these young men, their coach, and to highlight their outstanding accomplishments. Golden Knights, you make West Chester and Pennsylvania proud. Will you please join me in recognizing with a round of applause the award-winning, amazing Bayard Rustin Golden Knights Ice Hockey Team.

The SPEAKER. Representative Comitta, thank you so much for bringing this team. Coach, seven State championships and six in a row. Congratulations to these fine young men that you are mentoring and not only for their hockey talents, but for what you are doing for them on their journey as great individuals. Thank

you so much. We are going to take some photos here, and then we will have the Representatives go down with you, Representatives Comitta and Sappey go down with you to take some photos on the floor too. Thank you.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 269, PN 1782 (Amended) By Rep. PEIFER

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in realty transfer tax, further providing for excluded transactions.

FINANCE.

HB 732, PN 960 By Rep. PEIFER

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in realty transfer tax, further providing for excluded transactions.

FINANCE.

The SPEAKER. Representatives Kauffman, Snyder, and Hershey will be next. So just if you will come up to the rostrum and then we will bring your champions down.

Champions, we are going to exit to my right. Champions, we are going to exit to my right, my right, your right, right up the aisle, and you can exit the floor if you would like.

The Sergeants at Arms, please, you can open the House doors to let members onto the floor, although we are going to close them again for our next presentation, but if any members are off the floor, please come on. Take your seats. The Sergeants at Arms, please close the doors of the House. These champions have traveled from afar to be with us as well. Actually from different parts of the State, so we are going to take our seats, and I am going to ask Representatives Kauffman, Snyder, and Hershey to introduce champions from their respective districts, so please, please take your seats.

FRANKLIN COUNTY 4-H SHOTGUN CLUB PRESENTED

The SPEAKER. Representative Rob Kauffman will begin.

Mr. KAUFFMAN. Thank you, Mr. Speaker.

It is my pleasure to stand here today and introduce a group of fine young men who are the 4-H National Trapshooting Team Champions. Now, from my knowledge, that is a first here. I do not ever recall recognizing the National 4-H Trapshooting Team Champions. They were awarded the top honors following the national competition in Nebraska last June.

Although shooting sports may not garner as much attention as other aspects of 4-H programming, it is a highly competitive and technical division that takes a great deal of skill and commitment. These young men have been training for years, and their hard work and dedication certainly has paid off.

Above all, shooting sports focus on safety and respect for all firearms, but they also teach youth about decisionmaking, personal responsibility, sportsmanship, accuracy, and leadership.

I join Representatives Hershey and Snyder in congratulating these young men on their outstanding accomplishment and on representing the great State of Pennsylvania so admirably at nationals.

Please join me in giving a round of applause to Wyatt Craig and Bryce Summers of Franklin County, Cameron Cernuska of Greene County, and Steven Gibson of Mifflin County.

Now I would like to turn it over to Representative Snyder for remarks.

The SPEAKER. Representative Pam Snyder.

Mrs. SNYDER. Thank you, Mr. Speaker.

I truly want to congratulate all four of these young men. As you heard Representative Kauffman say, we are not honoring them for a State title today, we are honoring them for a national title and that really speaks a lot about these young men. Cameron is my constituent from Greene County. When I was a county commissioner, we started the youth rifle team, a countywide team that has just grown so much, and I am so proud to see Cameron here today with his parents competing on the 4-H team. And I have to tell you, this young man, I just attended his Eagle Scout not long ago, so when he sets his mind to something just like I am sure all three of these other young men do, he achieves it as they have. So, Mr. Speaker, it is an honor for me to be here today to honor these four young, wonderful men. Thank you.

The SPEAKER. Representative John Hershey.

Mr. HERSHEY. It should come as a surprise to no one that we have a national shooting sports champion from the 82d District, and I am proud to recognize Steven here today as well. I would be remiss if I did not talk about the impact of shooting sports on my own life. Not only did that teach me safe firearm handling and how to handle a weapon properly, but it also connected me to a community back home that I would not have known otherwise. And so I just wanted to say congrats to these gentlemen on their tremendous achievement, and if we could get another round of applause for them today as we celebrate this national championship.

The SPEAKER. Representative Steve Kinsey has very special guests. Representative Steve Kinsey has very special guests for us. Then we will do Representative Keefer's State champions right after Representative Kinsey. I had already set forth an order, so we are going to be doing them next. If we could get them chairs, these champions chairs. And, Representative Kinsey, please come on down.

Members, I am going to open the doors of the House briefly. We are going to let these champions step off, but I am going to invite everybody to come to the House floor. We have a really special presentation here, and I would ask everybody to please come to the floor. So we are going to just take a short break to let the national champions step off.

Sergeants at Arms, if you want to see if any members want to come onto the floor, see if anybody wants to come onto the floor. Representatives, if you could take your seats. You can just take a seat wherever you are.

To the parents of the national champions: thanks for being with us today.

Okay. All members and guests, please take your seats. If you can, just take a seat right near where you are standing. That would be great. And we are going to close the doors of the House. Really, we have a very special group of guests with us today.

STATEMENT BY MR. KINSEY

The SPEAKER. Representative Kinsey, I turn the floor over to you.

Mr. KINSEY. Thank you, Mr. Speaker.

Mr. Speaker, I stand here with Representative Burgos and Representative Webster as we recognize this day, May 8, 2019, as "Tuskegee Airmen Day" here in the State of Pennsylvania. The Tuskegee Airmen were the first group of African-American military pilots who fought for this country in World War II. These men trained at Moton Field and were educated at Tuskegee University. Keep in mind, Mr. Speaker, these men were labeled an "experiment," but I think all the world knows that they did much more than an experiment could ever produce.

Speaking of history, Mr. Speaker, just this past weekend I had the opportunity to witness the celebration of Mr. Roscoe Draper, a documented original Tuskegee Airman, as he was presented with a citation on behalf of this very body on the eve of his 100th birthday. Mr. Draper was not able to travel to Harrisburg to be with us today, but I want it to be noted that Mr. Draper learned to fly an airplane after enrolling in the civil pilot training program at Hampton Institute in 1939 and he received his private pilot license in 1940. He was only one of two people selected for the secondary course training at Alabama Tuskegee Institute. Later, he became a flight coach, teaching Tuskegee Airmen how to fly. Even though Coach Draper was not able to join us today, I want to wish him a happy birthday.

With us today are members of the Greater Philadelphia Chapter of the Tuskegee Airmen, a group dedicated to keeping the legacy of the Tuskegee Airmen alive, a group made up of men and women, some who have served this country and, indeed, played an important role in developing the fabric of this great nation.

Mr. Speaker, if I may, I would like to introduce some of our guests who have traveled here with us today: in the back I have Miss Joan Broadfield, she is a member of the Greater Philadelphia Chapter of the Tuskegee Airmen; Rev. Kevin Murphy, a member of the Greater Philadelphia Chapter of Tuskegee Airmen. Mr. Speaker, I do not want anybody to get excited – especially Greg Rothman – but my fiancée is here and she is the cousin of an original Tuskegee Airman, and her name is Shanee Bryant, standing back there in the back. I am sorry; I have to watch Representative Rothman. I am watching you, man.

In addition to that, Mr. Speaker, we are honored to be joined by three living legends. The three living legends are Miss Alma Elizabeth Bailey, who was accepted into the United States Nursing Corps in 1943. The program she was accepted into was conducted at Tuskegee University as well, and even though the war had ended before graduation, Miss Bailey was trained in both practical and psychiatric nursing, assisting the men who returned home from the war.

In addition, we have Dr. Eugene Richardson, Jr., who entered active duty in 1943. He went to Keesler Field, Mississippi, for basic military training. In 1944 he began training at Tuskegee, in Alabama. In March of 1945, Dr. Richardson earned his pilot's wings and officer's commission. The performance of the Tuskegee Airmen in combat gave President Harry Truman the impetus to issue Executive Order 9981 in 1948, which ended racial segregation in all of the Armed Forces. I present to you Dr. Eugene Richardson, Jr., a documented original Tuskegee Airman.

Our next guest, Mr. Speaker, is a former constituent of mine and also a coworker. He and I had the pleasure of working under my predecessor, the late Honorable John Myers. This gentleman is a humble gentleman, and for the 3 years that he and I worked together, he never ever bragged about his accomplishments. He was a simple man who touted the importance of young people going to college and voting. This gentleman served in the Army Air Forces in Aberdeen, Maryland. He also served in Sheppard Field, Texas, and in Tuskegee, Alabama, where he served under Col. Benjamin O. Davis, with the famous 99th Pursuit Squadron. Speaking of historymaking, I was honored to witness this gentleman receive his Congressional Medal of Honor just this past weekend. My colleagues, please, let us welcome Mr. Nathan Thomas, a documented original Tuskegee Airman.

Mr. Speaker, I would be remiss if I do not introduce our other two guests who are also here: Miss Leslie Cousins-Mond, whose father served as a Tuskegee Airman. Miss Leslie, please stand up. And the gentleman who was leading the charge to ensure that the legacy stays alive is Mr. Melvin Payne, Mr. Melvin Payne. He is the president of the Greater Philadelphia Chapter of the Tuskegee Airmen. I want to thank you, Mr. Payne.

And, Mr. Speaker, I would like to share with all the members here that I know that we sometimes get excited when we see our living legends, but these gentlemen and ladies will be right out on the Lieutenant Governor's balcony. Please come out and join us for lunch, and again, you can say hello and thank you to the Tuskegee Airmen.

Thank you, Mr. Speaker.

The SPEAKER. Thank you so much, Representative Kinsey.

We are going to bring up these heroes for a photo, and as Representative Kinsey said, you will be able to meet each of them shortly at the break.

Thank you so much for your service to our country, and here is the Medal of Honor with respect to the Tuskegee Airmen.

Our honored guests have indicated they would be willing to take photos with everybody at the break, so we are going to just wait until the break.

At this time I call up Representative Dawn Keefer, who has State champions in swimming, wrestling, and cross country. They are going to join us up here at the rostrum. And then we will be taking photos with the Tuskegee Airmen and women at the break.

NORTHERN YORK HIGH SCHOOL STATE CHAMPIONS PRESENTED

The SPEAKER. Three separate State champions from Representative Keefer's district, and I turn it over to Representative Dawn Keefer.

Mrs. KEEFER. Thank you, Mr. Speaker.

Northern York High School and the entire 92d House District is proud of our three State champions who we have here with us today on the House floor. So please join me in welcoming swimmer Kate Luft; wrestler Kyle Swartz; and runner Marlee Starliper.

A senior at Northern York High School, where she is a 4-year letter winner in swimming, Kate Luft won the gold medal in the Class AA Girls 100-yard backstroke in the 2018-19 PIAA State Swimming and Diving Championships. She added a silver medal to her trophy case after competing in the 200-yard freestyle, and she also won first place in the 100-yard backstroke and 200-yard

freestyle events during the District III Championships. Kate will continue her academic and athletic endeavors at the University of South Carolina.

Junior Kyle Swartz won the 2018-2019 PIAA State Class AAA Individual Wrestling Championship in the 195-pound weight class by winning the championship match 7 to 5, earning him a season record of 40 wins and just 1 loss.

