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

THE SPEAKER (SAMUEL H. SMITH)
PRESIDING

PRAYER
The SPEAKER. This morning the prayer will be offered by Pastor Brian Weatherspoon, Tabernacle International Deliverance Church of Norristown.

REV. BRIAN WEATHERSPOON, Guest Chaplain of the House of Representatives, offered the following prayer:

May we all bow our heads.
Gracious God, we thank You, first of all, for this great day that You have made. Thank You, Lord, for protecting us, keeping watch over us.
It is You, Lord, who guides our thoughts, guides our minds, and in Your just way, You help us to do just things.
Give us Your wisdom today. Give us Your insight, and thank You most of all for allowing Your grace to overshadow our hearts. Thank You for Your judgment of us, in giving us the wisdom to make great judgments for You, we ask in Your precious name. Amen.

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

JOURNAL APPROVAL POSTPONED
The SPEAKER. Without objection, the approval of the Journal of Tuesday, March 19, 2013, will be postponed until printed.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 429, PN 1241 (Amended) By Rep. WATSON
An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for persons permitted to report suspected child abuse.

CHILDREN AND YOUTH.

HOUSE RESOLUTION
INTRODUCED AND REFERRED

No. 176 By Representatives DENLINGER, CALTAGIRONE, D. COSTA, MILLARD, LAWRENCE, BOBACK, BARRAR, SIMMONS, MACKENZIE, GROVE, KAUFFMAN, C. HARRIS, BAKER, KORTZ, CUTLER, MILLER, ROCK, AUMENT, CLYMER, HESS, GRELL, FLECK, QUINN, MURT, EVANKOVICH, MILNE and GIBBONS

A Concurrent Resolution creating a commission composed of public and private cost-minded leaders of this Commonwealth to study the management of current government operations and make recommendations regarding the merger and consolidation of certain government operations.

Referred to Committee on STATE GOVERNMENT, March 20, 2013.

HOUSE BILLS
INTRODUCED AND REFERRED

No. 467 By Representatives COX, COHEN, DENLINGER, FARRY, GIBBONS, GILLEN, GOODMAN, C. HARRIS, KORTZ, MATZIE, MILNE, MOUL, MURT, O’BRIEN, PAINTER, RAPP, RAVENSTAHL, ROCK, TALLMAN, TOOHIL, WHEATLEY, WHITE, YOUNGBLOOD and D. COSTA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for person with disability plate and placard.

Referred to Committee on TRANSPORTATION, March 20, 2013.

No. 1010 By Representatives SANTARSIERO, DEAN, WATERS, FRANKEL, V. BROWN, COHEN, SCHLOSSBERG, YOUNGBLOOD, K. BOYLE, DAVIS, STEPHENS, O’BRIEN, McGEEHAN, THOMAS, CLYMER, CRUZ, BROWNLEE, MCCARTER, SIMS, BISHOP, SAMUELSON, MUNDY, DONATUCCI, W. KELLER, ROEBUCK, PASHINSKI, CARROLL, M. DALEY, VITALI, GALLOWAY, BRIGGS, SABATINA, DELISSIO, ROZZI and FREEMAN

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

Referred to Committee on JUDICIARY, March 20, 2013.
No. 1030  By Representatives MARSICO and CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for tolling limitations of civil actions, for unlimited time to bring criminal actions and for limitation of serious criminal actions.

Referred to Committee on JUDICIARY, March 20, 2013.

No. 1031  By Representatives MARSHALL, ROEBUCK, MOLCHANY, GIBBONS, SAINATO, KORTZ, KOTIK, V. BROWN, MOUL, O'NEILL, HARHAI, MAHONEY, SANTARSIERO, CALTAGIRONE, THOMAS, KINSEY, COHEN, TALLMAN, O'BRIEN, GODSHALL, BISHOP, SCHLOSSBERG, MICOZZIE, QUINN, CARROLL, GINGRICH, HESS, FRANKEL, P. DALEY, ROCK, D. COSTA and DEASY

An Act establishing the Pennsylvania Community College Affordability Task Force within the Department of Education; and providing for its powers and duties and for administrative support.

Referred to Committee on EDUCATION, March 20, 2013.

No. 1032  By Representatives DENLINGER, PICKETT, O'NEILL, MASSER, M. K. KELLER, KAUFFMAN, MILLARD, F. KELLER, BIZZARRO, MOUL, COHEN, BAKER, CUTLER, R. BROWN, AUMENT, MAJOR, MAHONEY, SAYLOR, ROCK, TALLMAN, C. HARRIS, HARKINS, GINGRICH, GILLEN, MURT, MILLER and STURLA

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for definitions and for administrative duties of board.

Referred to Committee on EDUCATION, March 20, 2013.

No. 1033  By Representatives DENLINGER, BAKER, STERN, GODSHALL, MOUL, MILLARD, HESS, HICKERNELL, FLECK, KAUFFMAN, SWANGER, M. K. KELLER, CLYMER, GINGRICH, ROCK, CUTLER, GILLEN and MURT

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, authorizing waterways conservation officers to enforce trespass laws.

Referred to Committee on GAME AND FISHERIES, March 20, 2013.

No. 1034  By Representatives DENLINGER, BROOKS, KULA, AUMENT, GINGRICH, PICKETT, MILLARD, F. KELLER, HESS, C. HARRIS, CUTLER, ERMICK, HICKERNELL, SCHLEGEL, CULVER, HEFFLEY, HARHAI, KAUFFMAN, FLECK, CLYMER, MILLER, STEVENSON, M. K. KELLER, ROCK, GOODMAN, HARTHART, MURT, GIBBONS and QUINN

An Act establishing the Agricultural Capital Investment Tax Credit Program for the modernization or expansion of agricultural operations in this Commonwealth; establishing a sponsorship program; authorizing the transferability of tax credits; and imposing powers and duties on the Department of Agriculture.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, March 20, 2013.

No. 1035  By Representatives MULLERY, KIM, CARROLL, KORTZ, MURT, MARSICO and EVERETT

An Act amending the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, further providing for judicial salaries, for executive salaries and for legislative salaries.

Referred to Committee on STATE GOVERNMENT, March 20, 2013.

No. 1036  By Representatives MULLERY, RAPP, CUTLER, AUMENT, F. KELLER and MURT


Referred to Committee on STATE GOVERNMENT, March 20, 2013.

No. 1037  By Representatives MULLERY, FLYNN, EVERETT, HESS, FABRIZIO, FARINA, KORTZ and GOODMAN

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

Referred to Committee on STATE GOVERNMENT, March 20, 2013.

No. 1038  By Representatives STURLA, CALTAGIRONE, BIZZARRO, HARKINS, D. COSTA, KAVALICH, BROWNLEE, SCHLOSSBERG, KIRKLAND, CONKLIN, HESS, MAHONEY, WHITE, CARROLL, V. BROWN, DAVIS, DelUCA, FRANKEL, ROZZI, KORTZ, MOLCHANY, DAVIDSON, FABRIZIO, MURT, BISHOP, MATZIE and SIMS

An Act establishing a grant program for municipal fire and emergency services organizations; and providing for grant funding.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 20, 2013.

No. 1039  By Representatives COHEN, BISHOP, B. BOYLE, V. BROWN, BROWNLEE, CLAY, D. COSTA, DEASY, DelUCA, DONATUCCI, FRANKEL, GIBBONS, GOODMAN, HARKINS, W. KELLER, MCCARTER, McGEEHAN, O'BRIEN, PARKER, SABATINA, SNYDER, STURLA, THOMAS and YOUNGBLOOD


Referred to Committee on LABOR AND INDUSTRY, March 20, 2013.

No. 1040  By Representatives HACKETT, SCHLOSSBERG, COHEN, MICOZZIE, MASSER, D. COSTA, ERMICK,
An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preparation for and conduct of primaries and elections, further providing for peace officers and no peace officers within 100 feet of polling place.

Referred to Committee on STATE GOVERNMENT, March 20, 2013.

No. 1041 By Representatives HACKETT, BARRAR, PICKETT, STEPHENS, MUNDY, MASSER, ONEILL, K. BOYLE, HESS, MILLARD, MOUL, D. COSTA, FLECK, COHEN, MURT, KORTZ, M. K. KELLER, WATSON, EVERETT, C. HARRIS, ROSS, DE LUCA, FABRIZIO, CLYMER, SWANGER, MICCOZZIE, MILNE, GILLEN, DENLINGER, HEFFLEY, QUINN and FARRY

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in emergency telephone service, providing for prohibited release of information.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 20, 2013.

No. 1042 By Representatives LAWRENCE, GRELL, KORTZ, MILLARD, RAPP, SIMMONS, TRUITT, CARROLL, MILNE, DENLINGER, GROVE, WATSON, MILLER and FARRY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for emergency telephones along Pennsylvania Turnpike.

Referred to Committee on TRANSPORTATION, March 20, 2013.

SENATE BILLS FOR CONCURRENCE

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

SB 99, PN 366

Referred to Committee on STATE GOVERNMENT, March 20, 2013.

SB 620, PN 627

Referred to Committee on JUDICIARY, March 20, 2013.

LEAVES OF ABSENCE

The SPEAKER. The Speaker turns to leaves of absence and recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. CRUZ, from Philadelphia County for the day. Without objection, the leave will be granted.
The SPEAKER. On the master roll call, 198 members having voted, a quorum is present.

**UNCONTESTED CALENDAR**

**RESOLUTIONS PURSUANT TO RULE 35**

Ms. OBERLANDER called up HR 124, PN 951, entitled:

A Resolution designating April 2013 as "Esophageal Cancer Awareness and Prevention Month" in Pennsylvania.

Mr. PAYNE called up HR 140, PN 967, entitled:

A Resolution designating April 7, 2013, as "Random Acts of Kindness Day" in Pennsylvania in honor of the 95th anniversary of the birth of Mary Jane Leader, former First Lady of Pennsylvania.

Mr. FRANKEL called up HR 156, PN 1163, entitled:

A Resolution recognizing April 7 through 14, 2013, as "2013 Days of Remembrance" and April 8, 2013, as "Holocaust Remembrance Day" in Pennsylvania in commemoration of the millions of innocent victims of Nazi atrocities.

Mr. CALTAGIRONE called up HR 166, PN 1190, entitled:

A Resolution designating March 20, 2013, as "Greek Independence Day" in Pennsylvania.

Mr. MURT called up HR 171, PN 1199, entitled:

A Resolution recognizing the 21st anniversary of the Khojaly Massacre and honoring the life and memory of the victims of this horrific tragedy.

Mr. MACKENZIE called up HR 175, PN 1212, entitled:

A Resolution designating the month of March 2013 as "Greek-American Heritage Month" in Pennsylvania and recognizing the constructive role Greek Americans continue to play in the economic and cultural development of our nation and this Commonwealth.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

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| NAYS–0 |

| NOT VOTING–0 |

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

GUESTS INTRODUCED

The SPEAKER. One of the resolutions that we just adopted is recognizing Greek Independence Day. Next week is the 192d anniversary of Greek Independence Day. The celebration commemorates Greece’s independence from the Ottoman Empire on March 25, 1821, and today we are pleased to have with us a group of people to mark this occasion. They are here today as the guests of the Speaker, guests of Representative Grell, and Representative Matzie. They are over here to the left of the rostrum. And here we go; I have about as much Greek pronunciation skills as I do not know what, but we will give it our best try, gentlemen. We have with us Photos Skolikas, the district Governor of the American Hellenic Educational Progressive Association in Pittsburgh; Anthony Drakos, supreme treasurer of the American Hellenic Educational Progressive Association in Pittsburgh; George Varelas, lieutenant colonel, Hellenic Army, and a member of Holy Trinity Greek Orthodox Cathedral in Camp Hill; John Harbilas, the president of parish council at Holy Trinity Greek Orthodox Cathedral in Camp Hill; and Tommy, from the Tavern on the Hill, Paparoidamis, a member of the Holy Trinity Greek Orthodox Cathedral in Camp Hill. Along with them, there are several other students who attend Holy Trinity Greek Orthodox Cathedral, their parents, and parishioners back in the back. Will all of our guests please rise. Welcome to the hall of the House.

STATEMENT BY MS. OBERLANDER

GUESTS INTRODUCED

The SPEAKER. Is the lady from Clarion County, Ms. Oberlander, seeking recognition under unanimous consent relative to one of the resolutions just adopted?

Ms. OBERLANDER. Thank you, Mr. Speaker.

I wanted to just rise and say thank you very much to the chamber for your unanimous support of HR 124 naming April 15 “Esophageal Cancer Awareness and Prevention Month.” This deadly cancer is one of the deadliest cancers, and only one in five will survive beyond 5 years.

I am honored to have with me this morning Linda Horner and her husband, Richard Horner, who are seated in the front of the House. If you would stand for just a moment, Linda and Richard, so that the body can see you. Richard is a 4 1/2-year survivor of esophageal cancer, and we are so pleased to have you here this morning. And Linda has really been the power behind getting this resolution to create that prevention and awareness.

So I thank you for being here, and I thank the body for your support of this important resolution. Thank you, Mr. Speaker.

STATEMENT BY MR. FRANKEL

The SPEAKER. The Speaker recognizes the gentleman, Mr. Frankel, under unanimous consent relative to one of the resolutions just adopted.

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise to speak briefly on HR 156, which was just passed unanimously by this chamber.

Mr. Speaker, HR 156 recognizes April 7 through April 14 as the “2013 Days of Remembrance” and April 8, 2013, as “Holocaust Remembrance Day” in Pennsylvania.

Mr. Speaker, there are certain names and numbers that we associate with the Holocaust. The numbers are unspeakable; they are horrific – 6 million Jews, perhaps half from Poland, massacred; almost 2 million more Poles who were not Jewish were murdered; uncounted millions of political dissidents, gypsies, the physically disabled, gay men and women, Jehovah’s Witnesses, and Soviet prisoners of war, murdered. And there were the names of places where these murders took place: Auschwitz, Dachau, and Treblinka.

It is hard to believe that after 60 years, research is still uncovering shocking new details about the Holocaust, but research out just this year tells of a new number, a new piece of information that quantifies the enormity of the Holocaust. That number is 42,000. Mr. Speaker, there were 42,000 different, separate locations used by the Nazis to perpetrate these atrocities. Forty-two thousand concentration camps, ghettos, transport centers made up the horrific infrastructure that executed the murders of the Holocaust. These places held the millions who died: the family in a small ghetto killed by an SS (Schutzstaffel) roving extermination squad; the railway stations with families packed in cars; and concentration camps where two, three, or four generations of families, indeed whole entire neighborhoods, were lost in a short afternoon.

Highlighting this new research is just one aspect of the positive role that the United States Holocaust Memorial Museum has played for the last 20 years. Congress established the United States Holocaust Memorial Museum as a permanent living memorial to the victims and established the Days of Remembrance as the nation’s annual commemoration of the Holocaust.

Mr. Speaker, HR 156 is modeled after the official United States Holocaust Memorial Museum draft proclamation that has been signed by dozens of Governors and passed by dozens of State legislatures across the country.

As this resolution states, I hope the people of Pennsylvania will always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution, and tyranny.

I want to thank all of my colleagues for their affirmative votes on HR 156. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman. The House will be at ease for a moment.

The House will come to order.

STATEMENT BY MR. MURT

The SPEAKER. The Speaker recognizes the gentleman from Montgomery County, Mr. Murt, under unanimous consent relative to one of the resolutions just adopted.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, I rise in gratitude for the support of the House for HR 171.

Today we join the Azerbaijani people as they commemorate the 21st anniversary of the Khojaly massacre, which was perpetrated by Armenian forces on February 26, 1992, during their Armenian-Azerbaijani war.

Not many people knew about the small town of Khojaly in the Nagorno-Karabakh region of Azerbaijan before this day. On
February 26, 1992, Armenian troops, supported by Russian infantry, did not just attack the town, but they leveled it to the ground. In the process, the Armenian forces brutally murdered 613 people and annihilated entire families, including women, children, and the elderly. Mr. Speaker, Human Rights Watch called the tragedy at the time, and I quote, the "largest massacre to date..." in the Armenian-Azerbaijani war.

Mr. Speaker, this is an important step by an international community that has too long been silent on this issue.

Thank you, Mr. Speaker.

GUESTS INTRODUCED

The SPEAKER. If I could have the members’ attention, I want to welcome and introduce a few other guests that are with us.

Located to the left of the rostrum, we would like to welcome Matthew Johnson and Mila Hayes, who are accompanying our Chaplain today, and they are here today as the guests of Representative Bradford. Welcome to the hall of the House.

Also located to the left of the rostrum, as guests of Representative Sturla and Representative Ron Miller, we would like to welcome several representatives of the National Caucus of Environmental Legislators. Mary Margaret Whipple is a board member, as well as a 15-year veteran of the Senate of Virginia. John Howe and Jane Krentz are coordinators with the organization, and both are former Senators from the State of Minnesota. Welcome to the hall of the House.

And up in the gallery, as guests of Representative Mark Keller, we would like to welcome some homeschooled students from Perry County. Will our guests please rise. Give us a wave. Welcome to the hall of the House.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. MIRANDA called up HR 165, PN 1189, entitled:

A Resolution recognizing the achievements of the late Senator Roxanne Jones and her exemplary record of service to her community and her Commonwealth.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. Miranda, from Philadelphia County.

Mr. MIRANDA. This morning I rise in appreciation of passage of HR 165.

Mr. Speaker, this morning I rise to acknowledge the honorable "call to conscience" late State Senator Roxanne Jones in relation to women's history month.

The late Roxanne Jones rose to the Capitol as a State Senator, yet she will be forever remembered as the first Black woman in the Pennsylvania Senate and a representative that never forgot the worries of those lowest on the economic toll.

She was an advocate of change for the poor of Philadelphia, and even more so for the constituency of poor women and children, our most vulnerable citizens, that once included her. That leaves no better time than Women's History Month to honor Roxanne Jones, her work, morals, and ideologies she stood for.

For many Pennsylvanians, the death of Roxanne Jones may seem a loss only for the north Philadelphia constituents she represented, yet her advocacy had a broader impact. Hers was a call to conscience, a reminder to the affluent that those who have little also deserve a fair shot in life.

The late Senator dedicated her tenure to citizens who were less fortunate and even more so to raise families out of poverty.

Her infamous words, "The best way to escape poverty is to accumulate assets," spoke truth by including labor trades in high school curriculums and developing entrepreneur tracts throughout her senatorial district.

However, Senator Jones's legislative legacy, without a doubt, is her New Directions job-training program to move welfare recipients to quality-of-life, employable positions. Thanks to this effort, according to the Philadelphia Daily News, over 500,000 Pennsylvanians have found jobs.

Unfortunately, we lost a great State Senator at a time when this very House deliberated on welfare and Medicare cuts, very much like today, as we discuss, once again, asset tests for hungry families and Medicare provisions towards our seniors. But through her work, many of us are agents of change and here to serve.

It is with great honor I introduce this resolution to honor Women's History Month in the name of the late State Senator Roxanne Jones, as well as hold an inaugural affair on Tuesday, March 26, with many great women leaders of north Philadelphia to continue the dialogue and advocacy of the late State Senator of change for those in need.

Thank you, Mr. Speaker.

On the question recurring,
Will the House adopt the resolution?

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<td>Clymer</td>
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</tbody>
</table>

YEAS–198
The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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

**HB 930, PN 1242** (Amended)  
By Rep. CLYMER

An Act amending the act of December 12, 1973 (P.L.397, No.141), known as the Professional Educator Discipline Act, making extensive substantive and editorial changes; providing for imposition of discipline on additional grounds, for imposition of discipline on founded and indicated reports, for confidentiality, for subpoenas and for disposition of fees and fines collected; and establishing the Professional Educator Discipline Account.

**EDUCATION.**

**RESOLUTION REPORTED FROM COMMITTEE**

**HR 139, PN 1243** (Amended)  
By Rep. CLYMER

A Resolution directing the Legislative Budget and Finance Committee to conduct a study of the status of special education for gifted students in this Commonwealth.

**EDUCATION.**

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. The Speaker recognizes the gentleman from Delaware County, Mr. Adolph, for the purpose of an announcement.

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

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

The SPEAKER. There will be an immediate Appropriations Committee meeting in the majority caucus room.

**HUMAN SERVICES COMMITTEE MEETING**

The SPEAKER. The Speaker recognizes the gentleman from Bucks County, Mr. DiGirolamo, for an announcement.

Mr. DIGIROLAMO. Thank you, Mr. Speaker.

There will be an immediate meeting of the Human Services Committee at the break in room G-50 to take up one bill; a Human Services Committee meeting in G-50. Thank you.

The SPEAKER. There will be an immediate meeting of the Human Services Committee at the break in room G-50.

**REPUBLICAN CAUCUS**

The SPEAKER. The Speaker recognizes the lady, Ms. Major, from Susquehanna County for a caucus announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce Republicans will caucus today at 12 noon. I would ask our Republican members to please report to our caucus at 12 o’clock. We would be prepared to come back on the floor at 2. Thank you.

**DEMOCRATIC CAUCUS**

The SPEAKER. The Speaker recognizes the gentleman from Allegheny County, Mr. Frankel, for a caucus announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will also caucus at noon; Democrats will caucus at noon. Thank you.

**TRANSPORTATION COMMITTEE MEETING**

The SPEAKER. The Speaker recognizes the gentleman from Bedford County, Mr. Hess, for an announcement.

Mr. HESS. Thank you, Mr. Speaker.

The Transportation Committee will meet immediately at the break in the Appropriations meeting room. Thank you.

**RECESS**

The SPEAKER. This House stands in recess until 2 o’clock, unless sooner recalled by the Speaker.
AFTER RECESS

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 36, PN 1244 (Amended) By Rep. ROSS

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, providing for an angel investment tax credit.

COMMERCE.

HB 87, PN 65 By Rep. ROSS

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, in officers, directors and members relating to nonprofit corporations, further providing for manner of giving notice.

COMMERCE.

HB 455, PN 1245 (Amended) By Rep. ROSS

An Act repealing the act of December 14, 1967 (P.L.746, No.345), known as the Savings Association Code of 1967, eliminating provisions for incorporation and organization, for names, for offices, for directors, officers, employees and attorneys, for members, for corporate powers, for savings operations, earnings, account insurance and reserves, for investment operations, for amendment of articles, for mergers, consolidations, conversions and reorganizations, for voluntary and involuntary dissolution and distribution of assets upon insolvency, for foreign and Federal associations, for provisions applicable to Department of Banking and Securities and for penalties and criminal provisions.

COMMERCE.

HB 927, PN 1066 By Rep. ROSS

An Act reenacting and amending the act of May 16, 2002 (P.L.315, No.46), known as the Community Services Block Grant Act, extending the expiration of the act; and making editorial changes.

COMMERCE.

HB 993, PN 1157 By Rep. DiGIROLAMO

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, changing the name of the Department of Public Welfare to the Department of Human Services; and providing for a transition period.

HUMAN SERVICES.

HB 1022, PN 1215 By Rep. HESS

An Act designating a portion of State Route 23 in West Hempfield Township, Lancaster County, as the SFC Brent Adams Memorial Road.

TRANSPORTATION.

BILLS REREPORTED FROM COMMITTEE

HB 40, PN 538 By Rep. ADOLPH

An Act amending the act of May 26, 1947 (P.L.318, No.140), known as the CPA Law, further providing for certificate requirements, for equivalency practice for individuals and for equivalency practice for firms and entities.

APPROPRIATIONS.

HB 90, PN 1221 By Rep. ADOLPH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for administrative subpoena; and further providing for civil action.

APPROPRIATIONS.

HB 252, PN 1128 By Rep. ADOLPH

An Act establishing the Pennsylvania Long-term Care Council; providing for its powers and duties; and repealing related provisions of the Public Welfare Code.

APPROPRIATIONS.

HB 325, PN 1129 By Rep. ADOLPH

An Act amending the act of December 22, 1983 (P.L.327, No.85), known as the Auctioneer Licensing and Trading Assistant Registration Act, further providing for the title of the act, for definitions, for auctioneer and apprentice auctioneer licenses, for status of existing licensees and for applications for initial and renewal licenses; providing for registration of trading assistants and trading assistant companies; further providing for special licensees to furnish bond and for authority to transact business not transferable; repealing provisions relating to auction house license, auction company license, trading assistant registration and nonresident licensees; further providing for reciprocity with other states; repealing provisions relating to licensee and registrant to furnish bond; and further providing for no other license or registration required, for list of licensees and registrants, for records of sales, for contracts for conduct of transaction, for display of licenses, for investigations and enforcement actions, for escrow account, for hearing on charges, for administration and enforcement, for revocation or suspension of license or registration, for issuance of new license or registration pending investigation and decision, for issuance of new license or registration after revocation, for penalties and for actions by unlicensed persons prohibited.

APPROPRIATIONS.

HB 374, PN 386 By Rep. ADOLPH

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal police education and training, further defining "police department" and "police officer"; and further providing for reimbursement of expenses and for payment of certain county costs.

APPROPRIATIONS.

HB 488, PN 1131 By Rep. ADOLPH

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in corporate powers, further providing for appropriations for hospitals and for tourist promotion agencies.

APPROPRIATIONS.
HB 571, PN 633
By Rep. ADOLPH

An Act designating the bridge carrying State Route 45, crossing the Little Juniata River in Spruce Creek Township, Huntingdon County, as the SFC Sidney N. Hamer Memorial Bridge.

APPROPRIATIONS.

HB 602, PN 1222
By Rep. ADOLPH

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for definitions and for prohibited acts and penalties; and providing for ephedrine and pseudoephedrine and electronic tracking.

APPROPRIATIONS.

SB 66, PN 197
By Rep. ADOLPH

An Act amending the act of June 27, 1996 (P.L.403, No.58), known as the Community and Economic Development Enhancement Act, codifying the State Tax Equalization Board into the act; further providing for creation of board, for membership, for general powers and duties and for common level ratio; providing for publication of information by board funding contingency; and making a related repeal.

APPROPRIATIONS.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence of the gentleman from Clearfield County, Mr. Gabler, on the floor of the House. His name will be added back to the master roll call.

The House will come to order.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 252, PN 1128, entitled:

An Act establishing the Pennsylvania Long-term Care Council; providing for its powers and duties; and repealing related provisions of the Public Welfare Code.

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.

<table>
<thead>
<tr>
<th>YEAS</th>
<th>199</th>
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<tr>
<td>Adolph</td>
<td>English</td>
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<td>Aument</td>
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<td>DiGirolamo</td>
<td>Keller, F.</td>
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<td>Keller, M.K.</td>
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<td>Keller, W.</td>
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<tr>
<td>Ellis</td>
<td>Killion</td>
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<tr>
<td>Emrick</td>
<td>Kim</td>
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| NAYS | 0 |
| NOT VOTING | 0 |
| EXCUSED | 2 |
| Cruz | Miccarelli |

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.

* * *
BILL PASSED OVER TEMPORARILY

The SPEAKER. HB 602 is over temporarily.

* * *

The House proceeded to third consideration of HB 374, PN 386, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal police education and training, further defining "police department" and "police officer"; and further providing for reimbursement of expenses and for payment of certain county costs.

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–199 |
|-----------------|-----------------|-----------------|
| Adolph          | English         | Petri           |
| Aument          | Evankovich      | Kirkland        |
| Baker           | Evans           | Pickett         |
| Barbin          | Everett         | Kortz           |
| Barrar          | Fabrizio        | Kotik           |
| Benninghoff     | Farina          | Krieger         |
| Bishop          | Farry           | Kula            |
| Bizzarro        | Fee             | Lawrence        |
| Bloom           | Fleck           | Longietti       |
| Boback          | Flynn           | Lucas           |
| Boyle, B.       | Frankel         | Mackenzie       |
| Boyle, K.       | Freeman         | Mahler          |
| Bradford        | Gabler          | Mahoney         |
| Briggs          | Gainey          | Major           |
| Brooks          | Galloway        | Maloney         |
| Brown, R.       | Gergely         | Markosek        |
| Brown, V.       | Gibbons         | Marshall        |
| Brownlee        | Gillen          | Marsico         |
| Burns           | Gillespie       | Masser          |
| Caltagirone     | Gingrich        | Matzie          |
| Carroll         | Godshall        | McCarter        |
| Causer          | Goodman         | McGeehan        |
| Christiana      | Greiner          | McGinnis        |
| Clay            | Grell           | McNeill         |
| Clymer          | Grove           | Mentzer         |
| Cohen           | Hackett         | Metcalfe        |
| Conklin         | Haggerty        | Metzgar         |
| Corbin          | Hahn            | Miccuzie        |
| Costa, D.       | Haluska         | Millard         |
| Costa, P.       | Hanna           | Miller          |
| Cox             | Harhai          | Milne           |
| Culver          | Harhart         | Mirabito        |
| Cutler          | Harkins         | Miranda         |
| Daley, M.       | Harper          | Molchay         |
| Daley, P.       | Harris, A.      | Moul            |
| Davidson        | Harris, J.      | Mallery         |
| Davis           | Heffley         | Mundy           |
| Day             | Helm            | Murt            |
| Dean            | Hennessey       | Mustio          |
| Deasy           | Hess            | Neilson         |

NAYS–0
NOT VOTING–0
EXCUSED–0

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 488, PN 1131, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in corporate powers, further providing for appropriations for hospitals and for tourist promotion agencies.