And Marlee Starliper, a junior, and no stranger to the House floor, won her first place in the 2018 PIAA State Class AA Girls Individual Cross Country Championships, with a time of 17:53. She also finished first in the 2018 District III Cross Country Championships and competed in the women's 2-mile event during the 2019 USA Track and Field Indoor Championships, establishing a new State record with a time of 9:58.22.

These three all exemplify what it means to not only be accomplished student athletes, but leaders both on and off the field as well. So congratulations, Kate, Kyle, and Marlee. We are all very proud of you.

The SPEAKER. Boy, that is outstanding. Thank you for taking the time to be with us, State champions, and all from the same school district; really, really quite an accomplishment. Thank you so much, Representative Keefer, and we will take a photo here with the champions.

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

GUESTS INTRODUCED

The SPEAKER. Located in the well of the House, we are pleased to welcome guest page Quentin Miller. Quentin is from New Holland. He is the guest of Representative Dave Zimmerman. He is here with his parents, Drew and Lynn Miller – I believe they are seated in the back – if they will stand. Thanks so much for being with us today.

In the rear of the House, we are pleased to welcome Evan Schlegel. Evan, will you please stand. Evan, great to have you. He is following Representative Brett Miller for the day, and he attends Manor Middle School in Lancaster and is here with his aunt, Jessica Frankhouser. Thank you so much for being with us, both of you.

In the rear of the House, we are pleased to welcome Erik Nuschke. Please stand. Erik is the nephew of Representative Carolyn Comitta. Thank you for being with us today.

Representative Eric Nelson has, I think, a good group with us, a pretty large group of students with us today. They are from Project 18. Please stand. These students attend Hempfield High School in Westmoreland County, and they are part of the school's Political Action Club. You will be seeing some democracy in action here. Thanks so much for driving here from Westmoreland County, Hempfield School District. Thank you.

David Kovarik – where is David? – David, how are you, buddy? He is with the YMCA Youth and Government Program. You may have seen a lot of the YMCA Youth and Government students here today. David is a part of that group. Thank you so much.

Representative Burgos has with him some guests. They are in the rear of the House. Please stand: Yael Lehman is president and CEO of the Food Trust; Angel Rodriguez is executive director of the Philadelphia Land Bank; and John Shenk is owner of Shenk Berry Farm. Thank you so much for being here as guests of Representative Burgos.

Peter Gaglio I think is to my left. He is a student at Williamson College – I saw him earlier – and he is a guest of Representative Stephen Barrar. Thanks so much for being with us, Peter.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mrs. BROWN called up **HR 38, PN 19**, entitled:

A Resolution designating the month of May 2019 as "Lyme and Tick-borne Disease Awareness Month" in Pennsylvania.

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Mr. WEBSTER called up **HR 254, PN 1509**, entitled:

A Resolution designating May 10, 2019, as "Military Spouse Appreciation Day" in Pennsylvania.

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Mr. HICKERNELL called up **HR 293, PN 1637**, entitled:

A Resolution designating May 12, 2019, as "Fibromyalgia Awareness Day" in Pennsylvania.

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Mr. MOUL called up **HR 294, PN 1638**, entitled:

A Resolution recognizing May 15 through June 15, 2019, as "Tourette Syndrome Awareness Month" in Pennsylvania.

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Mr. KINSEY called up **HR 296, PN 1640**, entitled:

A Resolution designating May 8, 2019, as "Tuskegee Airmen Day" in Pennsylvania.

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Mr. DRISCOLL called up **HR 299, PN 1679**, entitled:

A Resolution designating May 6 through 12, 2019, as "Fallen Firefighters Survivors' Week" in Pennsylvania and May 8, 2019, as "Fallen Firefighters Survivors' Day" in Pennsylvania.

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Mrs. BULLOCK called up **HR 311, PN 1705**, entitled:

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

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Mr. BIZZARRO called up **HR 312, PN 1706**, entitled:

A Resolution recognizing the week of May 18 through 24, 2019, as "National Safe Boating Week" in Pennsylvania.

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Ms. McCLINTON called up **HR 314, PN 1742**, entitled:

A Resolution recognizing the National Coalition of 100 Black Women on their tireless efforts in recognizing and visibly promoting gender and racial equity and the Pennsylvania chapters of the Coalition of 100 Black Women for the work they do in this Commonwealth.

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Mr. MURT called up **HR 321, PN 1756**, entitled:

A Resolution designating the month of May 2019 as "Dementia Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Cruz Davidson Keller, F. Rozzi

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

The SPEAKER. Representative Dan Moul, please come on up to the podium up front, and then, Representative Webster, you will be invited to the podium up front.

We have two members who have guests to speak on resolutions. We ask that all members keep their remarks to under 3 minutes on a resolution.

STATEMENT BY MR. MOUL

The SPEAKER. Representative Dan Moul will be speaking on HR 294.

Representative Moul, the floor is yours.

Mr. MOUL. Thank you, Mr. Speaker.

In this country an estimated 3 in every 1,000 children between the ages of 6 and 17 are diagnosed with Tourette syndrome, a neurobiological, genetic condition which has no cure. Tourette syndrome is a lifelong developmental disability that begins before a child reaches age 18 and affects children and adults of all races and ethnicities. Individuals with Tourette syndrome are affected by tics – involuntary, rapid, sudden movements or vocalizations that occur repeatedly. It is a condition that waxes and wanes throughout their lives and changes without warning. Those with Tourette syndrome often have co-occurring conditions that further complicate their care and diagnosis, including attention deficit disorder, attention deficit hyperactivity disorder, obsessive compulsive disorder, mood disorders, learning disabilities, handwriting difficulties, executive function disorder, and sensory processing disorder.

Tourette syndrome has historically been misrepresented and considered to be a condition of emotional disturbance instead of a condition of chemical biology. As a result, children with Tourette syndrome are often disciplined for manifestations of their disability by educators who fail to understand that the child is unable to control his or her tics and that the child may be delayed in his or her maturity and emotional responses. Individuals with Tourette syndrome are often teased, not accepted by their peers, and discriminated against in the workplace. Employers are required under the Americans with Disabilities Act to disregard disability in hiring or promotions and to make accommodations to support their employees with Tourette syndrome so the employees can be successful in the workplace and earn a living.

Clearly, greater awareness of this affliction is necessary to break down the barriers for people living with Tourette syndrome. I am proud to have the Pennsylvania Tourette Syndrome Alliance in my legislative district. It is established to promote awareness and provide support and disability advocacy for individuals with Tourette syndrome in Pennsylvania. Now we have the opportunity to assist them with that effort.

In the back of the House we have two families with us who deal with this condition every day. Please welcome Rosa Hatch and her son, Tyler; Amanda and John McLoughlin and their son, Jack. Would you please rise.

The SPEAKER. Thank you so much for being with us today.

Mr. MOUL. Today I thank you for your unanimous support of HR 294, which recognizes May 15 to June 15, 2019, as "Tourette Syndrome Awareness Month" in Pennsylvania. By spreading awareness, we can take the mystery out of Tourette syndrome and make life better for those who must live with it every day.

Thank you, Mr. Speaker.

STATEMENT BY MR. WEBSTER

The SPEAKER. Representative Webster is going to be speaking on HR 254, and he is joined by Representative Gabler.

Mr. WEBSTER. Thank you, Mr. Speaker.

And thank you to each of our colleagues here for your vote today that will make this Friday, May 10, "Military Spouse Appreciation Day" in the Commonwealth of Pennsylvania. This is the first time I have addressed this august chamber from this podium. It is a fitting moment and a little self-serving, because I happen to live with a military spouse every day.

The SPEAKER. Members— Representative Webster, give us just a moment.

Representative Webster has a special guest with us today, and we ask everybody to just hear his remarks on this important resolution.

Mr. WEBSTER. And I will introduce her in a minute.

But first and foremost, I want to recognize all military spouses who serve and support the men and women in Pennsylvania who serve in our national forces and in the Pennsylvania National Guard. I also want to take a minute to specifically recognize some of the spouses of the military members and veterans here in our chamber, like Sherrie Ryan, spouse of Col. Frank Ryan; Lisa Gabler, spouse of Maj. Matt Gabler; Tiffany McDonough Solomon, spouse of Capt. Jared Solomon; Carol Readshaw, spouse of Sgt. Harry Readshaw; Angela Mike, spouse of LCpl. Jake Wheatley; Sue Delloso, spouse of Cpl. David Delloso; and kind of a special mention, Elizabeth Barrar Barnett, the daughter of Chairman Barrar and the spouse of Comdr. Andrew Barnett, who was just deployed for the next 10 months along the USS *Lincoln*.

These men and women deserve to be specifically recognized, and there are many more in our community right here in this chamber, and, Mr. Speaker, I do not actually have all the names in front of me. It has been busy here for a couple of days, so I am short a little bit in that regard. But these men and women, our spouses, are sometimes recognized for their unheralded service to our country. But those that live with them and recognize their contribution every day also know them for their strengths, their skills, their professional talents, and the careers and contributions that they make every day in our homes and in our communities and for national security and defense.

It is not easy to be the spouse of a military member, and this is a good time to introduce my spouse who has joined us in the chamber today, Laura Winslow. When I tell you about Laura, for just a second, and what the military members here will tell you about their spouses is they are professional in every way. They

are formidable and caring, and they bring professional skills to the countless tasks asked of them. When the military community is hurt with the loss of a service member or is struggling in so many other ways, our commanders literally turn to the spouses and ask for their help. And it is the spouses that then solve problems, reunite our community, and regain our focus on the mission. I have witnessed this personally and Laura has been a leader called upon in the toughest of times.

It also works the other way. Sometimes, and just briefly, sometimes it is our service members who inspire great things in their spouses. And so I just want to mention Brad Bitting and his spouse, State Representative Jen O'Mara. You have heard Jen speak on the floor, and you know, as a military spouse, she is inspired to support our military members and Brad every day.

Mr. Speaker, members of the House, for the military members here, I assure you every day is Military Spouse Appreciation Day, but on this Friday, I ask each of you to take a moment, before attending to all your responsibilities, to your busy calendars, please remember Friday is Military Spouse Appreciation Day in all of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Okay. At this time we are going to take committee announcements.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The majority Appropriations chair, Stan Saylor, for a committee announcement.

Mr. SAYLOR. Thank you, Mr. Speaker.

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

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

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

REPUBLICAN CAUCUS

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

Mrs. TOEPEL. Thank you, Mr. Speaker.

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

The SPEAKER. Thank you, Madam Chair.

DEMOCRATIC CAUCUS

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

Ms. McCLINTON. Thank you, Mr. Speaker.

House Democrats will caucus at 12:15; that is 12:15.

The SPEAKER. Thank you.

RECESS

The SPEAKER. Members, at this time the House will stand in recess until 12:45.

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 68, PN 1757 By Rep. SAYLOR

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in contributions by employers and employees, further providing for relief from charges.

APPROPRIATIONS.

HB 196, PN 168 By Rep. SAYLOR

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.

APPROPRIATIONS.

HB 423, PN 1327 By Rep. SAYLOR

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in general provisions applying to both liquor and malt and brewed beverages, further providing for local option.