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?
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|-----------------|-----------------|-----------------|
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| Aument          | Evankovich      | Kirkland        |
| Baker           | Evans           | Pickett         |
| Barbin          | Everett         | Kortz           |
| Barrar          | Fabrizio        | Kotik           |
| Benninghoff     | Farina          | Krieger         |
| Bishop          | Farry           | Kula            |
| Bizzarro        | Fee             | Lawrence        |
| Bloom           | Fleck           | Longietti       |
| Boback          | Flynn           | Lucas           |
| Boyle, B.       | Frankel         | Mackenzie       |
| Boyle, K.       | Freeman         | Mahler          |
| Bradford        | Gabler          | Mahoney         |
| Briggs          | Gainey          | Major           |
| Brooks          | Galloway        | Maloney         |
| Brown, R.       | Gergely         | Markosek        |
| Brown, V.       | Gibbons         | Marshall        |

NAYS–0
NOT VOTING–0
EXCUSED–0

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.
<table>
<thead>
<tr>
<th>NAYS–0</th>
<th>NOT VOTING–0</th>
<th>EXCUSED–2</th>
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<tbody>
<tr>
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<tr>
<td>Cruz</td>
<td>Miccarelli</td>
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</tbody>
</table>

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 40, PN 538, entitled:

An Act amending the act of May 26, 1947 (P.L.318, No.140), known as the CPA Law, further providing for certificate requirements, for equivalency practice for individuals and for equivalency practice for firms and entities.

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.

<table>
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<tr>
<th>NAYS–0</th>
<th>NOT VOTING–0</th>
<th>EXCUSED–2</th>
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<tr>
<td>Cruz</td>
<td>Miccarelli</td>
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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.

* * *
On the question,
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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.
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Agreeable to the provisions of the Constitution, the yeas and
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The following roll call was recorded:

YEAS–199

Adolph English Kinsey Petri
Aument Evankovich Kirkland Pickett
Baker Evans Knowles Pyle
Barbin Everett Kortz Quinn
Barrar Fabrizio Kotik Rapp
Benninghoff Farina Krieger Ravenstahl
Bishop Farry Kula Readshaw
Bizzarro Fee Lawrence Reed
Boback Flynn Lucas Regan
Boyle, B. Frankel Mackenzie Roe
Boyle, K. Freeman Maher Rock
Bradford Gabler Mahoney Roebuck
Briggs Gainey Major Ross
Brooks Galloway Maloney Rozzi
Brown, R. Gergely Markosek Sabatina
Brown, V. Gibbons Marshall Saccone
Brownlee Gillen Marsico Sainato
Bums Gillespie Masser Samuelson
Caltagirone Gingrich Matzie Sankey
Carroll Godshall McCarter Santarsiero
Causar Goodman McGeehan Saylor
Christiania Greiner McGinnis Scavello
Clay Grell McNeill Schlossberg
Clymer Grove Mentzer Simmons
Cohen Hackett Metcalfe Sims
Conklin Haggerty Metzgar Smith
Corbin Hahn Miccozie Snyder
Costa, D. Haluska Millard Sonney
Costa, P. Hanna Miller Stephens
Cox Harhai Milne Stern
Culver Harhart Mirabito Stevenson
Cutler Harkins Miranda Sturla
Daley, M. Harper Molchany Swanger
Daley, P. Harris, A. Moul Tallman
Davidson Harris, J. Mullery Taylor
Davis Heffley Mundy Thomas
Day Helm Murt Tobash
Dean Hennessey Mustio Toepel
Deasy Hess Neilson Toohil
DeLisio Hickernell Neuman Truit
DeLozier James O'Brien Turzai
DeLuca Kampf O'Neil Vereb
Denlinger Kauffman Oberlander Vitali
Dermody Kavulich Painter Waters
DiGiroFamily Keller, F. Parker Watson
Donatucci Keller, M.K. Pasinski Wheatley
Dunbar Keller, W. Payne White
Ellis Killion Peifer Youngblood
Emrick Kim Petrarca

NAYS–0

NOT VOTING–0

EXCUSED–0

Cruz Miccarelli

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 571,
PN 633, entitled:

An Act designating the bridge carrying State Route 45, crossing
the Little Juniata River in Spruce Creek Township, Huntingdon
County, as the SFC Sidney N. Hamer Memorial Bridge.

On the question,
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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–199

Adolph English Kinsey Petri
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Baker Evans Knowles Pyle
Barbin Everett Kortz Quinn
Barrar Fabrizio Kotik Rapp
Benninghoff Farina Krieger Ravenstahl
Bishop Farry Kula Readshaw
Bizzarro Fee Lawrence Reed
Boback Flynn Lucas Regan
Boyle, B. Frankel Mackenzie Roe
Boyle, K. Freeman Maher Rock
Bradford Gabler Mahoney Roebuck
Briggs Gainey Major Ross
Brooks Galloway Maloney Rozzi
Brown, R. Gergely Markosek Sabatina
Brown, V. Gibbons Marshall Saccone
Brownlee Gillen Marsico Sainato
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Clymer Grove Mentzer Simmons
Cohen Hackett Metcalfe Sims
Conklin Haggerty Metzgar Smith
Corbin Hahn Miccozie Snyder
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Costa, P. Hanna Miller Stephens
Cox Harhai Milne Stern
Culver Harhart Mirabito Stevenson
Cutler Harkins Miranda Sturla
Daley, M. Harper Molchany Swanger
Daley, P. Harris, A. Moul Tallman
Davidson Harris, J. Mullery Taylor
Davis Heffley Mundy Thomas
Day Helm Murt Tobash
Dean Hennessey Mustio Toepel
Deasy Hess Neilson Toohil
DeLisio Hickernell Neuman Truit
DeLozier James O'Brien Turzai
DeLuca Kampf O'Neil Vereb
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Dermody Kavulich Painter Waters
DiGiroFamily Keller, F. Parker Watson
Donatucci Keller, M.K. Pasinski Wheatley
Dunbar Keller, W. Payne White
Ellis Killion Peifer Youngblood
Emrick Kim Petrarca

NAYS–0

NOT VOTING–0

EXCUSED–0

Cruz Miccarelli

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.

* * *
Ordered, That the clerk present the same to the Senate for concurrence.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

The House will come to order.

The Speaker. The House will be at ease for a minute.

The House will come to order.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of HB 790, PN 1207, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions and for interpretation; in the Pennsylvania Liquor Control Board, further providing for general powers, providing for fee adjustment by regulation and further providing for subject of regulations and for wine and spirits marketing; in Pennsylvania Liquor Stores, further providing for establishment and for sales; providing for wine and spirits distribution; in licensing, providing for issuance of wine and spirits retail licenses, fees, taxes, for postqualification of selected applicants and for wine and spirits retail licensee statement of conditions, further providing for authority, for issuance, for transfer or extension, for fees, for sales and restrictions, for wine auction permits and for importers’ licenses; in licensing, providing for grocery store licenses, convenience store licenses; in licensing, further providing for malt and brewed beverages licenses; and further providing for distributor package reform permit, providing for authority to issue liquor licenses to grocery stores, for applications for grocery store retail license, for issuance or transfer of grocery store liquor licenses; providing for sales by liquor licensees and restrictions; further providing for sales by grocery store retail licensees and restrictions; in licensing, providing for enhanced distributors licenses; in licensing, further providing for license applications, for license restrictions, for sales, storage and purchase restrictions, for interlocking business, for breweries, for county limitations, for administrative proceedings, for assignability, for renewal and temporary provisions, for sanctions, for local option, for responsible alcohol management, for unlawful acts and for hours of operation; in licensing, providing for unlawful acts and for hours of operation; in licensing, providing for unlawful acts; in licensing, providing for sales by grocery store retail licensees and restrictions; in licensing, further providing for penalties and for vacation of premises; in distilleries, wineries, bonded warehouses, baiiles and transporters, further providing for limited wineries, for distilleries and for license fees; providing for emergency State tax; and making a related repeal.

On the question,

Will the House agree to the bill on second consideration?

Mr. TAYLOR offered the following amendment No. A00546:

Amend Bill, page 2, line 46, by inserting after “ACTS” and for licensees and taxes

Amend Bill, page 2, lines 50 and 51, by striking out “;”;

PROVIDING FOR EMERGENCY STATE TAX; AND MAKING A RELATED REPEAL” and inserting

and providing for supplemental provisions

Amend Bill, page 7, line 20, by inserting after “to ” the board until all retail licenses have been issued in accordance with Article III-A and to

Amend Bill, page 11, line 2, by inserting after “(e)”

(1)

Amend Bill, page 11, by inserting between lines 5 and 6

(2) The department shall not relocate a Pennsylvania Liquor Store after the effective date of this paragraph.

Amend Bill, page 14, line 14, by inserting a bracket before “SUPERVISORY”

Amend Bill, page 14, line 14, by inserting a bracket after “OTHER”

Amend Bill, page 18, line 18, by inserting a bracket before “Every”

Amend Bill, page 18, line 18, by inserting after “Every” ] Until the wholesale divestiture process as provided in Article III-A is complete, every

Amend Bill, page 22, line 7, by inserting after “wine” and spirits

Amend Bill, page 23, line 4, by inserting after “wine” and spirits

Amend Bill, page 24, line 6, by inserting after “BOARD” where it occurs the second time

, in consultation with the department.

Amend Bill, page 24, lines 10 through 15, by striking out “THE DEPARTMENT” in line 10 and all of lines 11 through 15 and inserting

The department shall contract with financial, legal and other advisors as are necessary to assist the department and the board in effectuating the addition of this article. Such contracts shall not be subject to the provisions of 62 Pa.C.S. Ch. 5 (relating to source selection and contract formation).
Amend Bill, page 24, line 20, by striking out "SIX" and inserting

As the State liquor stores wind down operations, six
Amend Bill, page 24, lines 22 and 23, by striking out all of line 22 and "THE" in line 23 and inserting

which shall be allocated by county. The additional
Amend Bill, page 25, line 5, by striking out "REGION" and inserting

county
Amend Bill, page 25, line 16, by inserting after "section," in consultation with its advisors and the board.
Amend Bill, page 25, line 30, by striking out "consultant" and inserting

advisors
Amend Bill, page 26, line 8, by striking out "consultant" and inserting

advisors
Amend Bill, page 54, line 26, by inserting after "MAY,
authorize the board to
Amend Bill, page 55, line 14, by inserting after "BOARD,"
in consultation with the department and its advisors.
Amend Bill, page 59, lines 10 through 21, by striking out all of said lines
Amend Bill, page 68, line 11, by striking out "TEMPORARY"
Amend Bill, page 71, lines 3 and 4, by striking out "in the Pennsylvania Bulletin and"
Amend Bill, page 79, line 27, by striking out "department" and inserting

board
Amend Bill, page 79, line 29, by striking out "department" and inserting

board
Amend Bill, page 80, line 2, by striking out "department" and inserting

board
Amend Bill, page 80, line 7, by striking out "department" and inserting

board
Amend Bill, page 80, line 16, by striking out "department" and inserting

board
Amend Bill, page 80, line 22, by striking out "department's" and inserting

board’s
Amend Bill, page 80, line 23, by striking out "department" and inserting

board
Amend Bill, page 84, line 26, by inserting after "under,"
Article II of
Amend Bill, page 87, line 8, by inserting after "department,"
in consultation with the board.
Amend Bill, page 90, lines 19 and 20, by striking out "and except as provided under subsection (I)"
Amend Bill, page 90, line 30; page 91, lines 1 through 16, by striking out all of said lines on said pages
Amend Bill, page 91, line 19, by striking out "and the retail divestiture strategy committee"
Amend Bill, page 92, lines 11 through 15, by striking out all of said lines and inserting

(3) The department shall contract with advisors necessary to assist the department and the board in administering the duties under paragraph (2). The contracts shall not be subject to the provisions of 62 Pa.C.S. Ch. 5 (relating to source selection and contract formation).
Amend Bill, page 93, by inserting between lines 11 and 12

(3) The three additional points awarded under paragraph (1) shall be in addition to any points that shall be afforded to a veteran meeting the requirements of 51 Pa.C.S. § 7103 (relating to additional points in grading civil service examinations).

Amend Bill, page 93, line 22, by inserting after "authority" over nonveteran candidates.
Amend Bill, page 94, line 24, by striking out "agency" and inserting

Pennsylvania Higher Education Assistance Agency
Amend Bill, page 94, line 28, by striking out "agency's" and inserting

Pennsylvania Higher Education Assistance Agency's
Amend Bill, page 97, line 9, by striking out "effects" and inserting

impact
Amend Bill, page 97, lines 11 through 14, by striking out "i;" in line 11, all of lines 12 and 13 and "(2)" in line 14
Amend Bill, page 101, line 20, by inserting after "account"
which is hereby established
Amend Bill, page 101, line 21, by inserting after "Fund,"
Funds in the restricted account shall be used for programs
under Subarticle D and any other use specified by statute.
Amend Bill, page 104, line 5, by striking out "LIQUOR STORE" and inserting

liquor wholesale licensee
Amend Bill, page 119, by inserting between lines 2 and 3
(n) (1) Grocery store licensees selling wine for off-premises consumption shall be required to obtain a sales tax license from the Department of Revenue.
(2) A grocery store licensee selling wine for off-premises consumption shall be considered a Pennsylvania Liquor Store for purposes of collecting and remitting taxes under Article II of the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971." A grocery store licensee selling wine for off-premises consumption may not be required to pay the sales tax when making wholesale purchases but shall collect the tax at retail.
Amend Bill, page 143, line 12, by inserting after "GROWLER" filled with malt or brewed beverages
Amend Bill, page 225, line 11, by striking out "a section" and inserting

sections
Amend Bill, page 225, by inserting between lines 21 and 22 Section 493.3. Licensees and Taxes.—Notwithstanding any other provision of this act or the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971," the following shall apply:

(1) The sale of malt and brewed beverages and wine and spirits by an entity licensed under this act, including the sale of malt and brewed beverages and wine and spirits from the areas of a licensee's premises utilized under a retail license for consumption on the premises, shall be considered a sale by a retail dispenser under section 201 of the "Tax Reform Code of 1971."