APPROPRIATIONS.

HB 1166, PN 1344 By Rep. SAYLOR

An Act amending the act of May 11, 1889 (P.L.188, No.210), entitled "A further supplement to an act, entitled 'An act to establish a board of wardens for the Port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes,' approved March twenty-ninth, one thousand eight hundred and three, and for regulating the rates of pilotage and number of pilots," further providing for rates of pilotage and computation, for pilotage fees and unit charge and for charges for services.

APPROPRIATIONS.

HB 1281, PN 1549 By Rep. SAYLOR

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

APPROPRIATIONS.

SB 115, PN 659 By Rep. SAYLOR

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for cardiopulmonary resuscitation education.

APPROPRIATIONS.**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND Tabled**

HB 1184, PN 1370 By Rep. SAYLOR

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

APPROPRIATIONS.**SENATE MESSAGE****HOUSE BILL
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 279, PN 1330**, with information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

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

HB 279, PN 1330

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, further providing for rescue from motor vehicle.

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

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 320 By Representatives KENYATTA, BURGOS, HILL-EVANS, O'MARA, MURT, KINSEY, TOOHIL, RYAN, T. DAVIS, YOUNGBLOOD, HARRIS, HOWARD, WARREN, KIRKLAND, McCLINTON and MADDEN

A Resolution urging the Department of Human Services to investigate child abuse in all child residential and day treatment facilities in this Commonwealth and make policy recommendations regarding the decades of abuse uncovered at the Glen Mills Schools.

Referred to Committee on CHILDREN AND YOUTH, May 8, 2019.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1401 By Representatives D. MILLER, MURT, SCHLOSSBERG, HILL-EVANS, BRIGGS, YOUNGBLOOD, CALTAGIRONE, SCHMITT, HOWARD, READSHAW, RAVENSTAHL, McCLINTON, A. DAVIS, ULLMAN, STURLA, GALLOWAY, DeLUCA, WARREN, MARKOSEK, McNEILL, FRANKEL, HANBIDGE and MADDEN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in intermediate units, repealing provisions relating to psychological services; in professional employees, providing for school social workers; and, in school health services, further providing for health services and providing for school counselors, school psychologists and school social workers.

Referred to Committee on EDUCATION, May 8, 2019.

No. 1429 By Representatives GALLOWAY, HILL-EVANS, FREEMAN, SCHLOSSBERG, RABB, CALTAGIRONE, YOUNGBLOOD, CIRESI, JOHNSON-HARRELL, KINSEY, MADDEN and M. K. KELLER

An Act amending the act of January 30, 1974 (P.L.13, No.6), referred to as the Loan Interest and Protection Law, in protective provisions, further providing for notice of intention to foreclose.

Referred to Committee on COMMERCE, May 8, 2019.

No. 1431 By Representatives A. DAVIS, HOHENSTEIN, McNEILL, SCHLOSSBERG, KINSEY, LEE, ROZZI, HILL-EVANS, MILLARD, HARRIS, FRANKEL, McCLINTON, STURLA, CIRESI, JOHNSON-HARRELL and D. MILLER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in criminal history record information, further providing for expungement.

Referred to Committee on JUDICIARY, May 8, 2019.

No. 1432 By Representatives KULIK, HILL-EVANS, RYAN, RABB, MILLARD, READSHAW, PASHINSKI, HOWARD, NEILSON, DeLUCA, DEASY, KINSEY, RADER and HEFFLEY

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in preliminary provisions relating to divorce, further providing for legislative findings and intent, for definitions and for effect of agreement between parties; and, in property rights, further providing for equitable division of marital property.

Referred to Committee on JUDICIARY, May 8, 2019.

No. 1433 By Representatives KULIK, SOLOMON, HILL-EVANS, MURT, SNYDER, A. DAVIS, READSHAW, FREEMAN, DeLUCA, DEASY, RAVENSTAHL, T. DAVIS, BARRAR, KORTZ and WARREN

An Act establishing the Landslide Insurance and Assistance Program within the Pennsylvania Emergency Management Agency; providing for related powers and duties of the Pennsylvania Emergency Management Agency; establishing and providing for the powers and duties of the Landslide Insurance and Assistance Board; providing for duties of the Auditor General; establishing the Landslide Insurance Fund and the Landslide Assistance Fund; imposing a penalty; and making appropriations.

Referred to Committee on INSURANCE, May 8, 2019.

No. 1434 By Representatives KENYATTA, HILL-EVANS, DEASY, MILLARD, KINSEY and MALAGARI

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, providing for liquor code suspension for deficiency; and making a related repeal.

Referred to Committee on LIQUOR CONTROL, May 8, 2019.

No. 1435 By Representatives SAPPEY, BARRAR, DiGIROLAMO, DONATUCCI, SCHLOSSBERG, HILL-EVANS, HANBIDGE, KENYATTA, ZABEL, ULLMAN, HOHENSTEIN, WILLIAMS, A. DAVIS, DeLUCA, O'MARA, STURLA, KINSEY, HOWARD, FREEMAN, WARREN, YOUNGBLOOD, DALEY, SANCHEZ, FRANKEL, T. DAVIS, SHUSTERMAN, RAVENSTAHL, COMITTA, McCLINTON, SIMS, OTTEN, PASHINSKI, CIRESI and GALLOWAY

An Act providing for family and medical leave for eligible employees.

Referred to Committee on LABOR AND INDUSTRY, May 8, 2019.

No. 1436 By Representatives FIEDLER, KENYATTA, INNAMORATO, LEE, CALTAGIRONE, DALEY, A. DAVIS, T. DAVIS, FREEMAN, HILL-EVANS, ISAACSON, OTTEN, SCHLOSSBERG, SOLOMON, McCLINTON, RABB, KORTZ, MULLINS, ZABEL, RAVENSTAHL, DAWKINS, HOHENSTEIN, BULLOCK, KIM, CEPHAS, HOWARD, DELLOSO, BOYLE, MADDEN, SCHWEYER, FLYNN, SAPPEY, JOHNSON-HARRELL, KOSIEROWSKI, KINSEY, SANCHEZ, DEASY, BRADFORD, WILLIAMS, GAINEY, WEBSTER, SIMS, O'MARA, MATZIE, BRIGGS, VITALI, COMITTA, WARREN, KULIK and PASHINSKI

An Act providing for fair workweek employment standards and for powers and duties of the Department of Labor and Industry; and imposing penalties.

Referred to Committee on LABOR AND INDUSTRY, May 8, 2019.

No. 1437 By Representatives M. K. KELLER, GALLOWAY, CAUSER, EVERETT, GREINER, HERSHEY, JONES, JOZWIAK, KLUNK, MILLARD, PASHINSKI, PICKETT, PUSKARIC, PYLE, ROTHMAN, SCHMITT, SNYDER, STRUZZI, TOOHL, ZIMMERMAN and OWLETT

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in rural jobs and investment tax credit, further providing for definitions, for rural growth funds, for requirements, for rural growth fund failure to comply, for reporting obligations, for business firms, for tax credit certificates, for claiming the tax credit, for prohibitions, for revocation of tax credit certificates and for exit.

Referred to Committee on COMMERCE, May 8, 2019.

No. 1438 By Representatives KAUFER, DiGIROLAMO, SCHLOSSBERG, DeLUCA, MURT, MOUL, OTTEN and MILLARD

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, in regulation of insurers and related persons generally, providing for mental health parity and addiction treatment.

Referred to Committee on INSURANCE, May 8, 2019.

No. 1439 By Representatives KAUFER, MILLARD, DiGIROLAMO, SCHLOSSBERG, DeLUCA, MURT, MOUL and OTTEN

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, in regulation of insurers and related persons generally, providing for mental health parity and access to addiction treatment.

Referred to Committee on INSURANCE, May 8, 2019.

No. 1440 By Representatives KAUFER, MILLARD, DiGIROLAMO, SCHLOSSBERG, DeLUCA, MURT, MOUL and OTTEN

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, in regulation of insurers and related persons generally, providing for disclosure of addiction treatment coverage and for administrative penalties.

Referred to Committee on INSURANCE, May 8, 2019.

SENATE BILLS FOR CONCURRENCE

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

SB 453, PN 716

Referred to Committee on LABOR AND INDUSTRY, May 8, 2019.

SB 478, PN 690

Referred to Committee on FINANCE, May 8, 2019.

SB 583, PN 642

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 8, 2019.

SB 588, PN 646

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 8, 2019.

SB 613, PN 679

Referred to Committee on FINANCE, May 8, 2019.

The SPEAKER. Okay. Some members wanted to speak and we do need to move fairly quickly here today, as there are some events that members have to attend. Right now Representative Ecker on HR 301 and then Representative Dawkins and Representative Johnson-Harrell on HR 308. We are asking everybody to please keep your remarks to 3 minutes or less, and if you are both speaking, combined you could keep your remarks to 3 minutes or less.

Representative Ecker is recognized. These were from yesterday, and I do apologize that we did not get to them.

STATEMENT BY MR. ECKER

The SPEAKER. Representative Ecker, on HR 301.

Mr. ECKER. Thank you, Mr. Speaker.

I would like to thank my colleagues for yesterday supporting HR 301, which designates this week as "National Small Business Week." Small businesses are key to the Commonwealth's well-being. They account for a significant share of the State's economic production and hiring. According to the U.S. Small Business Administration Office, our Commonwealth's small businesses employ 2.5 million people. Our Pennsylvania small business owners are responsible for creating two out of every three new jobs.

I am sure many of us can remember our first job at our local restaurant, family farm, or retail store and how much it taught us about the value of hard work and dignity and pride we all felt earning that first paycheck. I certainly remember my first job at Clair's Family Restaurant where I started washing dishes at 14.

During National Small Business Week we honor PA's entrepreneurs who take a risk on an idea and invest in our communities. Small business owners exemplify true American spirit and reaffirm our commitment to the free market of ideas. This week we celebrate the pioneering spirit, creativity, and determination upon which America has always been built. In appreciation for the contributions that small businesses make to our State economy and our local communities and for all that they do for the workers and families of Pennsylvania, I am proud to sponsor this resolution.

I again thank my colleagues for supporting HR 301 so that Pennsylvania continues the tradition of honoring and supporting our small businesses.

Thank you, Mr. Speaker.

STATEMENT BY MR. DAWKINS

The SPEAKER. Representative Jason Dawkins and Representative Johnson-Harrell are recognized to speak on HR 308.

Mr. DAWKINS. Thank you, Mr. Speaker.

I am glad and proud to stand with my colleague, Representative Harrell, as we officially start our Ramadan season. It started on Monday, and just so I can give members a little oversight from a personal standpoint what the Ramadan stands for, what it means to us, is the abstaining of food and water from dusk to dawn, and currently, right now, that is between the hours of 4 a.m. to about 8 p.m., which we cannot intake any food or water, and this is really about humbling and finding a centered purpose for ourselves and really knowing what it feels like for those who do not have. So this is a culmination of a few things in a religion that we are now observing amongst millions of other Muslims across this country, and it is one of the sacrifices that we make to show the humility that we have for our other fellow citizens.

And I am going to turn it over to Representative Harrell so she can talk a little bit about what Ramadan means to her as well.

STATEMENT BY MRS. HARRELL

Mrs. HARRELL. Good afternoon, members.

Thank you, Mr. Speaker.

Ramadan is a beautiful time for Muslims across the Commonwealth. It is a time for a spiritual centeredness and a time for reflection, and it also allows us to get in touch with our humanity to see how people who are not as privileged as we are do not have access to particular things like water and food. So it allows us to have deeper compassion for our human man, it allows us to connect on a spiritual level, and it is a beautiful time for Muslims across the Commonwealth.

So for this time for us, I thank Rep. Dawkins for allowing me to participate, but it is an awesome time. We began on Monday and it will go for 30 days.

Mr. DAWKINS. Thank you, Mr. Speaker.

REMARKS SUBMITTED FOR THE RECORD

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

Thank you, Mr. Speaker, and thank you, fellow House members, for joining me to recognize the brave men and women who played one of the most important roles within our communities.

Throughout the Commonwealth, thousands of firefighters put their lives at risk with each emergency response they make to duty. Tragically, not all who respond to such calls make it back to the station alive. And when a firefighter dies in the line of duty, life changes forever for the surviving family members and other loved ones, including fellow firefighters. It is extremely important to provide support and empower their families so they can continue making an impact in their communities.

I recognize the National Fallen Firefighters Foundation for being a pioneer providing support programs and scholarships to the survivors and offering preventative training to fire departments across the country with the goal of reducing line-of-duty firefighter deaths.

The firefighting community, whether volunteer or career, is always present to serve the people of the Commonwealth. Therefore, it is fitting that we honor them helping their survivors and recognizing the valuable contribution they make to our lives every day. With HR 299, we designate this week as "Fallen Firefighters Survivors' Week" and May 8, 2019 as "Fallen Firefighters Survivors' Day" in Pennsylvania. We honor and thank those who helped us, and express our gratitude for all the sacrifices not only of the firefighters, but the sacrifices of their families as well.

Thank you, Mr. Speaker.

CALENDAR**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 917, PN 1055**, entitled:

An Act repealing the act of May 17, 1929 (P.L.1805, No.598), entitled "An act authorizing municipalities other than townships to acquire by gift, devise, or bequest, lands, chattels, securities and funds for the establishment and maintenance of a hospital; to appoint trustees of such property and funds, subject to the approval of the orphans' court; to operate and maintain such hospital through and by means of such trustees; and to expend municipal funds to aid in the establishment and maintenance of such hospital."

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 937, PN 1068**, entitled:

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

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 1077, PN 1628**, entitled:

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

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 1237, PN 1471**, entitled:

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

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 1324, PN 1629**, entitled:

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

On the question,

Will the House agree to the bill on second consideration?

Mr. **BARRAR** offered the following amendment
No. **A01231**:

Amend Bill, page 4, line 22, by inserting a bracket before "from"
Amend Bill, page 4, line 23, by striking out the bracket before
"of"

Amend Bill, page 4, line 25, by striking out "the member signs a
promissory note"

Amend Bill, page 5, lines 13 and 14, by striking out "by signing a
promissory note"

Amend Bill, page 15, line 9, by inserting after "discharge"
, has honorably completed the eligible member's initial
contractual military service obligation to the Pennsylvania
National Guard

Amend Bill, page 17, lines 4 and 5, by striking out "by signing a
promissory note"

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

The SPEAKER. On the amendment, Representative Steve
Barrar, you may proceed, sir.

Mr. BARRAR. Thank you, Mr. Speaker.

Mr. Speaker, my amendment is a technical amendment
clarifying that the initial 6-year enlistment is applicable to the
member's service to the National Guard only, and I would ask the
members to vote "yes" on this. Thank you.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Cruz	Davidson	Keller, F.	Rozzi
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The majority having voted in the affirmative, the question was
determined in the affirmative and the amendment was agreed to.

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 615**,
PN 610, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania
Consolidated Statutes, in retirement for State employees and officers,
further defining "enforcement officer."

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

Mr. **TOBASH** offered the following amendment
No. **A01232**:

Amend Bill, page 1, line 3, by striking out "." and inserting
"; and providing for installment payments.
Amend Bill, page 2, by inserting between lines 3 and 4
Section 2. Notwithstanding 71 Pa.C.S. §§ 5507 and 5508, for
purposes of 71 Pa.C.S. § 5508(c)(4), any change in the accrued liability
that results from the addition of paragraph (5) to the definition of
"enforcement officer" in 71 Pa.C.S. § 5102 shall be funded in equal
dollar installments as a percentage of compensation of all affected active
members and active participants employed by the Pennsylvania Game
Commission over a period of 10 years from the first day of July
following the valuation date coincident with or next following the
effective date of this section.

Amend Bill, page 2, line 4, by striking out "2" and inserting

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

The SPEAKER. I have Representative Mike Tobash speaking. Go ahead.

Mr. TOBASH. Thanks, Mr. Speaker.

I just want to give some credit to Representative Barry Jozwiak for helping me work on this amendment. In February of 2019, Warren Buffett said to businesses to be careful about moving into a State that has a lot of pension debt, and he said that either you are going to pay it as a business or your employees are going to pay it. And when Chairman Gillespie offered HB 615, because the Game Commission is having difficulty attracting, hiring, and maintaining a skilled workforce, which is a great effort, and he wanted to level the playing field.

The Game Commission protective officers, they do outstanding work. I mean, oftentimes their job is dangerous and it is a demanding job and the benefits should mirror the benefits of other State law enforcement. But with Pennsylvania standing at about \$60 billion in pension debt, we raised some concerns in the committee.

I am happy to say that the Game Commission has come forward and they have stepped up and they have offered to pay for any unfunded liability that will be a result of making sure that Game Commission protective officers are on a level playing field with other State law enforcement. So our debt, through the amendment 1232, will be taken up by the Game Commission, who will be paying over the next 10 years for the unfunded liability portion of the increase in benefits to make game protective officers the same as other law enforcement. So taxpayers will not have to pay it, pensioners will not have to pay it, and I would appreciate the full support from my colleagues in the House. I thank the Game Commission and I thank you, Mr. Speaker.

The SPEAKER. On the amendment, Representative Bill Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

I rise in support of amendment A01232, and I want to thank the good gentleman from Schuylkill County for putting this forward. As he relayed, Mr. Speaker, the Game Commission will put forward all the money to cover this unfunded liability. It is very critical we get this done. We have to get HB 615 through. It is going to help our Game Commission officers. We are going to be able to retain those officers. So I would urge an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.
Representative Keith Gillespie, on the amendment.

Mr. GILLESPIE. Thank you, Mr. Speaker.

This is an agreed-to amendment. I appreciate the members' support.

The SPEAKER. Thank you, sir.

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Cruz	Davidson	Keller, F.	Rozzi
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,

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

The SPEAKER. Representative Bradford, I understand 01239 is withdrawn. Thank you, sir.

So we have no other amendments on HB 615, PN 610.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 827, PN 928**, entitled:

An Act designating certain activity by the Delaware River Basin Commission as the exercise of the power of eminent domain that entitles the owners of the property in question to appropriate and just compensation.

On the question recurring,

Will the House agree to the bill on second consideration?

The SPEAKER. Okay. Yesterday the Speaker had ruled that amendment 01222 was out of order. However, in consultation with the Parliamentarian, we have decided – to be honest with you, we were talking about another – the Parliamentarian was talking about one amendment, I was talking about this amendment, and we were speaking about two different amendments. In reviewing this particular amendment, we do believe it is in order and the amendment 01222 is in front of us now.

On the question recurring,

Will the House agree to the bill on second consideration?

Ms. **ULLMAN** offered the following amendment No. **A01222**:

Amend Bill, page 1, line 2, by inserting after "as " not

Amend Bill, page 3, lines 23 through 28, by striking out all of lines 23 through 27 and "(8)" in line 28 and inserting (7)

Amend Bill, page 4, line 4, by striking out "(9)" and inserting (8)

Amend Bill, page 4, line 7, by striking out "(10)" and inserting (9)

Amend Bill, page 4, line 8, by striking out "constitutes" and inserting

does not constitute

Amend Bill, page 4, line 11, by striking out "(11)" and inserting (10)

Amend Bill, page 4, line 15, by striking out "(12)" and inserting (11)

Amend Bill, page 4, line 18, by striking out "(13)" and inserting (12)

Amend Bill, page 4, line 25, by striking out "constitutes" and inserting

does not constitute

Amend Bill, page 4, by inserting between lines 26 and 27

(13) The General Assembly determines that the ban on hydraulic fracturing in the impacted counties does not prohibit the use and enjoyment of land to the extent that the land is

rendered useless.

(14) The right to clean air and pure water guaranteed by section 27 of Article I of the Constitution of Pennsylvania requires the Commonwealth to protect the rights to a clean and healthy environment.

Amend Bill, page 4, line 29, by inserting after "shall " not

Amend Bill, page 5, lines 1 through 3, by striking out "and will deprive the owners" in line 1, all of line 2 and "estates" in line 3

Amend Bill, page 5, line 5, by inserting after "shall " not

Amend Bill, page 5, line 7, by inserting after "shall " not

On the question recurring,

Will the House agree to the amendment?

The SPEAKER. On the amendment, Representative Ullman is recognized.

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

Mr. Speaker, we have recently been faced with a number of bills that seek to undermine the regulatory protections of the Commonwealth; specifically, regulations that are put in place to protect the health, safety, and welfare of the citizens of this great State. This bill, HB 827, is another attempt to thwart the protections that agencies, like the DRBC (Delaware River Basin Commission), have put in place to protect the constitutional rights of citizens of the basin, who are entitled to clean air and pure water, pursuant to Article I, section 27, of the Pennsylvania Constitution.

The DRBC has placed a temporary ban on hydraulic fracturing in the area of pristine water quality to protect the drinking water of residents of the Delaware River Basin. The DRBC is working to create regulations that will provide the greatest protections for the citizens of the basin who utilize local waters for drinking. Mr. Speaker, nothing is currently preventing landowners from challenging the actions of the DRBC if they can prove that the use and enjoyment of their land is being adversely affected by any actions of the DRBC. The fact remains that if those citizens had a colorable argument, they would have already taken steps to be adequately compensated.

Cases have been tried on this very issue all the way up to the United States Supreme Court. The court has found that when a government imposes certain regulatory restrictions on private property, it does not automatically constitute a taking. In fact, the court has said that treating all regulations as per se takings would transform government regulation into a luxury few governments could afford.

Mr. Speaker, I submit that the goal of regulations and temporary fracking bans is to protect the greater interest of the people of the Commonwealth. Minor inconveniences and the inability to make a profit off of a previously unknown natural resource below one's property do not rise to the level of a taking, and furthermore, the decision on whether it does should be left to the courts and not to this legislative body.

My amendment clarifies that the current temporary ban on fracking in the Delaware River Basin is not a taking. Once regulations are enacted, landowners in the impacted communities can raise their concerns and present facts to a court of law to try to prove that a taking has occurred.

Thank you for your consideration.

The SPEAKER. Representative Fritz, on the amendment, sir, and then I will call on Representative Dush, but Representative Fritz first.