(2) The sale of malt and brewed beverages and wine and spirits to an entity described in paragraph (1) for the purpose of sales from the areas of a licensee's premises utilized under a retail license for consumption on the premises shall be considered a sale to a retail dispenser subject to the tax imposed under Article II of the "Tax Reform Code of 1971."

(3) Except for sales under paragraphs (1) and (2), any other sale of malt and brewed beverages shall be considered a sale by a distributor, and any other sale of wine or spirits shall be considered a sale of liquor by a Pennsylvania Liquor Store under section 201 of the "Tax Reform Code of 1971."

Amend Bill, page 242, lines 3 through 30; page 243, lines 1 through 30; page 244, lines 1 and 2, by striking out all of said lines on said pages and inserting

SUPPLEMENTAL PROVISIONS

Section 801-A. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

On liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board.”

Section 802-A. Controlling provisions.

For the purpose of the emergency act, the following shall apply:

1. The term “board” in the emergency act shall include:
   i. The board only to the extent the board is making sales:
      A. to the general public; or
      B. of liquor sold for on-premises consumption to licensees holding a license permitting on-premises consumption of liquor.
   ii. A wine or spirits retail licensee.
   iii. A wine or spirits wholesale licensee only to the extent the wholesale licensee makes sales of liquor sold for on-premises consumption to licensees holding a license permitting on-premises consumption of liquor.
   iv. A grocery store licensee only to the extent that the sales of liquor are not sold under a license authorizing the on-premises consumption of liquor.
   v. Any entity selling liquor to another entity that is not required to pay the tax imposed by the emergency act.

2. The term “net price” shall mean total receipts received from the sale of liquor without any deductions for cost or expenses, including, but not limited to:
   i. Any reimbursement from manufacturers, purveyors or other parties.
   ii. In the case of a bundled sale which includes liquor, the term includes the entire purchase price charged for the bundled sale, unless a fair market price for the liquor is separately stated on the sales document given to the purchaser, then the term shall only include the price charged for the liquor.

3. The tax imposed by the emergency act shall be included in any advertised price, shelf price or any other price for a container of liquor and shall not be listed as an itemized tax on any sales receipt for the sale of liquor.

4. The emergency act shall be administered and enforced under the provisions of Article II of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, including the provisions of Article II concerning returns, payment, assessment and enforcement where applicable, except that the exclusions and exemptions under Article II of the Tax Reform Code of 1971 shall not apply to the emergency act, except for the resale exemption, provided that exemption shall not be claimed for liquor purchased for on-premises consumption.

5. The term “fiscal month” shall mean “calendar month.”

Amend Bill, page 244, lines 3 through 13, by striking out all of said lines
Amend Bill, page 244, line 14, by striking out “45” and inserting 44
Amend Bill, page 244, by inserting between lines 19 and 20
(3) The amendment or addition of sections 207, 215 and 301 of the act shall take effect upon completion of divestiture of retail sale operations under Subarticle B of Article III-A of the act.

(4) The amendment or addition of section 208 of the act shall take effect upon completion of divestiture of wholesale operation under Subarticle C of Article III-A of the act.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Taylor.
Mr. TAYLOR. Thank you, Mr. Speaker.
Amendment 546, believe it or not, to start off the debate, is technical language which makes a lot of language uniform throughout the bill.

Also, it makes sure that the State Police can rotate through the liquor enforcement bureau and play an additional role for enforcement throughout this.

It also deals with the Revenue Department in making sure that if there is divestiture, when it occurs, that the Revenue Department will be able to collect our 18-percent tax.

I ask for your support of this amendment.

The SPEAKER. The question is, will the House agree to the amendment?

On the question, the Speaker recognizes the gentleman from Allegheny County, Mr. Dermody.
Mr. DERMOY. Thank you, Mr. Speaker.
Mr. Speaker, this amendment is obviously an amendment to what we think was a very bad bill. We are still losing money even with what happens with this amendment and the changes it makes, and I would ask all the Democratic members to vote "no," please.

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

The following roll call was recorded:

YEAS–110

Adolph, Fleck, Lucas, Rapp
Aument, Gabler, Mackenzie, Reed
Baker, Gillen, Mather, Reese
Barber, Gillespie, Major, Regan
Benninghoff, Gingrich, Maloney, Roae
Bloom, Godshall, Marshall, Rock
Bobby, Greiner, Marsico, Ross
Brooks, Grell, Masser, Sacco
Brown, R., Grove, McGinnis, Sankey
Causer, Hackett, Mentzer, Saylor
Christian, Hahn, Metcalfe, Scavello
Clymer, Harhart, Metzgar, Simmons
Corbin, Harper, Micozzi, Smith
Cox, Harris, A., Millard, Sonney
Culver, Heffley, Miller, Stephens
Cutler, Helm, Milhe, Stern
Day, Hennessey, Moul, Stevenson
DeLozier, Hess, Murt, Swanger
Dellinger, Hickernell, Mustio, Tallman
DeGiocondo, James, O'Neill, Taylor
Dunbar, Kampf, Oberlander, Tobash
Ellis, Kaufman, Payne, Toepel
Emrick, Keller, F., Peifer, Toohil
English, Keller, M.K., Petri, Truitt
Evankovich, Killion, Pickett, Turzai
Everett, Knowles, Pyle, Vereb
Farr, Krieger, Quinn, Watson
Fee, Lawrence

Noes–44

Bloom, Godshall, Marshall, Rock
Baker, Gabler, Hagenhauer, Haindl
Barrar, Gillespie, Major, Regan
Benninghoff, Gingrich, Maloney, Roae
Bloom, Godshall, Marshall, Rock
Bobby, Greiner, Marsico, Ross
Brooks, Grell, Masser, Sacco
Brown, R., Grove, McGinnis, Sankey
Causer, Hackett, Mentzer, Saylor
Christian, Hahn, Metcalfe, Scavello
Clymer, Harhart, Metzgar, Simmons
Corbin, Harper, Micozzi, Smith
Cox, Harris, A., Millard, Sonney
Culver, Heffley, Miller, Stephens
Cutler, Helm, Milhe, Stern
Day, Hennessey, Moul, Stevenson
DeLozier, Hess, Murt, Swanger
Dellinger, Hickernell, Mustio, Tallman
DeGiocondo, James, O'Neill, Taylor
Dunbar, Kampf, Oberlander, Tobash
Ellis, Kaufman, Payne, Toepel
Emrick, Keller, F., Peifer, Toohil
English, Keller, M.K., Petri, Truitt
Evankovich, Killion, Pickett, Turzai
Everett, Knowles, Pyle, Vereb
Farr, Krieger, Quinn, Watson
Fee, Lawrence
The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

Mr. TAYLOR. Thanks, Mr. Speaker.

This amendment just is a safety precaution for those grocery stores that have self-checkout to prevent any possibility of someone under 21 purchasing wine and/or – or at least wine through a grocery store without any supervision.

So I ask for your support of this amendment.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Paul Costa.

Mr. P. COSTA. Thank you, Mr. Speaker.

While the intent of the amendment is good, the problem is it only addresses wine. It does not mention anything about beer or spirits. So I am going to oppose this amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS–110

Adolph Fleck Lucas Rapp
Aument Gabler Mackenzie Reed
Baker Gillen Maher Reese
Barrar Gillespie Major Regan
Benninghoff Gingrich Maloney Saconce
Bloom Godshall Marshall Rock
Boback Greiner Marsico Ross
Brooks Grell Masser Sankey
Brown, R. Grove McGinnis Saylor
Causer Hackett Mentzer Seneca
Christiana Hahn Metcalfe Scavello
Clymer Harhart Metzgar Simmons
Corbin Harper Micozzie Smith
Cox Harris, A. Millard Sonney
Culver Heffley Miller Stephens
Cutler Helm Milne Stern
Day Hennessey Moul Stevenson Swanger
Delozier Hess Murt Swinger
Denlinger Hickernell Mustio Tallman
DiGirolamo James O'Neil Taylor
Dubar Kampf Oberlander Tobash
Ellis Kauffman Payne Toepel
Emrick Keller, F. Peifer Toohil
English Keller, M.K. Petri Truitt
Evankovich Killion Pickett Twu
Everett Knowles Pyle Vereb
Farry Krieger Quinn Watson
Fey Lawrence

NAYS–89

Barbin DeLissio Keller, W. Painter
Bishop DeLuca Kim Parker
Bizzarro Dermody Kinsey Pashinski
Boyle, B. Donatucci Kirkland Petracca
Boyle, K. Evans Kotik Ravenstahl
Bradford Fabrizio Kotik Readshaw
Briggs Farina Kula Roebuck
Brown, V. Flynn Longietti Rozzi
Brownlee Frankel Mahoney Sabatina
Burns Freeman Markosek Sainato
Caltagirone Gainey Matzie Samuelson
Carroll Galloway McCarter Santarsiero
Clay Gergely McGeehan Schlossberg
Cohen Gibbons McNeill Sims
Conklin Goodman Mirabito Snyder
Costa, D. Haggerty Miranda Sturla
Costa, P. Haluska Molchany Sturla

Mr. TAYLOR. Thanks, Mr. Speaker.

This amendment just is a safety precaution for those grocery stores that have self-checkout to prevent any possibility of someone under 21 purchasing wine and/or – or at least wine through a grocery store without any supervision.

So I ask for your support of this amendment.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Paul Costa.

Mr. P. COSTA. Thank you, Mr. Speaker.

While the intent of the amendment is good, the problem is it only addresses wine. It does not mention anything about beer or spirits. So I am going to oppose this amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS–110

Adolph Fleck Lucas Rapp
Aument Gabler Mackenzie Reed
Baker Gillen Maher Reese
Barrar Gillespie Major Regan
Benninghoff Gingrich Maloney Saconce
Bloom Godshall Marshall Rock
Boback Greiner Marsico Ross
Brooks Grell Masser Sankey
Brown, R. Grove McGinnis Saylor
Causer Hackett Mentzer Seneca
Christiana Hahn Metcalfe Scavello
Clymer Harhart Metzgar Simmons
Corbin Harper Micozzie Smith
Cox Harris, A. Millard Sonney
Culver Heffley Miller Stephens
Cutler Helm Milne Stern
Day Hennessey Moul Stevenson Swanger
Delozier Hess Murt Swinger
Denlinger Hickernell Mustio Tallman
DiGirolamo James O'Neil Taylor
Dubar Kampf Oberlander Tobash
Ellis Kauffman Payne Toepel
Emrick Keller, F. Peifer Toohil
English Keller, M.K. Petri Truitt
Evankovich Killion Pickett Twu
Everett Knowles Pyle Vereb
Farry Krieger Quinn Watson
Fey Lawrence

NAYS–89

Barbin DeLissio Keller, W. Painter
Bishop DeLuca Kim Parker
Bizzarro Dermody Kinsey Pashinski
Boyle, B. Donatucci Kirkland Petracca
Boyle, K. Evans Kotik Ravenstahl
Bradford Fabrizio Kotik Readshaw
Briggs Farina Kula Roebuck
Brown, V. Flynn Longietti Rozzi
Brownlee Frankel Mahoney Sabatina
Burns Freeman Markosek Sainato
Caltagirone Gainey Matzie Samuelson
Carroll Galloway McCarter Santarsiero
Clay Gergely McGeehan Schlossberg
Cohen Gibbons McNeill Sims
Conklin Goodman Mirabito Snyder
Costa, D. Haggerty Miranda Sturla
Costa, P. Haluska Molchany Thomas
The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

Mr. EVERETT offered the following amendment No. A00535:

Amend Bill, page 56, line 19, by striking out "OR"
Amend Bill, page 56, line 23, by striking out the period after "PREMISES" and inserting;

(3) an importing distributor license under section 431 that authorizes the licensee to sell malt or brewed beverages at wholesale so long as the importing distributor does not obtain a wine and spirits wholesale license.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Lycoming County, Mr. Everett.

Mr. EVERETT. Thank you, Mr. Speaker.

The purpose of this amendment is to allow distributors who are listed as IDs, or importing distributors, to also get a wine and spirits license to sell retail wine and spirits so long as they do not get a wholesale wine and spirits license.

I have a distributor in my district who is a wholesaler but also has a big retail operation, and the law as it is, the bill as it is now would not allow that ID distributor to get a retail wine and spirits license, and this will fix that problem.

Thank you, Mr. Speaker.

The SPEAKER. On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Paul Costa.

Mr. P. COSTA. Thank you, Mr. Speaker.

Again, although the intent might be good, it is my opinion that if this bill does not put the local beer distributors out of business, this amendment absolutely will, so I would ask our members to vote "no," please.

The SPEAKER. On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Taylor.

Mr. TAYLOR. Mr. Speaker, in many parts of the Commonwealth, the IDs also operate as a D (distributor). This just gives them a chance to partake in this program like everyone else.

I think it is a positive amendment, and I would ask for your support.

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

The following roll call was recorded.