Mr. FRITZ. Thank you, Mr. Speaker.

Mr. Speaker, the amendment crafter's opinion and the amendment itself really is a show or manifestation of wanton disregard for my constituents' property rights. Now, she asserts that a ban on natural gas development is not a taking, and my legislation does just the opposite. So keeping in mind that this is a wholesale and drastic alteration and runs directly counter to the intent of the legislation, I kindly ask for a "no" on this amendment.

The SPEAKER. Representative Cris Dush, on the amendment.

Mr. DUSH. Mr. Speaker, would the maker of the amendment be willing to rise for interrogation?

The SPEAKER. Representative Ullman, will you stand for interrogation?

Yes, she will so stand.

Mr. DUSH. Mr. Speaker, repeatedly it has been stated for this amendment that it is a temporary ban, when, in fact, the language of the DRBC's ban is permanent. Is the maker aware of that?

Ms. ULLMAN. They are currently in the process of coming up with recommendations, and when these are finalized, we can have another discussion, but as it stands now, this is not a finalized process.

Mr. DUSH. But the stated intent of that is permanent.

However, I have another question: Article I, section 1, of the Pennsylvania Constitution says, "All men are born equally free and independent, and have certain inherent and indefeasible rights..." among these are "...of acquiring, possessing and protecting property...." Now, each of the people who own those property rights, that gas is property. The Commonwealth of Pennsylvania has sold those property rights—

The SPEAKER. Representative Dush, if you want to speak on the amendment because—

Mr. DUSH. It is a question.

The SPEAKER. —if you have a question, you have to ask a direct question and then you will be able to articulate all those in your remarks on the amendment.

Mr. DUSH. My question is, how is it not a taking when these people own it, they have purchased it from the Commonwealth or the people who came before them have and they have acquired it in one form or another, and then you are telling them they do not have access to that resource which has cash value? How is that not a taking?

Ms. ULLMAN. The resources, the properties, are still theirs for their enjoyment and pleasure. They were purchased for a particular purpose. The purpose remains. Furthermore, a taking has a higher standard to be considered a taking. There is the consideration that when the greater good of the Commonwealth is part of the play, it must be greater than the compensatory aspect of the taking. They still have their land. They can buy it. They can sell it. They can build homes upon it. They can do everything but sell the property rights – or sell the mineral rights to the hydrofracking gas which is beneath it, which had not been even imagined previous to that.

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

The SPEAKER. Yes, sir. You may proceed.

Mr. DUSH. With respect, this is going into a circular argument. The maker of the amendment talks about enjoyment of the rights. If the person who owns those rights does not have the ability to enjoy those rights, as in selling and benefiting financially, then the right has been taken from them. It is very plain. The founders of our Constitution were very explicit in first principles. Article I, section 1, is the first right and it is done on purpose. It is the first right: the right to obtain and enjoy property. This is a clear taking, and it flies in the face of the intent of the Constitution as well as the maker of the underlying bill. I ask for a vote against this. Thank you.

The SPEAKER. Representative Ullman, you may go a second time, and then Representative Fritz may too.

Ms. ULLMAN. I would like to respond to that.

If the individuals feel that this is, in fact, a taking, they have the right, right now, to go to court and take their case to a court of law and that is where it can be determined and that is where just recompensation can be attributed, so that has not been – that is already theirs. So far, none of these property owners have pursued that action and the reason is because they have no evidence that this is, in fact, something that they could do. This is a transparent attempt to overturn the authority of the DRBC. This is not actually protecting the property rights of these individuals. None have yet gone to court to seek recompense for this action.

The SPEAKER. Representative Samuelson, do you wish to speak on the amendment, sir? You may.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I just want to remind the House back in 2002 we had a bill that passed, Act 13, the Republican majority had a bill on an impact fee. Part of that bill banned natural gas drilling in Bucks County, a geological region known as the South Newark Basin. So a former Senator from Bucks County had that bill, passed the House, passed the Senate, Governor Corbett signed it into law. So drilling in Bucks County has been banned, and guess what, back in 2012 that was not considered a taking. The bill that former Senator McIlhinney had did not provide compensation for every property owner in Bucks County.

So to be consistent with the decision of this House, this majority back in 2012, I urge a "yes" vote on the Ullman amendment.

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

Mr. FRITZ. I certainly appreciate a robust debate, but I will contend that this is a taking, that people in Wayne County, in particular, are being harmed by a moratorium or a ban on natural gas drilling, and therefore, I kindly and respectfully ask for a "no" on this amendment. Thank you.

The SPEAKER. Everybody has had an opportunity to speak, so I am going to turn it over to the majority leader, on the amendment.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, we do not have to rely on our own opinions in this chamber to understand what a takings is. A takings has been clearly defined through a series of case law that actually started here in the Commonwealth, dealing with access to coal and zoning related to buildings. Furthermore, there has been constitutional case law that really defines the area of what is effectively a constructive denial of a use regarding buildings on barrier islands in the south. It is very clear that when government says that you may not permanently change something, that it is

to be viewed as a takings. It is viewed and valued and the courts have litigated this for some time. I believe that the gentleman is correct, and to arbitrarily pick out one item that is not to be viewed, it would simply be unconstitutional, and I would urge a "no" vote.

Thank you, Mr. Speaker.

LEAVE OF ABSENCE

The SPEAKER. Representative RABB has requested to be placed on leave of absence for the remainder of the day. Without objection, that will be granted.

CONSIDERATION OF HB 827 CONTINUED

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

The following roll call was recorded:

YEAS—81

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

NAYS—116

Barrar	Gillen	Marshall	Roae
Benninghoff	Gillespie	Masser	Rothman
Bernstine	Gleim	Mehaffie	Ryan
Bizzarro	Gregory	Mentzer	Sainato
Boback	Greiner	Metcalfe	Sankey
Borowicz	Grove	Metzgar	Saylor
Brooks	Hahn	Mihalek	Schemel
Brown	Heffley	Millard	Schmitt
Burns	Helm	Miller, B.	Schroeder
Causser	Hennessey	Mizgorski	Simmons
Cook	Hershey	Moul	Snyder
Cox	Hickernell	Neilson	Sonney
Culver	Irvin	Nelson	Staats
Cutler	James	Nesbit	Stephens
Day	Jones	O'Neal	Struzzi
Delozier	Jozwiak	Oberlander	Thomas
Diamond	Kail	Ortitay	Tobash
DiGirolamo	Kaufer	Owlett	Toepel
Dowling	Kauffman	Peifer	Toohil
Dunbar	Keefer	Petrarca	Topper
Dush	Keller, M.K.	Pickett	Walsh

Ecker	Klunk	Polinchock	Warner
Emrick	Knowles	Puskaric	Wentling
Everett	Kortz	Pyle	Wheeland
Farry	Lawrence	Rader	White
Fee	Lewis	Rapp	Zimmerman
Flynn	Longietti	Readshaw	
Fritz	Mackenzie	Reese	Turzai,
Gabler	Mako	Rigby	Speaker
Gaydos	Maloney		

NOT VOTING—0

EXCUSED—5

Cruz	Keller, F.	Rabb	Rozzi
Davidson			

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

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

CONSTITUTIONAL POINT OF ORDER

The SPEAKER. Okay. Now, my understanding is somebody wants – does somebody wish to move – Representative Zabel has a motion that he would like to make on HB 827.

Representative Zabel, please state your motion.

Mr. ZABEL. Thank you, Mr. Speaker.

I rise to move that HB 827 is unconstitutional pursuant to Article III, section 32, of the Constitution of Pennsylvania. Mr. Speaker, Article III, section 32, provides that the General Assembly shall pass no local or special law in any case which has been or can be provided for by general law. What that means in plain terms is that the General Assembly cannot pass a law applying to only one area of the Commonwealth if there are other similarly situated areas of the Commonwealth or the potential for other similarly situated areas in the Commonwealth in the future that the law does not apply to.

Mr. Speaker, in this case the bill, on its face, violates the Constitution. Under the provisions of this bill, a ban of fracking constitutes a taking only, only if the ban on fracking applies to the county of Carbon, Lackawanna, Luzerne, Monroe, Pike, or Wayne. Now, on the other hand, if a ban on fracking is enacted in any other county in the Commonwealth, it is not a ban – it is not a taking per se. So as a result of this bill, Mr. Speaker, landowners subject to a fracking ban in Luzerne would be entitled to compensation for a taking, whereas landowners subject to a fracking ban in Greene would be entitled to nothing. That is about as plain a violation of Article III, section 32, as possible. I ask that my colleagues join me in declaring HB 827 unconstitutional.

The SPEAKER. So in front of us, the gentleman, Representative Zabel, raises the point of order that HB 827 is unconstitutional. The Speaker, under rule 4, is required to submit questions affecting the constitutionality of a bill to the House for its decision.

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

The SPEAKER. And before I call on the majority leader, those who will be voting "aye" will vote to declare that the bill is constitutional; those who will be voting "nay" will be voting to declare that the bill is unconstitutional. So if you are in agreement with the good gentleman, Representative Zabel, that it is unconstitutional, you will be voting "nay."

The Chair is going to call upon the majority leader with respect – or first of all, Representative Fritz, on the issue of constitutionality, I will call on you first, and then I will turn it over to the majority leader.

Mr. FRITZ. Thank you, Mr. Speaker.

So the individual making the unconstitutional question, asking the unconstitutional question, will he rise? Will he rise for interrogation?

The SPEAKER. Representative Zabel, do you— You decline. He declines to stand for interrogation on this issue.

Listen, please, on interrogation everybody must understand, nobody is required to stand for interrogation. It is only voluntary, and it has to be with respect to a question that you do not know the answer to.

Representative Fritz, do you wish to speak on this issue?

Mr. FRITZ. Very quickly, Mr. Speaker.

The SPEAKER. Yes, sir.

Mr. FRITZ. I very much appreciate and respect the professionalism of the folks that put their hard work into crafting this legislation. We do contend that it is constitutional, and with that I will defer to our leader. Thank you.

The SPEAKER. And, members, please understand that the vote will be if you believe that the bill is constitutional, you will be voting "aye"; if you believe that the bill is not constitutional, you will be voting "nay."

The majority leader, Representative Bryan Cutler, on the issue of constitutionality.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, very briefly, when you look at the underlying issues of takings, I think it is important to recognize a few simple constructs. Since the good gentleman would not stand for interrogation previously, I am going to go off the comments that he based regarding the disparate treatment amongst counties being treated differently.

The first question is in fact if there is a taking. The U.S. Constitution is clear under the Fifth Amendment, "...nor shall private property be taken for public use, without just compensation." The *Pennsylvania Coal v. Mahon* case, which was one that I referenced earlier, said, "The general rule at least is that while property may be regulated to a certain extent, if regulation goes too far it will be recognized as a taking." And in *Murr v. Wisconsin*, which is a United States Supreme Court, "A regulation...can be so burdensome as to become a taking...." In discussing this analysis, I think it is important to recognize what is in fact, first, a takings, and then discuss the disparate treatment amongst different counties.