YEAS—109

Adolph Fleck Lawrence Rapp
Aument Gabler Lucas Reed
Baker Gillen Mackenzie Reese
Barrar Gillespie Mahler Regan
Benninghoff Gingrich Major Roea
Bloom Goddall Maloney Rock
Bobbac Greiner Marshall Ross
Brooks Grell Marsico Saconne
Brown, R. Grove Maser Sankey
Caucer Hackett McGinnis Saylor
Christian Hahn Mentzer Scavello
Clymer Harhart Metcalfi Simmons
Conor Harpo Microozie Smith
Cox Harris, A. Millard Sonney
Culver Healley Miller Stephens
Cutler Helm Milne Tern
Day Hennessey Moul Stevenson
Delozier Hess Mur Swanger
Denlinger Hickernell Mustio Tallman
DiGirolamo James O'Neil Taylor
Dunbar Kampf Oberlander Tobash
Ellis Kaufman Payne Toepel
Emrick Keller, F. Peifer Tootill
English Keller, M.K. Petri Truit
Evanovich Killion Pickett Turzai
Everett Knowles Pyle Vereb
Farra Krieger Quinn Watson

NAYS—90

Barbin DeLissio Kim Painter
Bishop DeLuca Kinsey Parker
Bizzarro Dromody Kirkland Pashinski
Boyle, B. Donatucci Kortz Petrarca
Boyle, K. Evans Kotik Ravenstahl
Bradford Fabricio Kula Readshaw
Briggs Farina Longietti Roofbuck
Brown, V. Flynn Mahoney Rozzi
Brownlee Frankel Markose Sabatina
Burns Freeman Matzie Sainato
Caltagione Gainey McCarter Samuelson
Carroll Galloway McGeath Santarsiero
Clay Gergely McNeill Schlossberg
Cohen Gibbons Metzgar Sims
Conklin Goodman Mirabito Snyder
Costa, D. Haggerty Miranda Sturla
Costa, P. Haluska Molchany Thomas
Daley, M. Hanna Mullery Vitali
Daley, P. Harhai Mundy Waters
Davidson Harkins Neilson Wheatley
Davis Harris, J. Neuman White
Dean Kavulich O'Brien Youngblood
Deasy Keller, W.

NOT VOTING—0

Cruz Miccarelli
NOT VOTING—0
Cruz   Miccarelli

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

FILMING PERMISSION

The SPEAKER. The Speaker is granting media access to the House floor to Scott Wilson of WGAL for videotaping with audio for approximately 10 minutes.

CONSIDERATION OF HB 790 CONTINUED

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

Mr. MARSHALL offered the following amendment No. A00530:

Amend Bill, page 115, lines 18 and 19, by striking out all of said lines and inserting
(b) Grocery store retail licensees may sell no more than twelve bottles of wine in a single sale for consumption off the licensed premises.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Beaver County, Mr. Marshall.

Mr. MARSHALL. Thank you, Mr. Speaker.

This amendment limits the amount of wine sold at a "G" license to a case, which is 12 bottles or less. Thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Paul Costa.

Mr. P. COSTA. Thank you, Mr. Speaker.

I hate to be the opposer of all this stuff, but the problem I have with this one – and again, I commend the gentleman for trying to amend the bill the way it is, but what the bill does today is it creates a whole new brand of grocery store licenses, which devalues everybody else's license in our State today, and I cannot be for that. So again, I am asking our members to vote "no," please.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Taylor.

Mr. TAYLOR. Mr. Speaker, the Marshall amendment is an attempt to bring a little more balance to the whole industry and limit the amount of wine in a grocery store license. We have limits on our licenses for wine as well. This is just a way to try to bring some balance, and I would support the amendment.

The following roll call was recorded:

YEAS–108

Adolph   Fleck   Lawrence   Quinn
Aument   Gabler   Lucas   Rapp
Baker    Gillen    Mackenzie   Reese
Barrar   Gillespie   Maler   Roae
Benninghoff   Gingrich   Major   Regan
Bloom    Godshall   Maloney   Rock
Boback   Greiner    Marshall   Ross
Brooks   Grel    Marsico   Sacone
Brown, R.   Grove    Masser   Sankey
Causer   Hackett   McGinnis   Saylor
Christiania   Hahn    Metzger   Simmons
Clymer   Harhart    Metcalfe   Scavello
Corbin   Harper    Metzgar   Taylor
Cox    Harris, A.    Micozzi   Sonney
Culver   Heffley    Millard   Stephens
Cutler   Helm   Miller   Stern
Day    Hennessey   Milne   Tuccai
Delozier   Hess    Moul    Stevenson
Denlinger   Hickernell   Murt    Swanger
Dunbar   James    Mustio   Tallman
Ellis    Kampf    O'Neill   Taylor
Emrick   Kauffman   Oberlander   Tohng
English   Keller, F.    Payne   Topel
Evanovich    Keller, M.K.    Peifer   Toohil
Everett   Killion    Perri    Turzai
Farry   Knowles    Pickett   Vereb
Fay   Krieger    Pyle    Watson

NAYS–91

Barbin   DeLissio    Keller, W.   Parker
Bishop   DeLuca    Kim    Pashinski
Bizzarro   Dermond   Kinsey   Petracca
Boyle, B.   DiCicco   Kirkland   Ravenstahl
Boyle, K.   Donatucci   Kortz   Readshaw
Bradford   Evans    Kotik    Reebuck
Briggs   Fabrizio   Kula    Rozzi
Brown, V.   Farina    Longietti   Sabatina
Brownlee   Flynn    Mahoney   Sainato
Burns   Frankel    Markoe   Samuelson
Callagheine   Freeman   Matzke    Santarsiero
Carroll   Gainey    McCarter   Schlossberg
Clay    Galloway   McGeehan   Sims
Cohen   Gergely    McNeill   Snyder
Conklin   Gibbons    Mirabito   Sturla
Costa, D.   Goodman   Miranda   Thomas
Costa, P.   Hagerty    Molehny   Truitt
Daley, M.   Halsken    Mullery   Vitale
Daley, P.   Hanna    Mundy   Waters
Davidson   Harhai    Neilson   Wheatley
Davis   Harkins    Neuman   White
Dean   Harris, J.    O'Brien   Youngblood
Deasy   Kaulich    Painter

NOT VOTING–0

EXCUSED–0

Cruz   Miccarelli

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.
On the question recurring,
Will the House agree to the bill on second consideration as amended?

Mr. SCAVELLO offered the following amendment No. A00534:

Amend Bill, page 208, line 3, by inserting after "article."
Notwithstanding any other provision of law to the contrary, distributors and importing distributors may accept credit cards for payment of malt or brewed beverages but they are not required to accept credit cards.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Monroe County, Mr. Scavello.

Mr. SCAVELLO. Thank you, Mr. Speaker.

In the Taylor amendment, there was a wording change to allow credit cards by the IDs when they deliver the beer. It is such a small profit margin, and the IDs would like a choice to accept a credit card or not. Presently when a delivery is made to the stores, they have to pay by check; there is no credit or anything like that by law. So what this does is it gives it a "may" provision, that the ID can accept it if he wants to or accept the check the way it is going on right now.

So I would appreciate if the members give me a positive vote.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Paul Costa.

Mr. P. COSTA. Thank you again, Mr. Speaker.

On this amendment, I have actually been hearing the complete opposite of what the maker of the amendment is. The IDs in our area, in the Allegheny County area, are telling us they do not want to have the ability to accept credit cards, because as most of you know, if someone uses a credit card, they take 1, 2, 3 percent off the top, and our IDs from our area are not interested in that.

So again, I will ask all of our members to please vote "no" on this amendment. Thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Taylor.

Mr. TAYLOR. Mr. Speaker, under this amendment, they would not have to accept a credit card, but if there is anything that is symbolic about our entire system now is that the purchase of beer is so much different than the purchase of a refrigerator or a bicycle or anything else.

And this at least is a step in the right direction in the way we purchase alcohol in Pennsylvania, and I would ask for a positive vote.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, did the gentleman from Monroe County seek recognition for a second time?
On the question recurring,
Will the House agree to the bill on second consideration as amended?

Ms. QUINN offered the following amendment No. A00536:

Amend Bill, page 55, line 19, by inserting after "COUNTY"
provided that the wine and spirits retail licenses shall be
evenly distributed throughout the county on a per capita
basis

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

The SPEAKER. On that question, the Speaker recognizes the
lady from Bucks County, Ms. Quinn.

Ms. QUINN. Thank you, Mr. Speaker.

Amendment A00536 would help distribute the new wine and
spirits retail licenses in an equitable fashion throughout the
county by making sure that they are not concentrated in one part
or another. We are going to look at the per capita basis and have
an equal distribution.

The SPEAKER. The question is, will the House agree to the
amendment?

On that question, the Speaker recognizes the gentleman from
Allegheny County, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I think I understand the gentlelady's intent here; however, the way this is drafted, I do not believe it will
accomplish her goals.

It allocates, it says that the wine and spirits licenses would be
allocated the same as the distributor's license is today provided,
and so it requires that those licenses be distributed on a per capita basis. If they are not on a per capita basis, the board will
have the ability to award fewer licenses that are currently issued
for distributors in the county. Therefore, I do not believe it
accomplishes what the lady is trying to do here and would urge
the members of the House to vote "no" on the amendment.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the
amendment?

On that question, the Speaker recognizes the gentleman from
Philadelphia County, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

The Quinn amendment, while not being a strict guideline, gives the board at least some indication that they should look at
geographical balance in a county. I do not think it hurts the bill
at all. It is a line in there to say that we want to consider balance in
the population throughout the county, and I think it is worthy of support.

The SPEAKER. The question is, will the House agree to the
amendment?

On that question, the Speaker recognizes the lady, Ms. Quinn, for the second time.

Ms. QUINN. Thank you, Mr. Speaker.

While I recognize this amendment does not pertain to some of the smaller counties, for larger counties I think it is relevant, and I ask for an affirmative vote.

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

The following roll call was recorded:

YEAS–106

Adolph
Fee
Lawrence
Reed

Aument
Fleck
Lucas
Reese

Baker
Gahler
Mackenzie
Regan

Barrrar
Gillen
Major
Roea

Benninghoff
Gillespie
Maloney
Rock

Bloom
Gingrich
Marshall
Ross

Boback
Godshall
Marsico
Saccone

Brooks
Greiner
Masser
Sankey

Brown, R.
Grell
McGinnis
Saylor

Causier
Grove
Mentzer
Scavello

Christiania
Hackett
Micozzie
Simmons

Claymer
Hahn
Millard
Smith

Corbin
Harhart
Miller
Sonney

Cox
Harper
Milne
Stephens

Culver
Harris, A.
Moul
Stern

Cutler
Heffley
Murt
Stevenson

Day
Helm
Mustio
Swanger

Dellozier
Hennessey
O'Neill
Tallman

Denlinger
Hess
Oberlander
Taylor

DiGirolamo
Hickernell
Payne
Tobash

Dunbar
James
Peifer
Toepel

Ellis
Kampf
Petri
Toohil

Emrick
Kauffman
Pickett
Truit

English
Keller, F.
Pyle
Turzai

Evanovich
Keller, M.K.
Quinn
Vereb

Everett
Killion
Rapp
Watson

Farry
Krieger

NAYS–93

Barbin
DeLuca
Kinsey
O'Brien

Bishop
Dermody
Kirkland
Painter

Bizzarro
Donatucci
Knowles
Parker

Boyle, B.
Evans
Kortz
Pashinski

Boyle, K.
Fabrizio
Kotik
Petarca

Bradford
Farina
Kula
Ravenstahl

Briggs
Flynn
Longietti
Readshaw

Brown, V.
Frankel
Maher
Roebuck

Brownlee
Freeman
Mahoney
Rozzi

Burns
Gainey
Markosek
Sabatina

Caltagirone
Galloway
Matzie
Sainato

Carroll
Gergely
McCarter
Samuelson

Clay
Gibbons
McGehee
Santarsiero

Cohen
Goodman
McNeill
Schlossberg

Conklin
Haggerty
Metcalfe
Sims

Costa, D.
Haluska
Metzgar
Snyder

Costa, P.
Hanna
Mirabito
Staur	

Daley, M.
Harhai
Miranda
Thomas

Daley, P.
Harkins
Molchan
Vitali

Davidson
Harris, J.
Mullery
Waters

Davis
Kavulich
Mundy
Wheatley

Dean
Keller, W.
Neilson
White

Deasy
Kim
Neuman
Youngblood

DeLissio
NOT VOTING–0

Cruz
Miccarelli

EXCUSED–2

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

The SPEAKER. The Speaker gives permission for media access to the floor to Natalie Cake of Roxbury News for still photos for approximately 10 minutes.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker returns to leaves of absence and recognizes the gentleman from Philadelphia County, Mr. Cruz, on the floor of the House. His name will be added back to the master roll.

The House will be at ease for a few more minutes.

The House will come to order.

BILL PASSED OVER TEMPORARILY

The SPEAKER. We are going over HB 790 just for a few moments to return to the House calendar supplemental A. We wanted to consider a bill that was time-blocked until 3:17. So return to House calendar supplemental A.

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 602, PN 1222, entitled:

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for definitions and for prohibited acts and penalties; and providing for ephedrine and pseudoephedrine and electronic tracking.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the Speaker recognizes the lady from Bucks County, Ms. Quinn.

Ms. QUINN. Thank you, Mr. Speaker.

This HB 602 amends the Controlled Substance, Drug, Device and Cosmetic Act to add a new section providing for the real-time tracking of sales and purchases of ephedrine and pseudoephedrine. The bill prevents individuals from purchasing ephedrine and pseudoephedrine for the purpose of making meth in an effort to stop the small and large scale production of methamphetamine.

Retailers shall electronically submit the required information to a National Precursor Log Exchange, known as NPLEx, which is administered by the National Association of Drug Diversion Investigators and is provided free of charge on a permanent basis to State government.

This will not cost our State. It will not be a cost to our pharmacies and consumers. I ask for a positive vote.

The SPEAKER. The question is, shall the bill pass finally?

On that question, the Speaker recognizes the gentleman from Tioga County, Mr. Baker.

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

Mr. Speaker, this bill passed unanimously out of the Health Committee. It has great bipartisan support. There was a great deal of work that went into this. It is supported by the Pennsylvania Attorney General, National Sheriffs’ Association, Troopers Association, Chiefs of Police Association, Pharmacists Association, Association of Chain Drug Stores, Retailers’ Association, and the D.A.s.

I would encourage the unanimous support of this legislation. Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS–200

Adolph Emrick Kim Petraccia
Aument English Kinsey Petri
Baker Evankovich Kirkland Pickett
Barbin Evans Knowles Pyle
Barrar Everett Kortz Quinn
Benninghoff Fabrizio Kotik Rapp
Bishop Farina Krieger Ravenstahl
Bizzarro Farry Kula Readshaw
Bloom Fee Lawrence Reed
Boback Fleck Longietti Reese
Boyle, B. Flynn Lucas Regan
Boyle, K. Frankel Mackenzie Roae
Bradford Freeman Mauer Rock
Briggs Gabler Mahoney Roebeck
Brooks Gainey Major Ross
Brown, R. Galloway Maloney Rozzi
Brown, V. Gergely Markosek Sabatina
Brownlee Gibbons Marshall Saccone
Burns Gillen Marsico Sainato
Caltagirone Gillespie Maser Samuelson
Carroll Gingrich Matzie Sankey
Causer Godshall McCarter Santarsiero
Christiana Goodman McGeehan Saylor
Clay Greiner McGinnis Scavello
Clymer Grell McNiel Schlossberg
Cohen Grove Mentzer Simmons
Conklin Hackett Metcalfe Sims
Corbin Haggerty Metzgar Smith
Costa, D. Hahn Micozzie Snyder
Costa, P. Haluska Millard Sonney
Cox Hanna Miller Stephens
Cruz Harhai Mihie Stern
Culver Harhart Mirabito Stevenson
Cutler Harkins Miranda Stufl
Daley, M. Harper Molchany Swanger
Daley, P. Harris, A. Moul Tallman
Davidson Harris, J. Mullery Taylor
Davis Heffley Mundy Thomas
Day Helm Murt Tobash
Dean Hennessey Mustio Toepel
Deasy Hess Nelson Tootil
DeLissio Hicke nell Neuman Truitt
Delozier James O’Brien Turzai
DeLuca Kampf O’Neill Vereb
Denlinger Kaufman Oberlander Vitali
Dermody Kavulich Painter Waters
DiGirolamo  Keller, F.  Parker  Watson
Donatucci  Keller, M.K.  Pashinski  Wheatley
Dunbar  Keller, W.  Payne  White
Ellis  Killion  Peifer  Youngblood

NAYS–0
NOT VOTING–0
EXCUSED–1

Miccarelli

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.

**LEAVE OF ABSENCE**

The SPEAKER. The Speaker returns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the gentleman from Montgomery County, Mr. MURT. Without objection, the leave will be granted.

**CALENDAR CONTINUED**

**CONSIDERATION OF HB 790 CONTINUED**

The SPEAKER. We will now return to the House calendar and consideration of HB 790.

On the question recurring,

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

Mr. P. COSTA offered the following amendment No. A00479:

Amend Bill, page 1, lines 1 through 29; page 2, lines 1 through 51, by striking out all of said lines on said pages and inserting

Amending the act of April 12, 1951 (P.L.90, No.21), entitled, as reenacted, "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," further providing for general powers of the Pennsylvania Liquor Control Board, for board to establish State liquor stores, for when sales may be made at Pennsylvania Liquor Stores, for shipment of wine into Commonwealth and for limited wineries.

Amend Bill, page 2, lines 54 and 55; pages 3 through 243, lines 1 through 30; page 244, lines 1 through 21, by striking out all of said lines on said pages and inserting

Section 1. Section 207(b) and (e) of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14), are amended to read:

Section 207. General Powers of Board.—Under this act, the board shall have the power and its duty shall be:

***

(b) To control the manufacture, possession, sale, consumption, importation, use, storage, transportation and delivery of liquor, alcohol and malt or brewed beverages in accordance with the provisions of this act, and to fix the wholesale and retail prices at which liquors and alcohol shall be sold at Pennsylvania Liquor Stores. Prices shall be [proportional with prices paid by the board to its suppliers and shall reflect any advantage obtained through volume purchases by the board. The board may establish a preferential price structure for wines produced within this Commonwealth for the promotion of such wines, as long as the price structure is uniform within each class of wine purchased by the board.] as set forth by the board so long as the price of a particular item is uniform throughout this Commonwealth. This pricing provision shall not apply to special liquor orders authorized under section 305(a). The board shall require each Pennsylvania manufacturer and each nonresident manufacturer of liquors, other than wine, selling such liquors to the board, which are not manufactured in this Commonwealth, to make application for and be granted a permit by the board before such liquors not manufactured in this Commonwealth shall be purchased from such manufacturer. Each such manufacturer shall pay for such permit a fee which, in the case of a manufacturer of this Commonwealth, shall be equal to that required to be paid, if any, by a manufacturer or wholesaler of the state, territory or country of origin of the liquors, for selling liquors manufactured in this Commonwealth, and in the case of a nonresident manufacturer, shall be equal to that required to be paid, if any, in such state, territory or country by Pennsylvania manufacturers doing business in such state, territory or country. In the event that any such manufacturer shall, in the opinion of the board, sell or attempt to sell liquors to the board through another person for the purpose of evading this provision relating to permits, the board shall require such person, before purchasing liquors from him or it, to take out a permit and pay the same fee as hereinbefore required to be paid by such manufacturer. All permit fees so collected shall be paid into the State Stores Fund. The board shall not purchase any alcohol or liquor fermented, distilled, rectified, compounded or bottled in any state, territory or country, the laws of which result in prohibiting the importation therein of alcohol or liquor, fermented, distilled, rectified, compounded or bottled in Pennsylvania.

***

(e) [Through the Department of General Services as agent, to] To lease and furnish and equip such buildings, rooms and other accommodations as shall be required for the operation of this act.

***

Section 2. Section 301 of the act is amended to read:

Section 301. Board to Establish State Liquor Stores.—(a) The board shall establish, operate and maintain at such places throughout the Commonwealth as it shall deem essential and advisable, stores to be known as "Pennsylvania Liquor Stores," for the sale of liquor and alcohol in accordance with the provisions of and the regulations made under this act; except that no store not so already located shall be located within three hundred feet of any elementary or secondary school, nor within a dry municipality without there first having been a referendum approving such location. When the board shall have determined upon the location of a liquor store in any municipality, it shall give notice of such location by public advertisement in two newspapers of general circulation. In cities of the first class, the location shall also be posted for a period of at least fifteen days following its determination by the board as required in section 403(e) of this act. The notice shall be posted in a conspicuous place on the outside of the premises in which the proposed store is to operate or, in the event that a new structure is to be built in a similarly visible
location. If, within five days after the appearance of such advertisement, or of the last day upon which the notice was posted, fifteen or more taxpayers residing within a quarter of a mile of such location, or the City Solicitor of the city of the first class, shall file a protest with the court of common pleas of the county averring that the location is objectionable because of its proximity to a church, a school, or to private residences, the court shall forthwith hold a hearing affording an opportunity to the protesters and to the board to present evidence. The court shall render its decision immediately upon the conclusion of the testimony and from the decision there shall be no appeal. If the court shall determine that the proposed location is undesirable for the reasons set forth in the protest, the board shall abandon it and find another location. The board may establish, operate and maintain such establishments for storing and testing liquors as it shall deem expedient to carry out its powers and duties under this act.

(b) The board may lease the necessary premises for such stores or establishments[, but all such leases shall be made through the Department of General Services as agent of the board. The board, through the Department of General Services[, and shall have authority to purchase such equipment and appointments as may be required in the operation of such stores or establishments.

Section 3. Section 304(b) of the act, amended December 8, 2004 (P.L.1810, No.239), is amended to read:

Section 304. When Sales May Be Made at Pennsylvania Liquor Stores.—*

(b) Certain Pennsylvania Liquor Stores operated by the board shall be open for Sunday retail sales between the hours of [noon] nine o'clock antemeridian and [five] nine o'clock postmeridian, except that no Sunday sales shall occur on Easter Sunday or Christmas Day. The board shall open [up to twenty-five per centum of the total number of Pennsylvania Liquor Stores at its discretion] as many Pennsylvania Liquor Stores as it deems necessary for Sunday sales as provided for in this subsection. The board shall submit yearly reports to the Appropriations and the Law and Justice Committees of the Senate and the Appropriations and the Liquor Control Committees of the House of Representatives summarizing the total dollar value of sales under this section.

Section 4. Section 305(a) of the act, amended May 8, 2003 (P.L.1, No.1), is amended to read:

Section 305. Sales by Pennsylvania Liquor Stores.—(a) The board shall in its discretion determine where and what classes, varieties and brands of liquor and alcohol it shall make available to the public and where such liquor and alcohol will be sold. Every Pennsylvania Liquor Store shall be authorized to sell combination packages. If a person desires to purchase a class, variety or brand of liquor or alcohol not currently available from the board, he or she may place a special order within ten days after notice of arrival, the store may place it in stock for general sale and the customer's deposit shall be forfeited.

In computing the retail price of such special orders for liquor or alcohol, the board shall not include the cost of freight or shipping before applying [the] a mark-up that shall not exceed ten per centum of the cost of the product and taxes but shall add the freight or shipping charges to the price after the mark-up and taxes have been applied.

Unless the customer pays for and accepts delivery of any such special order within ten days after notice of arrival, the store may place it in stock for general sale and the customer's deposit shall be forfeited.

Section 5. Section 488 of the act, added February 21, 2002 (P.L.103, No.10), is amended to read:

Section 488. Shipment of Wine [into Commonwealth].—(a) The shipment of wine [from out-of-State] to residents of this Commonwealth [is prohibited, except as otherwise provided for in subsection (c)] shall be governed by this section.

(b) Notwithstanding any other provision of this act or law to the contrary, a person licensed by the board or another state as a producer[, supplier, importer, wholesaler, distributor or retailer] of wine and who obtains a direct wine shipper license as provided for in this section may ship [up to nine liters per month of] any wine [not included on the list provided for in subsection (c)] on the [Internet] order of any resident of this Commonwealth who is at least twenty-one (21) years of age for such resident's personal use and not for resale.

(c) [Each month, the board shall publish on the Internet a list of all classes, varieties and brands of wine available for sale in the Pennsylvania Liquor Stores. A person holding a direct shipper license may ship only those classes, varieties and brands of wine not included on the list at the time an Internet order is placed.] Prior to issuing a direct wine shipper license, the board shall require the person seeking the license to:

1. File an application with the board.
2. Pay a one hundred dollar ($100) registration fee.
3. Provide to the board a true copy of the applicant's current alcoholic beverage license issued by the board or another state, if applicable.
4. Provide documentation to the board which evidences that the applicant has obtained a sales tax license from the Department of Revenue.
5. Provide the board with any other information that the board deems necessary and appropriate.

(d) [An out-of-State] A direct wine shipper shall:

1. [Not ship more than nine liters per month on the Internet order of any person in this Commonwealth.] On a quarterly basis, pay to the Department of Revenue all taxes due on sales to residents of this Commonwealth. Notwithstanding any other provision of law to the contrary, the wine delivered under the authority of this section will be subject to the sales and use tax imposed by section 202 of the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971," the sales and use tax imposed by Article XXXI-B of the act of July 28, 1953 (P.L.723, No.230), known as the "Second Class County Code," the sales and use tax imposed by the act of June 5, 1991 (P.L.9, No.6), known as the "Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class," and the emergency State tax imposed on wines sold by the board under the act of June 9, 1936 (1st Spec. Sess., P.L.13, No.4), entitled "An act imposing an emergency State tax on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board."

2. Report to the board each year the total of wine shipped [into] to residents of this Commonwealth in the preceding calendar year.
3. Permit the board, the enforcement bureau or the Secretary of Revenue, or their designated representatives, to perform an audit of the [out-of-State] direct wine shipper's records upon request.
4. Be deemed to have submitted to the jurisdiction of the board, any other State agency and the courts of this Commonwealth for purposes of enforcement of this section and any related laws, rules or regulations, including the collection and remission of taxes as required under this section.

5. Require proof of age of the recipient, in a manner or format approved by the board, before any wine is shipped to a resident of this Commonwealth.

6. Ensure that all boxes or exterior containers of wine shipped directly to a resident of this Commonwealth are conspicuously labeled with the words "CONTAINS ALCOHOL: SIGNATURE OF PERSON 21 YEARS OF AGE OR OLDER REQUIRED FOR DELIVERY."
7. Annually renew its license by paying a renewal fee established by the board.

e. A direct shipper may ship wine on the [Internet] order of a resident into this Commonwealth provided that the wine is shipped to a Pennsylvania Liquor Store selected by the resident. The wine will be subject to the sales and use tax imposed by section 202 of the "Tax Reform Code of 1971," the
sales and use tax imposed by Article XXXI-B of the "Second Class County Code," the sales and use tax imposed by the "Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class," and the emergency State tax imposed on wines sold by the board under the act of June 9, 1936 (1st Sp. Sess., P.L. 13, No.4).

(a) A transporter for hire shall:

(1) keep records as required under section 512 pertaining to the direct shipment of wine; and

(2) permit the board and the enforcement bureau, or their designated representatives, to inspect such records in accordance with section 513.

(b) [A person shall sign an affidavit provided by the Pennsylvania Liquor Store where the wine was delivered to stating that the wine will only be used for the person's personal use.] Any person who resells wine obtained under this section commits a misdemeanor of the second degree.

(c) The board may promulgate such rules and regulations as are necessary to implement and enforce the provisions of this section. [The board may charge the resident a fee to cover the cost associated with processing the Internet order.]

(d) The board shall submit [monthly] annual reports to the Appropriations Committee and the Law and Justice Committee of the Senate and to the Appropriations Committee and the Liquor Control Committee of the House of Representatives summarizing the number of direct shipper licenses issued by the board[,] and the quantity of wine sold by direct wine shippers pursuant to this section [and the total dollar value of sales under this section].

(e) The term "wine" as used in this section shall mean liquor which is fermented from grapes and other fruits, having alcoholic content of twenty-four per centum or less. The term "wine" shall not include malt or brewed beverages nor shall wine include any products containing alcohol derived from malt, grain, cereal, molasses or cactus.

(f) The term "direct wine shipper" as used in this section shall mean a person who holds a direct wine shipper license as provided for in this section and includes a limited winery.

Section 6. Section 505.2(a) of the act is amended by adding a clause to read:

Section 505.2. Limited Wineries.—(a) In the interest of promoting tourism and recreational development in Pennsylvania, holders of a limited winery license may:

* * *

(2.1) Notwithstanding any other provision of this act or law to the contrary, only ship wine to residents of this Commonwealth in accordance with the provisions of section 488.

* * *

Section 7. This act shall take effect in 60 days.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Paul Costa.

Mr. P. COSTA. Thank you, Mr. Speaker.

I appreciate you giving me the opportunity to offer amendment 00479. This amendment is very simple. It does three things, and three things that will help our Commonwealth enormously.