Respectfully, Mr. Speaker, this issue is one that actually transcends governmentally ordained boundaries. The good gentleman referred to counties. This particular issue deals with watersheds because that is the virtue of the compact. And while the good gentleman would argue that one would be disparate to the other, I would offer that it is always within the legislature's authority to extend constitutional law and in this case compensation for anything that would in fact be a takings wherever it occurred in the Commonwealth. For that reason I believe that the gentleman's argument is flawed. I would urge

the underlying bill is not only constitutional, but that the commission as a whole would not only have to compensate for these takings, but I would argue that it is constitutionally required.

Thank you, Mr. Speaker.

The SPEAKER. Representative Dermody, the Democratic leader, on the issue of constitutionality.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, it was great to be enlightened on what constitutes a taking; only it has nothing to do with the gentleman's motion. He made a motion on constitutionality on the fact that this piece of legislation is special legislation, which is prohibited by the Constitution, and because it only applies to six counties, it certainly is special legislation. Therefore, the gentleman is correct in his motion, it violates our Constitution.

Thank you, Mr. Speaker.

The SPEAKER. Again, if you believe the bill is constitutional, vote "yea"; if you believe the bill is unconstitutional, vote "nay."

On the question recurring,

Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—108

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

NAYS—89

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

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

NOT VOTING—0

EXCUSED—5

Cruz	Keller, F.	Rabb	Rozzi
Davidson			

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

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

* * *

The House proceeded to second consideration of **HB 321, PN 1404**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in abortion, further providing for definitions and for medical consultation and judgment.

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

AMENDMENTS RULED OUT OF ORDER

The SPEAKER. There are two amendments that are filed: amendment 01179, filed by Representative Dan Miller, and amendment 01245, filed by Representative Krueger. These were filed last year to a nearly identical bill. The Speaker ruled them out of order last year, and they are being ruled again out of order this year in consultation with the Parliamentarian.

The bill is a Title 18 bill. Amendment 1179 essentially calls for a community-based services waiver program; that would require to be under Title 35, under Health and Safety. And amendment 1245 calls for maternity care with respect to an unborn child when Down syndrome is established. That would be under Title 35, Health and Safety, as well.

The Pennsylvania Supreme Court held, in *Commonwealth v. Neiman*, that the subject matter of the proposed amendments must relate to the same subject as that contained in the underlying bill. And also the Supreme Court held, in the *City of Philadelphia v. Commonwealth*, that there must be a single subject to which all the provisions of the act are relevant.

The fact of the matter is, the titles are evidence with respect to that issue. The two Title 35 amendments are inapposite with the underlying Title 18 bill.

And, Representative Dermody, you may proceed, sir.

Mr. DERMODY. Yes, Mr. Speaker, I would request that we consider these amendments separately.

The SPEAKER. Please, I am sorry, sir. Go ahead.

Mr. DERMODY. I am just requesting, first of all, that we consider these amendments separately.

The SPEAKER. Yes, sir. Correct.

Mr. DERMODY. What amendment are we going to consider first?

The SPEAKER. Amendment 1179, sir.

Mr. DERMODY. All right. And I understand that the Chair ruled that it is out of order.

The SPEAKER. Yes, sir.

RULING OF CHAIR APPEALED

Mr. DERMODY. All right. I would like to appeal the ruling of the Chair.

The SPEAKER. Yes, sir; you may proceed.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, pursuant to the single-subject rule, a statute can contain any number of provisions properly connected and germane to the subject of the bill. If an amendment addresses the same subject as the bill, then it passes muster under the single-subject rule.

Mr. Speaker, HB 321's stated purpose is to protect children with Down syndrome. The bill itself provides that no abortion shall be deemed necessary if sought exclusively based on a prenatal diagnosis or belief that the unborn child has Down syndrome. The result of the bill is that many more children with Down syndrome will be born.

Unfortunately, however, Mr. Speaker, while the bill does provide protections for the child in utero, it does nothing to provide for the child after it is born. With an increase in children being born with Down syndrome, there will be an increase in the need for funding, services, and resources to support these children. Mr. Speaker, this is where the amendment ties in. Amendment 1179 provides that the underlying provisions of the bill cannot take place until the Department of Human Services implements a Medicaid home- and community-based services waiver program that serves all eligible individuals with Down syndrome.

Mr. Speaker, protecting a child with Down syndrome does not end when the child is born. We have a responsibility to also provide for these children's lives after they are born. That is what this amendment does. It protects children with Down syndrome. The bill also protects families with Down syndrome, protects children with Down syndrome.

So protect the lives of children with Down syndrome. Support me in appealing the ruling of the Chair and finding that this amendment is germane and does not violate the single-subject rule.

The SPEAKER. Yes, and so we will take a vote on that shortly.

So just to be clear with respect to the Speaker's ruling, the GA (general appropriations) bill with respect to funding, with respect to funding or expenditures from the General Fund, is in the budget bill.

And then secondarily, implementation of a specific — including all the billions that are presently spent with respect to individuals with disability, including individuals with Down

syndrome, that is legislation passed by the House in the General Fund bill, in the budget bill, and related budget bills. So certainly that amendment could be applied to the General Fund and the budget bills.

In addition, implementation of a specific program with respect to individuals with Down syndrome, in addition to the billions that are appropriated already with respect to the care for individuals with disability, including individuals with Down syndrome, but the creation of a particular community-based program would in fact be a Title 35 bill, that would not be a Title 18 bill, and we stand by our ruling.

On the question,

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

The SPEAKER. The Chair is going to call upon anybody else that wishes to speak on the appeal of the ruling of the Chair. Otherwise, we will take a vote and I am going to give you the directions on how we vote.

PARLIAMENTARY INQUIRIES

The SPEAKER. Yes, Representative Dan Miller, you may proceed.

Mr. D. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, I think I have more of just a parliamentary inquiry.

The SPEAKER. Yes, you certainly may proceed.

Mr. D. MILLER. If I was understanding the Speaker's logic, the question seemed to include a reference toward the budget, and I know I am simplifying your comments. But I believe my amendment actually does not require an appropriation to be made this year or in any given year. The amendment itself only talks to the effective date of when the ban would come in place. So there is no appropriation. So I was wondering, since I am not calling for the appropriation in the amendment, I am wondering how that would relate to the analysis you provided.

The SPEAKER. The amendment seeks to provide a community-based services waiver program, and it is essentially trying to get funding with respect to particular care. The sum and substance of the amendment is twofold. It is either to create a separate program, which would be under Title 35, Health and Safety, and/or it would be additional funding in addition to the billions that are already spent with respect to individuals with disability, which would be under a General Fund bill and would be a budgetary item. So this particular amendment certainly can be attached, given its underlying purpose, to a certain budget-identified, certain General Fund budgetary bill. It could also be filed as a Title 35, Health and Safety, bill and could be filed as an amendment to an appropriate Title 35, Health and Safety, bill. It is not appropriate with respect to a Title 18, Crimes and Offenses, bill.

Mr. D. MILLER. Further inquiry, Mr. Speaker?

The SPEAKER. You may. I am going to continue to repeat what I have stated, but you may continue to ask the question.

Mr. D. MILLER. Thank you.

Mr. Speaker, just so I understand, is it the Speaker's analysis that this program currently that I am referencing does not exist?

The SPEAKER. You want a waiver program, as I read what you are filing in your amendment, a community-based services waiver program for individuals with Down syndrome. If you are looking for additional funds with respect to that particular program, that would be in a budgetary bill, which is the basis of it, or if you are looking for the establishment of a particular type of program, that would be Title 35, Health and Safety.

Mr. D. MILLER. Thank you, Mr. Speaker.

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

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, I believe and I will urge our members to uphold the ruling of the Chair for the simple reason that has been articulated. Title 35 or the Human Services Code is the appropriate location for this amendment or a GA bill since it is tied to funding. The Abortion Control Act, which this seeks to amend, is Title 18, chapter 32. Therefore, this is out of order in regards to the placement.

Furthermore, Mr. Speaker, and I think it is important to note just as a matter of public policy, when it comes to crimes, we have never previously made the effective date contingent on funding. So therefore, it is an issue of public safety. And I would urge the upholding of the ruling of the Chair. Thank you.

The SPEAKER. When an appeal is taken, this is how we need to proceed in terms of the vote. It is, shall the decision of the Chair stand as the judgment of the House? That is the question that the good gentleman, Representative Dermody, the Democratic leader, has raised.

Those in favor of sustaining the Chair's decision will be voting "aye"; those who are opposed to the Chair's decision will be voting "nay."

On the question recurring,

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

The following roll call was recorded:

YEAS—108

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

Fee	Lewis	Rader	Zimmerman
Fritz	Mackenzie	Rapp	
Gabler	Mako	Reese	Turzai,
Gaydos	Maloney	Rigby	Speaker
Gillen	Marshall		

NAYS—89

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

NOT VOTING—0

EXCUSED—5

Cruz	Keller, F.	Rabb	Rozzi
Davidson			

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

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

RULING OF CHAIR APPEALED

The SPEAKER. Now, sir, you wanted to do on amendment 01245, I believe. Am I correct on that? Right, sir? Yes.

You may proceed, to the leader, Leader Dermody, on my ruling as Speaker with respect to amendment 01245. You may proceed, sir.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I would like to appeal the ruling of the Chair that the amendment is out of order.

The SPEAKER. Yes; yes. So the gentleman is seeking the body to essentially overturn the ruling of the Chair with respect to this amendment as being out of order.

This is a vote that can be taken on by the body just as we previously did.

On the question,

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

The SPEAKER. And you may proceed, sir.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, once again pursuant to the single-subject rule, a statute can contain any number of provisions properly connected with and germane to the subject of the bill. If an amendment addresses the same subject as the bill, then it passes muster under the single-subject rule.

Mr. Speaker, HB 321's purpose is to require mothers who carry an unborn child that has received a prenatal diagnosis of Down syndrome, they must bring that child to term. Nonetheless, the bill does nothing to provide for the health care necessary for a mother to safely bring her child to term and care for it during her postpartum period. If we are going to require mothers to bring children to term, then we must provide them with the necessary health-care coverage to do so safely. The mother's and child's lives could depend on it.

Mr. Speaker, this amendment is not only the same subject as the underlying bill but it is a necessary component of it. Stand up for mothers and their children, provide them with the health-care coverage that they need. I ask you to support me in overruling the Chair and voting the amendment is germane to the bill and does not violate the single-subject rule.

Thank you, Mr. Speaker.

The SPEAKER. Yes, so let me be clear with respect to the ruling of the Chair as Speaker. The bill seeks implementation of full maternity care, which is, of course, General Fund funding, full maternity care General Fund funding in addition to the billions that we provide for individuals with disability or the care with respect to individuals with disability, including those individuals with Down syndrome. There are already moneys specifically appropriated with respect to those elements of care. This seeks to augment those dollars. It is very specific, full maternity care, and that would have to be in a General Fund bill, or a budget bill; or in addition, if the desire was to create a specifically new program in addition to the programs that are already provided with respect to individuals with disability and the moneys, the billions, already spent with respect to individuals with disabilities, that would have to be in Title 35, Health and Safety. This is a Title 18, Crimes and Offenses title, so this amendment has been ruled to be out of order because it does not fall within the same subject. Those bills would either have to be a General Fund bill, a budget bill, or it would have to be a Title 35, Health and Safety, bill. It would not be a Title 18 bill.