The first thing it does, it allows flexible pricing. It allows the LCB (Liquor Control Board) to be able to charge whatever markup they decide to mark on their products. The second item it does, it takes the 25 percent cap off of how many stores are permitted to open on a Sunday. As we know today, there is a cap of 25 percent. We are letting them eliminate that cap and let the LCB decide which stores they want to keep open on a Sunday. In addition to that, it changes the hours from currently from 12-5 to make it 9-9. And then the third component is to allow direct wine shipment and to also allow direct shipment of SLO (special liquor order) products.

Three very simple items that change this bill. And depending on the economic factors, this bill could generate anywhere from $20 to $70 million; that is an additional $20 to $70 million. I would hope that I could count on your support. Thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

Amendment 479 adds a few things in terms of Sunday hours. We really do not need that. We have that in the underlying bill. Direct shipment of wine, that bill by Representative Sonney is ready to go.

But make no mistake about this particular amendment: This guts and replaces the entire amendment, the entire bill, the entire work that the committee has done, and I would ask for a negative vote.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Dermody.

Mr. DER MODY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment does gut and replace, and it is a good thing, because it saves this bad bill and makes it a great bill. It saves 5,000 jobs in the Commonwealth of Pennsylvania with the Liquor Control Board and our current State store system. It saves all those family jobs, all those small businesses across Pennsylvania, and beer distributors throughout the State, all those small businesses. We earn money. The Commonwealth does better financially instead of losing money in the current bill – in the amendment that is before us here today. This amendment, if adopted by this House, would increase revenues for the Commonwealth. It is better for the people of Pennsylvania and it does implement convenience issues that we need to do, that need to be done in this State. The Sunday sales hour issues are taken care of, direct shipping.

This is a good bill. It modernizes the State liquor system. It saves jobs. It increases revenue to the Commonwealth. It is what the people of Pennsylvania want. It is what the families of Pennsylvania need. We should not be here today about depriving people of their jobs, of their livelihoods, of taking care of their children and their families. We ought to be about saving jobs, increasing revenue to the Commonwealth, and making it more convenient for people of Pennsylvania to enjoy a bottle of wine.

Mr. Speaker, this Costa amendment is the most important thing we could do for the State store system, for the people of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Maher.

Mr. MAHER. The essential divide in the conversation about our State liquor system is a question about whether we should have the State get out of the business or whether the State should continue in the business. This amendment puts that particular divide right smack in front of us. So if you are in fact in favor of heading toward a free-market solution, then you should oppose this amendment. If you are in favor of the State
continuing to operate a monopoly system, then you would support this amendment. But I would urge you to oppose the amendment. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Petri.

Mr. PETRI. Mr. Speaker, may I interrogate the maker of the amendment?

The SPEAKER. The gentleman indicates he will stand for interrogation. You may proceed.

Mr. P. COSTA. According to the LCB, when they appeared in front of the Appropriations Committee, they estimated it was anywhere from 20 to 70 million additional dollars.

Mr. PETRI. Per year?

Mr. P. COSTA. Per year.

Mr. PETRI. Okay. And do you know, Mr. Speaker, where those dollars are generated from, which part of your amendment?

Mr. P. COSTA. Again, the estimate from the LCB Sunday sales, they project that they could raise an additional $10 million, and the flexible pricing, again, is anywhere from $20 to $70 million.

Mr. PETRI. And Mr. Speaker, do you know how that fiscal impact would compare to the underlying amendment that we are—

Mr. P. COSTA. Everything that we have heard from our Appropriations Committee is that the underlying bill without this amendment actually loses money for the Commonwealth.

Mr. PETRI. And do you have a cost or an estimate based upon what you have been told by your Appropriations Committee?

Mr. P. COSTA. $250 million a year, I believe it is.

Mr. PETRI. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Mr. Speaker, I want to start out by thanking Representative Costa, the minority chair of the Liquor Committee. We could have sat back and provided no option to this proposal that is out there, but Representative Costa stood up, showed up, stood up, and is providing an opportunity to move forward.

And Mr. Speaker, it is important for the public to know that this is not about whether or not the Commonwealth is in the liquor business. I know that there is some polling out there that says that we should not be in the business of selling liquor. No, we are in the business of regulating an industry that is not broken and one that represents an asset and a plus to the residents of the Commonwealth of Pennsylvania.

The modernization proposal takes into consideration that thousands of innocent people who have taken the civil service exam, who have worked for a considerable amount of time for this system, and because we are all caught up with privatization today, we want to just push all of those good people to the street. We should not do that. Mr. Speaker, we have families that are depending on one person, head of the household, and in some cases, two people in the household that work for the system.

Mr. Speaker, this proposal that Representative Costa is responding to is one that is unnecessary, reckless, and speculative on the question of outcome. Representative Costa has hit the nail on the head, provided an alternative to the madness that we are caught up with now.

And I am really concerned about, one, our ability, our ability to move forward with this industry in a way that does not throw innocent people and families in the street, that opens up an environment that will allow our children and others to get enmeshed in this whole alcohol industry. Our system is unique and has been beneficial in saving lives and providing benefits to the people of Pennsylvania.

The third aspect, Mr. Speaker, is the issue about public safety. And I think it is essential that we do not miss our responsibility of understanding that we have a role about public welfare. And when we begin to think about the aspect of – as we look at, are concerned about our constituents, we really need to begin to understand about drunk driving. We really need to begin to understand about the aspect of just selling alcohol anywhere. Under the Costa amendment, in my view, Mr. Speaker, it still provides that safeguard, and it provides that safeguard that on one hand, it makes sure that alcohol is available, but on the other hand, it makes sure there is safety. So three elements.

The first thing, Mr. Speaker, we will gain revenue, first. Secondly, Mr. Speaker, it will ensure that we have a system that is convenient to the customer. But last but not least, Mr. Speaker – and we all should be concerned about public welfare. We all should be concerned about our public welfare. I believe under the Costa amendment, it provides those kinds of assurances. I do not believe, Mr. Speaker, that our constituents want us to continue adding more misery to our communities.

I will vote "yes" for the Costa amendment. Thank you, Mr. Speaker.

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I will vote "yes" for the Costa amendment. Thank you, Mr. Speaker.
So, Mr. Speaker, I ask my colleagues on both sides, vote "yes" on the Costa amendment, because it is about tomorrow, not yesterday. Thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. DeLuca.

Mr. DeLuca. Thank you, Mr. Speaker.

Mr. Speaker, I support the Costa amendment, and I do so because the fact is that a study done in 2006 from the CDC (Centers for Disease Control and Prevention) says it all. When we were debating the gaming legislation, we were all worried about addictive gaming and all that by putting more outlets out there, but let us see what we do with this privatization.

One of the things we do is we put more outlets out there. More outlets mean more consumption. More consumption happens to give more people a source to drink. It also increases the violence and assaults out there. The statistics have shown it also increases underage drinking. And one of the things it really does, it strains our law enforcement officials out there. Those are only some of the things it does.

It also, the CDC estimates, right now, right now with all these outlets we are going to put out there in neighborhoods and on the corners and drugstores and everywhere else, right now alcohol—79,000 deaths are attributed to alcohol, 79,000; underage drinking, 10,000, underage drinking. Is this what we want in the Commonwealth of Pennsylvania?

Now, I hear about this polling. Seventy-five, eighty percent want to privatize the State liquor stores. Well, we know what we can do with polling. Polling, you can make it go any way you want. But I wonder if we ask the citizens of Pennsylvania, "Are you in favor of losing good family-sustaining jobs?" what their answer would be. I also wonder if we would ask them, "Are you in favor of losing $200 million in State personal income tax that will be paid over the next 20-25 years?" I am sure they would say yes. I also wonder what they would say about the earned income tax that our local municipalities collect, because we will be paying less wages in the situation there.

And also, Mr. Speaker, I wonder if we would ask them "Do we want these facilities on every corner? Do we want them in our neighborhoods? Do we want them to be eyesores out there with all the advertising and specials?" I do not think, Mr. Speaker, that is what we want in this Commonwealth of Pennsylvania.

And Mr. Speaker let us face it: Right now the State stores have a 30-percent markup. Now, we know in private industry, in private business, there is no way that they are going to put a 30-percent markup. They are probably going to mark it the way they want to mark it so they can move it and move it out quicker. That is the capital system.

So in other words, we will not, unless we increase consumption, will not make the revenue right now that we are putting into the State coffers to help take care of our budget.

Mr. Speaker, if this was such a good idea, then maybe I would like to make a suggestion to the other side and to the majority leader: Why do we not put it on the ballot and let the people of Pennsylvania tell us and vote whether they want privatization or not.

Thank you, Mr. Speaker. I support the Costa amendment.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the lady from Montgomery County, Ms. Harper.

Ms. Harper. Thank you, Mr. Speaker.

I rise in opposition to the Costa amendment. Everybody in this chamber recognizes that our current system for selling alcohol in Pennsylvania is an anachronism. It is old-fashioned, and it needs changed.

The Costa amendment itself recognizes that and proposes what essentially amounts to putting a new coat of paint on an old shed that is falling down. The Costa amendment does not give the consumers what they want. The Costa amendment makes a few changes. It adds a couple of things that we probably should have done years ago and did not do, but it does not give the people of Pennsylvania what they want.

Ask anybody what they want and what they will tell you is they do not think they should have to go to a government store to buy a bottle of wine. They think that alcohol should be served and sold pretty much like other consumer products, with the exception that we probably should regulate it to keep it out of the hands of children and other people who should not have it. But we do that already, and we do not own the drugstore system. We very effectively regulate prescription drugs, but we do not own a single drugstore. We, the government, do not own a single drugstore.

The Costa amendment is actually a step backwards. It continues a system that is as old-fashioned as Prohibition. They had a museum exhibit in Philadelphia a couple of weeks ago on Prohibition. It was a museum exhibit, and the current State store system is similarly a museum exhibit. Only Pennsylvania and one other State have a system that looks anything like what we have got. It is time to move on.

Now, do we have to worry about the people who are used to the current system and who will be hurt by changes to the current system? Of course. We owe our employees consideration, but the bill that we are currently debating gives them consideration. It gives them training money. It gives them points on civil service exams. And there will be jobs for those who can make the transition to private industry and sell alcohol in a private enterprise system.

We also owe something to people currently operating in the beer system. Why is that? Because our predecessors created a system in which they are heavily invested, and these small business people need to be protected from losing the investment they made at government's insistence. But the bill does that. The bill eases beer distributors into new opportunities for them to sell wine and to make a change to the new economy. It also gives them a right of first refusal — or first dibs, if you will — on the better licenses so that they are protected by the bill that we are considering voting on.

The Costa amendment is a coat of shellac on a shed that is falling down. We need to move on. We need to vote down the Costa amendment, vote the bill through, and get it done. Is the bill perfect? No. But it is a step in the right direction, and the Costa amendment is a step backwards.

The bill that we are voting — or hopefully will be voting — is not a perfect bill. That is why the Senate exists. Tell them I said so, maybe I will get some of my bills through the Senate by
giving them a little plug there. But we are moving the system forward. The ship of the State stores has sailed – done, gone, finished. Ask anybody back home, ask anybody back home do they think that Pennsylvania should be the exclusive purveyor of beer, wine, and spirits, and they will tell you no. No, no, no. The Pennsylvanians want this. They are big boys and girls; they can handle it.

Please vote down the Costa amendment so that we can get on to moving forward and really modernizing the way we deal with alcohol in Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

I rise in support of amendment 479 from Mr. Costa of Allegheny County. With all due respect, I listened to the prior speaker talk about putting a coat of shellac on a shed. Well, I would like to follow that and say, well, HB 790 is going to burn down the shed and all the people that live in the shed currently, Mr. Speaker. We are going to take 5,000 good workers and throw them out of work. We are going to take those people, those breadwinners that have families, that have a good sustaining job, we are going to throw them out of work.

This is time to modernize. This amendment will do just that, sir, and I would ask everybody to give an affirmative vote to this amendment. Thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Paul Costa, for a second time.

Mr. P. COSTA. Thank you again, Mr. Speaker.

Just real quickly, I want to go over the review of this. I went to Point Park. I graduated in accounting, and I never get to use it, so I am going to use it here.

Part of the question that was asked is, how much is the current legislation that is in front of us? What is the cost to the Commonwealth? As I said earlier, it was $250 million. It is actually $251.3 million. There are also some costs that are unknown yet, which would be the unemployment compensation for the displaced employees – that is the over 4,000 employees that we are going to be putting out of work, not to mention the 1200 family-run, family-owned businesses, how many of those jobs we are going to lose. So we do not know what that impact is going to be.

There is going to be a need for additional enforcement; we do not know what that number is going to be yet. And then there is an estimated transition cost which, again, we still do not know what that number is going to be. So it is going to be at least a $251 million loss.

And as I said with the three changes that we make, we can go upwards of $70 million. It does three simple things: It expands our Sunday hours and it expands the stores that are open on Sundays; it gives us the ability to have flexible pricing – when I say us, the Liquor Control Board – and the third component of it, it permits direct wine shipment, which people have been asking for ever since the Granholm decision had come down.

So again, I would respectfully request a positive vote on amendment 00479.

Thank you very much.
On the question recurring,
Will the House agree to the bill on second consideration as amended?

Mr. PETRI offered the following amendment No. A00527:

Amend Bill, page 5, lines 21 through 25, by striking out all of said lines and inserting
"Grocery store" shall mean a business whose primary purpose is the sale of groceries, defined as including the sale of food for human or pet consumption, prepared foods for consumption on or off the grocery store premises, baked goods, foods in bulk and other common household goods and supplies, at retail to the public. A grocery store shall have a total floor area of not less than 10,000 square feet in one building whose sales of groceries, on a yearly basis, excluding the sale of prescription medications and tobacco, shall equal 70% of its combined gross sales.

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Petri.

Mr. PETRI. Mr. Speaker, at this time I am going to withdraw this amendment, but I would note for the members, this is an item that we should discuss. Thank you.

The SPEAKER. That is one way of putting it.