And on that, Representative Krueger is recognized.

Ms. KRUEGER. Thank you, Mr. Speaker.

I rise to support the motion to appeal the ruling of the Chair. This amendment does not violate the single-subject rule on germaneness, and in fact, Mr. Speaker, it does not call for a single dollar to be appropriated. It simply changes the effective date until a point in which a program is in place to provide health-care coverage for maternity care for the entire pregnancy and postpartum care for any woman who is pregnant and receives a diagnosis that the child she is carrying has Down syndrome.

As currently written, Mr. Speaker, this bill removes the ability of a woman and her family to make the decisions that are right for them. As a result, they are dealing with something which may be completely unexpected. Because of the health issues that come along sometimes with a child with Down syndrome, pregnancies are often more complicated, such as carrying a child with heart

conditions, and the postpartum period often includes surgeries for the child and other medical interventions. Women who plan to work until their due date may not be able to do so. As a result, they could lose their job, their health care, and their health insurance at a time when they need it most.

Mr. Speaker, my amendment is not only germane, it is absolutely necessary. Children and families with special needs also need special care. Under this bill, we single out children and families with special needs but do not provide that special care. This is not only nonsensical but can be construed as hypocritical, Mr. Speaker. This amendment is vital to the success of children—

The SPEAKER. This is—

Ms. KRUEGER. —and families with Down syndrome—

The SPEAKER. First of all—

Ms. KRUEGER. —and it is absolutely appropriate to this legislation.

The SPEAKER. Please suspend.

The term "hypocritical" is without a doubt a term that is used to specifically get at the ruling as being somehow inappropriate with respect – like personally inappropriate. "Hypocritical" is not an appropriate word to use with respect to the ruling of the Chair.

Second of all, this is getting far afield from the specific issue that we have in front of us. Let me make this clear. This amendment could absolutely not be implemented, could absolutely not be implemented without providing for additional State tax dollars to be appropriated under the General Fund or a budget bill, and that would be in addition to the billions that are already spent with respect to maternity care and with respect to individuals with disability, which is perfectly fine if it were filed as such. And in addition, if it was the implementation of a new program, that would have to be done under Title 35 of the Health and Safety Code. This is a Title 18 bill that deals with crimes and offenses.

We can go through a detailed litany of already existing funding under the budget or the programs with respect to individuals with disabilities, with respect to mothers of individuals with disabilities, or with respect to any – we can enumerate all the programs, we can enumerate all the funding that presently exists, that can be done. But the fact of the matter is, this amendment cannot be implemented without additional funding given that that is the condition upon which this rests. That would be in a budget bill or a Title 35 bill, that would not be in a Title 18 bill, and that is the ruling of the Chair.

And you may proceed, but we are going to proceed with a vote on the appeal of the ruling of the Chair.

Ms. KRUEGER. Mr. Speaker, to clarify, I cannot make a single-subject argument without actually referring to the underlying bill, which I am attempting to do here on the floor.

Fundamentally this amendment does not appropriate any funds. It simply changes the effective date. Mr. Speaker, I do believe that this is a hypocritical bill and I will be opposing it on the floor.

Thank you, Mr. Speaker.

The SPEAKER. Representative Dan Miller, you may proceed on the ruling. It is an appeal of the ruling of the Chair.

Mr. D. MILLER. Thank you, Mr. Speaker.

And to the ruling of the Chair – and I appreciate the words of the Chair in relation to this issue. Here is why I think that the ruling is incorrect. We now have had two amendments that—

The SPEAKER. Sir, we are off the first amendment. That vote has already been taken. You may speak to the ruling of the Chair with respect to amendment 01245.

Mr. D. MILLER. There was something that happened 5 minutes ago that I cannot mention, and then we are here again with a similar argument. And in this similar argument we are referenced that we can, seemingly the Chair may be suggesting that we should go through a litany, to use the Chair's words, of financial commitments that the State makes in relation to the item of the underlying bill. I say that would be great. Why do we not talk about it?

But the point of this amendment and why the motion is, why this should be supported in going against the ruling of the Chair is that what we continue to miss is how to support families faced with this diagnosis. And that is why I think we keep getting off track because this amendment, like something that happened, is trying to provide support for those families. Now, it does not do so in a way that says in any way that I can tell in reading both texts that X amount of money needs to be appropriated today. That is not what it does. It just says that when, if what the bill pertains to address becomes law, we will provide additional help in making that work.

And in every situation, I am sure the Speaker is aware that like many of us I know a lot of people who are dealing with these types of issues in a broader sense—

The SPEAKER. Sir, you are far afield. Please suspend.

The issue in front of us is, the underlying bill, which is a Title 18 bill, a Crimes and Offenses bill, does not meet with respect to the single subject of amendments that should be appropriately filed under Title 35 or under a General Fund budgetary bill. It is that simple.

Mr. D. MILLER. So as I am sure, given the topic of the underlying bill, that many people want to support people with these diagnoses—

The SPEAKER. Sir, if you want to file such a bill or such an amendment to a Title 35 bill or to a budgetary bill, you would be able to argue why you should do additional funding or additional programs into those that presently exist. It is not germane with respect to the underlying bill, which is a Title 18, Crimes and Offenses, bill.

And I am going to now turn it over to Representative Bradford.

POINT OF ORDER

Mr. DERMODY. Mr. Speaker?

The SPEAKER. Leader, you may proceed.

Mr. DERMODY. I believe the gentleman from Allegheny is just trying to make his argument as to why we should support the ruling of the Chair.

The SPEAKER. I understand, but he is far afield from what the issue is in front of us.

Mr. DERMODY. He is pretty close to the ruling that you made regarding there is an appropriation and whether or not there should be an appropriation in this bill and that is part of the reason why we should support the appeal, appealing the ruling of the Chair, and he is speaking right on point and making an argument as to why we should do that.

The SPEAKER. The Speaker has ruled that he is far afield from the issue in front of us.

Representative Bradford, you may proceed.

Mr. DERMODY. I am going to appeal that ruling also, Mr. Speaker—

The SPEAKER. Representative Bradford.

Mr. DERMODY. —because I think we should vote on whether—

Mr. BRADFORD. Thank you, Mr. Speaker.

Mr. DERMODY. —we think he is far afield, which I do not believe he is.

The SPEAKER. Representative Bradford.

RULING OF CHAIR APPEALED

Mr. DERMODY. I appeal the ruling of the Chair that the gentleman is far afield.

The SPEAKER. Okay. We are going to be done with the— We will come back to the motion of the 01— I have to—

PARLIAMENTARY INQUIRY

The SPEAKER. Okay. You may ask a parliamentary inquiry.

Mr. BRADFORD. Parliamentary inquiry, Mr. Speaker.

The SPEAKER. Yes, sir.

Mr. BRADFORD. My understanding, based on what you have advised the gentleman from Allegheny, is that this would require a general appropriation in order to pass muster.

The SPEAKER. And/or a Title 35 bill.

Mr. BRADFORD. Title 35, a health bill.

The SPEAKER. Yes, Health and Safety bill; correct. We are not advising it— The amendments would be appropriate to a Title 35 bill or to a general funding budgetary bill with respect to establishing those types of programs or providing for additional funding.

Mr. BRADFORD. Further inquiry, Mr. Speaker.

The SPEAKER. Sir, if we can, I have to take the other – I am going to have to take the second motion for the appeal, the third motion for an appeal. That is going to be in front of us, and then I will come back.

APPEAL WITHDRAWN

The SPEAKER. Representative Dermody has raised the issue of the discussion—

Mr. DERMODY. I am going to withdraw my motion on your ruling of the Chair. I am going to withdraw that motion, the most recent one.

The SPEAKER. Okay. Now we are back to the motion of the appeal of the Chair with respect to amendment 01245 to HB 321.

Representative Bradford, you may proceed.

Mr. BRADFORD. Thank you, Mr. Speaker.

And thank you again.

By means of further parliamentary inquiry, is it your view that only a general appropriation or a Title 35, health bill, would be appropriate to—

The SPEAKER. I have already issued the ruling, and I do not have to elaborate beyond what we have already put on the record.

Mr. BRADFORD. Well, with all due respect, it is called parliamentary inquiry.

The SPEAKER. No, it is not. You are subjecting us to interrogation with respect to the ruling, and the ruling stands as it is.

Mr. BRADFORD. Well, let me try it this way, Mr. Speaker. Hypothetically, if we had a tax expenditure bill for about \$100 million—

The SPEAKER. No. The ruling has been— No, sir. This is not interrogation with respect to the ruling. You cannot interrogate the Chair.

Mr. BRADFORD. Mr. Speaker, I am not interrogating; I am making a parliamentary inquiry—

The SPEAKER. No; no, you are not, and the Parliamentarian is quite explicit about that.

Mr. BRADFORD. Okay. May I try my parliamentary inquiry?

The SPEAKER. No because it is not a parliamentary inquiry. You are asking about the ruling. The ruling stands as it is. It can be appealed.

POINT OF ORDER

Mr. DERMODY. Mr. Speaker?

The SPEAKER. Leader, you may proceed.

Mr. DERMODY. The gentleman should be allowed to make his point and debate the point. Continually interrupting just prevents him from making a point of parliamentary inquiry that is proper and in the rules.

The SPEAKER. Leader, let me make this explicitly clear, explicitly clear—

POINT OF ORDER

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

The SPEAKER. Yes, you may proceed, majority leader.

Mr. CUTLER. Mr. Speaker, I believe the only issue before the chamber at this time is the motion to appeal the ruling of the Chair, which the good leader has put before us. I do not believe that it is properly in case as a parliamentary inquiry when we engage in hypotheticals. I do not believe that is involved in the ruling of the Chair, and I would encourage the good gentleman to stay on point with the underlying motion that is before us.

The SPEAKER. One more time. Go ahead.

Mr. BRADFORD. Thank you, Mr. Speaker.

I have a concern that we are now creating a precedent that only a general appropriations bill is appropriate for expenditure. Is that the ruling of the Chair?

The SPEAKER. First of all, that is not what the ruling is, and second of all, that is not a parliamentary inquiry, and the Chair is not subject to interrogation with respect to his or her ruling.

Mr. BRADFORD. Mr. Speaker, my understanding is, the amendment proposes to make no appropriation. There is no appropriation. There is no fiscal note. There is no general appropriation item in front of this chamber. There is merely a delay in implementation date to a date in which a something may come to pass or it may not come to pass. But my understanding is, if there is no general appropriation to be made, then why is this not in order?

The SPEAKER. This is not a parliamentary inquiry. The ruling stands as it is.

And the Chair calls upon the majority leader with respect to the appeal of the ruling of the Chair.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, our own Supreme Court has decided this case, and I think I can answer some of the good gentleman's inquiry. Specific to delayed enactments I believe we have other good

examples, and I will read from a prior bill that required a publication notice that specifically dealt with a date-certain enactment.

The proposed amendment is fundamentally flawed because it is hinged on potential funding in terms of being effective. The publication notice requirement was written as such, "The Secretary of the Commonwealth shall transmit to the Legislative Reference Bureau, for publication in the Pennsylvania Bulletin, notice of the granting of an exemption under subsection (a)." And the effective date was listed as follows: "This act shall take effect as follows:" and lists the corresponding "Sections 3, 4 and 7...shall take effect one year after the publication...." Mr. Speaker, a publication is a snapshot in time that is governmentally overseen and would provide a date certain.

To the good gentleman's point of whether or not a fiscal note is required potentially for this, I would simply offer this, that this bill is heading to the Appropriations Committee as soon as we finish second consideration. Therefore, that is the place where the Appropriations note would be reviewed and the fiscal impact would be determined.

But most importantly and specific to the Supreme Court in *Leach v. Commonwealth*, they discussed two other issues, which we debated heartily here on the floor, "...creating a civil cause of action for persons affected by local gun regulations is simply too far afield from...new offenses relating to the theft of secondary metal..." Mr. Speaker, that particular case law, which governs the issue of germaneness and single subject and whether or not amendments are proper, is controlling at this time.

I think it is important to note that this amendment is simply too far afield in addition to being inartfully drafted in terms of the effective date. I would urge support of the gentleman's motion. Thank you.

The SPEAKER. Those in favor of sustaining the Chair's decision will vote "aye"; those opposed, "nay."

On the question recurring,
Shall the decision of the Chair stand as the judgment of the House?

The following roll call was recorded:

YEAS-108

Table with 4 columns of names: Barrar, Benninghoff, Bernstine, Boback, Borowicz, Brooks, Brown, Causer, Cook, Cox, Culver, Cutler, Day, Delozier, Diamond, DiGirolamo, Dowling, Dunbar, Dush, Ecker, Emrick, Everett, Farry, Fee, Gillespie, Gleim, Gregory, Greiner, Grove, Hahn, Heffley, Helm, Hennessey, Hershey, Hickernell, Irvin, James, Jones, Jozwiak, Kail, Kaufer, Kauffman, Keefer, Keller, M.K., Klunk, Knowles, Lawrence, Lewis, Masser, Mehaffie, Mentzer, Metcalfe, Metzgar, Mihalek, Millard, Miller, B., Mizgorski, Moul, Murt, Nelson, Nesbit, O'Neal, Oberlander, Ortitay, Owlett, Peifer, Pickett, Polinchock, Puskaric, Pyle, Quinn, Rader, Roae, Rothman, Ryan, Sankey, Saylor, Schemel, Schmitt, Schroeder, Simmons, Sonney, Staats, Stephens, Struzzi, Thomas, Tobash, Toepel, Toohil, Topper, Walsh, Warner, Wentling, Wheeland, White, Zimmerman

Table with 4 columns of names: Fritz, Gabler, Gaydos, Gillen, Mackenzie, Mako, Maloney, Marshall, Rapp, Reese, Rigby, Turzai, Speaker

NAYS-89

Table with 4 columns of names: Bizzarro, Boyle, Bradford, Briggs, Bullock, Burgos, Burns, Caltagirone, Carroll, Cephas, Ciresi, Comitta, Conklin, Daley, Davis, A., Davis, T., Dawkins, Deasy, DeLissio, Deloso, DeLuca, Dermody, Donatucci, Driscoll, Evans, Fiedler, Fitzgerald, Flynn, Frankel, Freeman, Gainey, Galloway, Goodman, Hanbidge, Harkins, Harrell, Harris, Hohenstein, Howard, Innamorato, Isaacson, Kenyatta, Kim, Kinsey, Kirkland, Kortz, Kosierowski, Krueger, Kulik, Lee, Longietti, Madden, Malagari, Markosek, Matzie, McCarter, McClinton, McNeill, Merski, Miller, D., Mullery, Mullins, Neilson, O'Mara, Otten, Pashinski, Petarca, Ravenstahl, Readshaw, Roebuck, Sainato, Samuelson, Sanchez, Sappety, Schlossberg, Schweyer, Shusterman, Sims, Snyder, Solomon, Sturla, Ullman, Vitali, Warren, Webster, Wheatley, Williams, Youngblood, Zabel

NOT VOTING-0

EXCUSED-5

Table with 4 columns of names: Cruz, Davidson, Keller, F., Rabb, Rozzi

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

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

The SPEAKER. There are no further amendments with respect to HB 321, PN 1404.

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

The SPEAKER. We are going to proceed with the third consideration bills. I will call on you shortly. At this time we are not on a bill.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1166, PN 1344**, entitled:

An Act amending the act of May 11, 1889 (P.L.188, No.210), entitled "A further supplement to an act, entitled 'An act to establish a board of wardens for the Port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes,' approved March twenty-ninth, one thousand eight hundred and three, and for regulating the rates

of pilotage and number of pilots," further providing for rates of pilotage and computation, for pilotage fees and unit charge and for charges for services.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Cruz	Keller, F.	Rabb	Rozzi
Davidson			

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 423, PN 1327**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in general provisions applying to both liquor and malt and brewed beverages, further providing for local option.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Cruz	Keller, F.	Rabb	Rozzi
Davidson			

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 1281, PN 1549**, entitled:

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

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Cruz	Keller, F.	Rabb	Rozzi
Davidson			

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 115, PN 659**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for cardiopulmonary resuscitation education.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

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

Farry	Krueger	Rapp	Turzai,
Fee	Kulik	Ravenstahl	Speaker
Fiedler	Lawrence	Readshaw	

NAYS—0

NOT VOTING—0

EXCUSED—5

Cruz	Keller, F.	Rabb	Rozzi
Davidson			

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.

**MOTION TO RECONSIDER
SECOND CONSIDERATION OF HB 321**

The SPEAKER. I do not see any other bills, but I have a motion to reconsider filed by, I believe, Representative Frankel and Representative Harris, and it says that pursuant to rule 26, we the undersigned move that the vote by which the House gave HB 321 second consideration be reconsidered on this May 8.

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

The SPEAKER. And on that motion, Representative Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, the gentlelady was up trying to be recognized to make a motion, so we would like to have this reconsidered so she would have the opportunity to make the motion.

The SPEAKER. Yes. The bill was referred to third consideration.

And on the motion to reconsider the bill, the leader.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, respectfully, the bill has moved beyond second consideration. We can make motions and debate the bill further if and when it comes up for third. Thank you.

The SPEAKER. So on the motion to reconsider, if you are in favor of the motion to reconsider, you will vote "aye"; if you are opposed to the motion to reconsider, you will vote "nay."

Mr. DERMODY. Mr. Speaker, before we move?

The SPEAKER. Yes.

Mr. DERMODY. Mr. Speaker, if we do not reconsider it today, the motion cannot be considered, nor can it be amended if it is on third consideration. If she is going to try to make a motion to refer and if we send it back from third, it can no longer be amended.

The SPEAKER. What is in front of us right now is a motion to reconsider.

Mr. DERMODY. The argument is why we should reconsider on second consideration, so we have the opportunity if it is rereferred to amend it in committee.

The SPEAKER. On the motion to reconsider—

POINT OF ORDER

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

The SPEAKER. Yes, sir.

Mr. CUTLER. I believe I understand what the good gentleman is stating regarding the potential for amendment, but I believe that the proper parliamentary inquiry would be a motion to rescind then and not one for reconsideration. Is that correct?

The SPEAKER. You know, I think he wants a motion to reconsider to get it back onto second consideration. That would be separate, but the motion to reconsider is what is in front of us.

On the motion to reconsider. Do you wish to speak on the motion to reconsider, Representative Hanbidge?

Ms. HANBIDGE. Thank you, Mr. Speaker.

Thank you, Mr. Speaker, for recognizing me. I have been standing here waiting to talk to you about my offer of a motion to refer.

The SPEAKER. On the motion to reconsider, you may speak.

Ms. HANBIDGE. Mr. Speaker, if you do not allow speakers like me to come up on motions to reconsider and other things in a timely fashion, you silence not only my colleagues but also the opportunity for my constituents to speak on this House floor.

The SPEAKER. You may speak on the motion to reconsider.

Ms. HANBIDGE. I am presently doing so.

Mr. Speaker, I would like to offer a motion to rerefer this proposed legislation to the Judiciary Committee. As you so saliently pointed out numerous times—

The SPEAKER. On the motion, on the motion to reconsider, if you are in favor of reconsidering, you will vote "aye"; if you are opposed, you will vote "nay."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—89

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

NAYS—108

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

NOT VOTING—0

EXCUSED—5

Cruz	Keller, F.	Rabb	Rozzi
Davidson			

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

The SPEAKER. There are no further votes.
Please wait; members, please stay.

STATEMENTS BY
MAJORITY AND MINORITY LEADERS

The SPEAKER. The Chair is at this time recognizing the majority leader and minority leader, who wish to speak with respect to issues in front of the House.

So at this time I would ask everybody to please take their seats. The majority leader and the minority leader have requested this opportunity to speak to all of the members. I would ask that the doors of the House be closed and all members to please take your seats. Please take your seats.

Representative Cutler, the majority leader, will speak and be followed by Representative Frank Dermody, the minority leader, who will speak.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, the leader and I wanted some time to reflect, because as we continue our work on behalf of our constituents here today and the rest of this session, we want to remind everyone of the words of William Penn on his vision for

Pennsylvania. And for those who have seen it, it is around the top of the rotunda, it says, "There may be room there for such a holy experiment, for the nations want a precedent. And my God will make it the seed of a nation. That an example may be set up to the nations. That we may do the thing that is truly wise and just."

Penn's words rang true in the 1680s and they are still true today. There is no room for hate in any form in this chamber or in our own lives. The people of Pennsylvania expect better from us, and we have all promised to serve the people of our Commonwealth to the best of each of our abilities.

The SPEAKER. Leader Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

And as the majority leader mentioned, we thought it would be important just to say a few words today. We all had and we saw some spirited debate today and that is the way it should be, but we need to respect and we all should respect the views of all Pennsylvanians and we need to respect each other. To do anything different does nothing to further the mission we share of improving the lives of all Pennsylvanians.

At this moment the nation is watching this chamber. Let us work in a way that will not only accomplish great things for the Commonwealth but let us work in a way that makes sense for our constituents and make our constituents proud of the people they have sent here to do all this important work. Thank you.

Mr. CUTLER. Thank you, Mr. Speaker.

The SPEAKER. Thank you to the majority leader and to the minority leader.

BILLS RECOMMITTED

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

HB 321;
 HB 615;
 HB 827;
 HB 917;
 HB 937;
 HB 1077;
 HB 1237; and
 HB 1324.

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 239;
 HB 855;
 HB 920;
 HB 921;
 HB 922;
 HB 923;
 HB 1335;
 HB 1346; and
 SB 441.

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 247, PN 999**, entitled:

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in development, further providing for well permits.

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

BILL TABLED

The SPEAKER. The majority leader moves that HB 247 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 247 be removed from the tabled calendar and placed on the active calendar.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Representative Frank Farry moves that the House be adjourned until Monday, May 13, 2019, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
 Will the House agree to the motion?
 Motion was agreed to, and at 2:34 p.m., e.d.t., the House adjourned.