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

Mr. PETRI offered the following amendment No. A00528:

Amend Bill, page 2, line 31, by striking out "AND FURTHER"
Amend Bill, page 2, line 32, by striking out "PROVIDING" and inserting
for distributor license buy back program,
Amend Bill, page 2, line 34, by striking out the comma after "LICENSE" and inserting
and
Amend Bill, page 142, line 5, by striking out "a section" and inserting
sections
Amend Bill, page 143, by inserting between lines 25 and 26 Section 431.3. Distributor License Buy Back Program.—(a) The board shall buy back the license of any distributor licensee issued under section 431 that:
(1) determines not to purchase a wine and spirits retail license pursuant to Article III-A; and
(2) attempts to sell the distributor license in the county in which it is located for the same amount of money for which the license was originally purchased.
(b) The board shall repurchase the distributor license for two times the gross sales of that particular distributor.
(c) In the case of a distributor license that the board has repurchased, the board shall offer that license on a first-come, first-served basis in the county in which the license was originally located for the same amount for which that license was repurchased.

On the question,
Will the House agree to the amendment?
Mr. P. COSTA. On the bill, Mr. Speaker?

The SPEAKER. The gentleman is in order on the amendment.

Mr. P. COSTA. Again, while I commend the maker of the amendment's intent and what he is trying to do – I appreciate that, to protect the privately, family-run businesses, and I really do appreciate you doing that – but the Commonwealth purchasing back these licenses could have a very severe fiscal impact, and that concerns me.

And for that reason, I am going to vote "no" and would ask our members to also vote "no." Thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Lancaster County, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, will the maker of the amendment rise for brief interrogation?

The SPEAKER. The gentleman indicates he will stand for interrogation. You may proceed.

Mr. STURLA. Mr. Speaker, just briefly, do you know what the— As I understand your amendment, it says that a person could sell it back for two times their gross receipts. Is that correct? Do you know what the combined gross receipts of beer distributors are in the State of Pennsylvania today?

Mr. PETRI. No, I do not, Mr. Speaker.

Mr. STURLA. Would you speculate it might be in the billions?

Mr. PETRI. Could be.

Mr. STURLA. And so if everybody just decided that their best exit, no matter how profitable their business was, was to sell it back to the State for four or five or ten billion dollars here and then they could go back and get a license for ten or twenty or thirty thousand dollars?

Mr. PETRI. We may need some drafting to make sure that does not occur, but, Mr. Speaker, that is certainly not the intent of the amendment. And you know, anything is possible, but I believe that there will be a market in most communities for this type of license.

Mr. STURLA. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

YEAS–64

Aument, A.   Evankovich, J.   Hennessey, P.   Peifer
Baker         Evans          Hickernell, P.   Petri
Barrar        Everett        Keller, F.    Pickett
Benninghoff   Farr           Killian, W.  Quinn
Boback        Fee            Lucas, L.    Rapp
Brooks        Fleck          Major, G.    Roae
Brown, R.     Gabler         Maloney, J.  Rock
Causer        Gillen         Marsico, J.  Scavello
Corbin        Godshall       Mentzer, J.  Smith
Cox           Greiner        Metcalf, A.  Sonney
Culver        Hackett       Metzgar, T.  Stephens
Cutler        Hahn           Miccozie, J.  Stevenson
Day           Harhart        Milne, D.    Taylor
Denlinger     Harris, A.     O'Neill, J.  Tobash
DiGirolamo    Heffley        Oberlander, G.  Toohil
Emrick        Helm           Payne, N.    Watson

NAYS–135

Adolph        Ellis           Kortz, M.    Ravenstahl
Barbin        English        Kotik, M.    Readshaw
Bishop        Fabricio       Krieger, D.  Reed
Bizzarro      Farina          Kula, W.    Reese
Bloom         Flynn           Lawrence, P.  Regan
Boyle, B.     Frankel        Longietti, D.  Roebeck
Boyle, K.     Freeman        Mackenzie, H.  Ross
Bradford      Gainey         Mahler, K.   Rozzi
Briggs        Galloway       Mahoney, S.  Sabatina
Brown, V.     Gergely        Markosek, J.  Sacone
Brownlee      Gibbons        Marshall, S.  Sainato
Bums          Gillespie      Masser, C.    Samuelson
Caltagirone   Gingrich       Matzie, S.   Sankey
Carroll       Goodman        McCarter, S.  Santarsiero
Christiania  Grell           McGeehan, D.  Saylor
Clay          Grove           McGinnis, M.  Schlossberg
Clymax        Haggerty       McNeill, K.  Simmons
Cohen         Haluska        Millard, P.  Sims
Conklin       Hanna          Miller, M.   Snyder
Costa, D.     Harhai         Mirabito, J.  Stern
Costa, P.     Harkins        Miranda, J.  Sturla
Cruz          Harper         Molchany, C.  Swanger
Daley, M.     Harris, J.     Moul, L.     Tallman
Daley, P.     Hess            Mullery, M.  Thomas
Davidson      James          Mundy, D.   Toepel
Davis          Kampf          Mustio, W.   Truit
Dean           Kaufman       Neilson, M.  Turzai
Deasy          Kavulich       Neuman, D.  Vebry
DeLissio      Keller, M.K.  O'Brien, M.  Vitali
Delozier      Keller, W.    Painter, K.  Waters
DeLuca         Kim            Parker, J.   Wheatley
Dermody       Kinsey         Pashinski, J.  White
Donatucci     Kirkland       Petracca, J.  Youngblood
Dunbar        Knowles        Pyle, J.     –

NOT VOTING–0

EXCUSED–2

Miccarelli    Murt

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 as amended?

Mr. TOBASH offered the following amendment No. A00526:

Amend Bill, page 224, line 13, by inserting after "FEES." This permit shall not be issued to a restaurant licensee that has an interior connection to another unlicensed business.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Schuylkill County, Mr. Tobash.

Mr. TOBASH. Amendment 526 stipulates that restaurants with interior connections to nonlicensed establishments will be prohibited from purchasing a wine-to-go license. Thank you.

The SPEAKER. The question is, will the House agree to the amendment?
On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment causes confusion among who and where you can purchase wine and when and how much, and we urge the members to vote against the amendment.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Taylor.

Mr. TAYLOR. Mr. Speaker, I would urge the adoption of the Tobash amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS–107

Adolph Fleck Lawrence Rapp
Aument Gabler Lucas Reed
Baker Gillen Mackenzie Reese
Barrar Gillespie Maher Regan
Benninghoff Gingrich Major Roae
Bloom Godshall Maloney Rock
Boback Greiner Marshall Ross
Brooks Grell Marsico Scaccone
Brown, R. Grove Masser Sankey
Causser Hackett McGinnis Saylor
Christian Hahn Mentzer Scavillo
Clayer Harhart Metcalfe Simmons
Corbin Harper Metzgar Smith
Cox Harris, A. Miccozie Sonney
Culver Heffley Millard Stephens
Cutler Helm Miller Stern
Day Hennessey Milne Stevenson
Delozier Hess Moul Swanger
Dentinger Hickernell Mustio Tallman
Dunbar James O'Neill Taylor
Ellis Kampf Oberlander Tobash
Emrick Kaufman Payne Toepel
English Keller, F. Peifer Tootil
Evanovich Keller, M. K. Pieti Turzai
Everett Killion Pickett Vercil
Farry Knowles Pyle Watson
Fee Krieger Quinn

NAYS–92

Barbin Deasy Kavalich Painter
Bishop DeLissio Keller, W. Parker
Bizzarro Deluca Kim Pashinski
Boyle, B. Dermody Kinsey Petarca
Boyle, K. DiGiroldo Kirkland Ravenstahl
Bradford Donatucci Kortz Readshaw
Briggs Evans Kotik Roeback
Brown, V. Fabrizio Kula Rozzi
Brownlee Farina Longietti Sabatina
Burns Flynn Mahoney Sainato
Caltagirone Frankel Markosek Samuelson
Carroll Freeman Matzie Santarsiero
Clay Gainey McCarter Schlossberg
Cohen Galloway McGeohan Sims
Conklin Gergely McNeill Snyder
Costa, D. Gibbons Mirabito Sturla
Costa, P. Goodman Miranda Thomas
Cruz Hagerty Molchany Truitt
Daley, M. Haboska Mullery Vitali
Daley, P. Hanna Mundy Waters
Davidson Harhai Neilson Wheatley

Davis Harkins Neuman White
Dean Harris, J. O'Brien Youngblood

NOT VOTING–0

EXCUSED–2

Miccarielli Murt

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

On the question recurring,

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

Mr. METZGAR offered the following amendment No. A00477:

Amend Bill, page 137, line 2, by inserting after "amended "

and the section is amended by adding a subsection

Amend Bill, page 142, by inserting between lines 4 and 5

(g) Upon the request of any distributor or importing distributor, the board shall offer to purchase the license of the distributor or importing distributor for no less than the following amount: the average of the gross receipts of the distributor or importing distributor for the immediately preceding three years multiplied by one-half. There shall be no limit on the number of licenses the board may purchase. The board may auction the purchased distributor and importing distributor licenses in accordance with rules and regulations established by the board.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Somerset County, Mr. Metzgar.

Mr. METZGAR. Thank you, Mr. Speaker.

Much like my colleague from Bucks County, I recognize that some of our D licensees do not want to gamble on whether their license will be worth more or less based on what we are doing today, and some just simply want to leave. And if you believe that their license will be worth even more, it is a great buy from the Commonwealth's standpoint; and if you believe it is worth less and you want to help those D licensees, this is an opportunity to do that.

The formula is somewhat different than my colleague's from Bucks County. The formula that we have in this case is the average of the past 3 years of gross sales, and then that average is then divided in half, and that derives the number to which we will buy it back. And then the Commonwealth will sell it at auction to the general public after the expiration of the year.

I urge your support, and thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Lancaster County, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, will the gentleman rise for brief interrogation?

The SPEAKER. The gentleman indicates he will stand for interrogation. You may proceed.
Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, do you know what the total gross receipts are for beer distributors in the State of Pennsylvania?

Mr. METZGAR. I do not.

Mr. STURLA. So just to pick a number out of the air, if it is $10 billion, we could be on the hook for $5 billion here. Is that correct?

Mr. METZGAR. I do not pick numbers out of the air.

Mr. STURLA. Pardon?

Mr. METZGAR. I do not pick numbers out of the air, sir.

Mr. STURLA. Okay. Do you have a number as to how much this might cost?

Mr. METZGAR. No, sir.

Mr. STURLA. Thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Paul Costa.

Mr. P. COSTA. Thank you, Mr. Speaker.

Like the previous speaker, I have concerns about the fiscal impact. And according to the fiscal note prepared by the House Dem— I am sorry, the Republican House Appropriations Committee, "The adoption of this amendment may adversely affect the State Stores Fund to the extent that the PLCB purchases licenses for a price greater than it is able to auction them to other interested parties." That says enough for me. There is an uncertainty, and it could be a negative impact.

So for that reason, I would ask our members to please vote "no."

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Taylor.

Mr. TAYLOR. Mr. Speaker, we fully expect that the value of a license would increase substantially across the Commonwealth, but in the event that that does not happen – they try to sell it, they cannot – this particular amendment provides a fallback position for that licensee, and I would urge its adoption.

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

The following roll call was recorded:

YEAS–92

Adolph Evans Krieger Quinn
Aument Everett Lucas Rapp
Baker Farra Mahler Reed
Barrar Fee Major Reese
Benninghoff Fleck Maloney Regan
Boback Gabler Marshall Roae
Brooks Gillen Marsico Rock
Brown, R. Gillespie McGinnis Saccone
Causser Godshall Menzter Sankey
Christianna Grenier Metcalfe Saylor
Clymer Hackett Metzgar Scavello
Corbin Hahn Miccozie Smith
Cox Harhart Miller Sonney
Culver Harris, A. Milne Stephens
Cutler Heffley Moul Stern
Day Helm O'Neil Stevenson
Delozier Hennessey Oberlander Swanger
Denlinger Hess Payne Tallman
DiGirolamo Hickernell Peifer Taylor

NAYS–107

Barbin Dermyd Kriev Kim Painter
Bishop Donatucci Kinsey Parker
Bizzarro Dunbar Kirkland Pashinski
Bloom Fabrizio Knowles Ravenstahl
Boyle, B. Farina Kortz Readshaw
Boyle, K. Flynn Kotik Roebuck
Bradford Frankel Kula Ross
Briggs Freeman Lawrence Rozzi
Brown, V. Gainey Longietti Sabatina
Brownlee Galloway Mackenzie Sainato
Burns Gergely Mahoney Samuelson
Caltagirone Gibbons Markosek Santarsiero
Carroll Gingrich Masser Schlossberg
Clay Goodman Matzie Simmons
Cohen Grell McCarter Sims
Conklin Grove McGehean Snyder
Costa, D. Haggerty McNeill Sturla
Costa, P. Haluska Millard Thomas
Cruz Hanna Mirabito Toepel
Daley, M. Harhai Miranda Truit
Daley, P. Harkins Molchany Vreb
Davidson Harper Mullery Vitali
Davis Harris, J. James Mundy Waters
Dean James Mustio Wheatley
Deasy Kampf Neilson White
DeLissio Kavulich Neuman Youngblood
DeLuca Keller, W. O'Brien

NOT VOTING–0

EXCUSED–2

Micarelli Murt

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 as amended? Bill as amended was agreed to.

(Bill as amended will be reprinted.)

ANNOUNCEMENT BY SPEAKER

The SPEAKER. A couple of announcements: There will be no further votes, and tomorrow will be a voting day. I will announce it later, but we will be in at 11 tomorrow.

BILL RECOMMENDED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 790 be recommitted to the Committee on Appropriations.

On the question, Will the House agree to the motion? Motion was agreed to.
BILLS REMOVED FROM TABLE

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

HB 289;
HB 403;
HB 447;
HB 472;
HB 513;
HB 723;
HB 827;
HB 930; and
HB 1022.

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

The SPEAKER. The House will come to order.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman from Delaware County, Mr. Adolph, for the purpose of an announcement.

Mr. ADOLPH. Thank you very much, Mr. Speaker.
Mr. Speaker, there will be a House Appropriations Committee meeting tomorrow in the majority caucus room at 10 a.m.; 10 a.m. tomorrow in the majority caucus room. Thank you.

The SPEAKER. There will be an Appropriations Committee meeting at 10 a.m. tomorrow in the majority caucus room.

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. Seeing no further business, the Speaker recognizes the lady from Dauphin County, Ms. Kim, who moves that this House do adjourn until Thursday, March 21, 2013, at 11 a.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 4:11 p.m., e.d.t., the House adjourned.