

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, OCTOBER 20, 2014

SESSION OF 2014

198TH OF THE GENERAL ASSEMBLY

No. 67

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (SAMUEL H. SMITH)
PRESIDING**

PRAYER

HON. BRYAN BARBIN, member of the House of Representatives, offered the following prayer:

I invite you to bow your head and join me in prayer to the maker of all good things.

Heavenly Father, thank You for Your greatest gift. Help us to fill our hearts with Your character of love. As we strive to be Your stewards for the public, help us to respect the gift as we pass laws to benefit the least among us.

Dear Lord, as this legislative session comes to a close, help us to remember the sacrifice of so many servicemen embodied in the upcoming anniversary of the flag raising at Iwo Jima. Help us to remember that the greatest among us are those who sacrifice for love of God and country.

Thank You for William Penn, who gave us the land where love is stronger than hate, and Pennsylvania immigrants like Johnstown's Sgt. Michael Strank, who raised the flag of freedom. Help us this day to bind up their wounds by caring for those they left behind.

And all of God's people said, 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 Thursday, October 16, 2014, will be postponed until printed.

JOURNAL APPROVED

The SPEAKER. However, the following Journal is in print and, without objection, will be approved: Monday, June 30, 2014.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 80, PN 4318**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE AMENDMENTS
TO SENATE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate amendments to **HB 1773, PN 4312**.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1796, PN 2870**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 428, PN 2321; SB 508, PN 2354; SB 720, PN 2358; SB 1135, PN 2269; SB 1180, PN 2393; SB 1239, PN 2396; and SB 1355, PN 2319**.

BILLS SIGNED BY SPEAKER

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

HB 1773, PN 4312

An Act amending the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act, further providing for title of act; providing for declaration of fiscal emergencies and receivership in municipalities; authorizing certain taxes; providing for disincorporation of municipalities and the establishment of unincorporated service districts; establishing the Unincorporated Service District Trust Fund; and making extensive amendments, additions and editorial changes.

HB 1796, PN 2870

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in preemptions, providing for protection for victims of abuse or crime.

SB 428, PN 2321

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for pooled trusts for persons with disabilities.

SB 508, PN 2354

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, providing for revictimization relief.

SB 720, PN 2358

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in the Governor and disaster emergencies, further providing for general authority of Governor; providing for disaster emergency assistance; and establishing the Public Disaster Assistance Grant Program.

SB 1135, PN 2269

An Act amending the act of May 28, 1937 (P.L.955, No.265), referred to as the Housing Authorities Law, further providing for establishment of rentals and selection of tenants; and providing for veteran preferences.

SB 1180, PN 2393

An Act providing for prescription drug monitoring; creating the ABC-MAP Board; establishing the Achieving Better Care by Monitoring All Prescriptions Program; and providing for unlawful acts and penalties.

SB 1239, PN 2396

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for occupational limited license; in driving after imbibing alcohol or utilizing drugs, further providing for grading and for prior offenses; and, in enforcement, further providing for reports by courts.

SB 1355, PN 2319

An Act amending the act of July 10, 1984 (P.L.688, No.147), known as the Radiation Protection Act, in fees, further providing for nuclear facility and transport fees.

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

LEAVES OF ABSENCE

The SPEAKER. The Speaker turns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the lady, Ms. BOBACK, from Luzerne County for the day. Without objection, the leave will be granted.

The Speaker recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. WHEATLEY, from Allegheny County for the day, and the gentleman, Mr. PASHINSKI, from Luzerne County for the day. Without objection, the leaves will be granted.

MASTER ROLL CALL

The SPEAKER. The Speaker is about to take the master roll call. The members will proceed to vote.

(Members proceeded to vote.)

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence on the floor of the gentleman from Luzerne County, Mr. Pashinski.

The following roll call was recorded:

PRESENT—200

Adolph	English	Kirkland	Petri
Aument	Evankovich	Knowles	Pickett
Baker	Evans	Kortz	Pyle
Barbin	Everett	Kotik	Quinn
Barrar	Fabrizio	Krieger	Rapp
Benninghoff	Farina	Kula	Ravenstahl
Bishop	Farry	Lawrence	Readshaw
Bizzarro	Fee	Longietti	Reed
Bloom	Fleck	Lucas	Reese
Boyle, B.	Flynn	Mackenzie	Regan
Boyle, K.	Frankel	Maher	Roae
Bradford	Freeman	Mahoney	Rock
Briggs	Gabler	Major	Roebuck
Brooks	Gainey	Maloney	Ross
Brown, R.	Galloway	Markosek	Rozzi
Brown, V.	Gergely	Marshall	Sabatina
Brownlee	Gibbons	Marsico	Saccone
Burns	Gillen	Masser	Sainato
Caltagirone	Gillespie	Matzie	Samuelson
Carroll	Gingrich	McCarter	Sankey
Causar	Godshall	McGeehan	Santarsiero
Christiana	Goodman	McGinnis	Saylor
Clay	Greiner	McNeill	Scavello
Clymer	Grell	Mentzer	Schlossberg
Cohen	Grove	Metcalfe	Schreiber
Conklin	Hackett	Metzgar	Simmons
Corbin	Haggerty	Miccarelli	Sims
Costa, D.	Hahn	Micozzie	Smith
Costa, P.	Haluska	Millard	Snyder
Cox	Hanna	Miller, D.	Sonney
Cruz	Harhai	Miller, R.	Stephens
Culver	Harhart	Milne	Stern
Cutler	Harkins	Mirabito	Stevenson
Daley, M.	Harper	Miranda	Sturla
Daley, P.	Harris, A.	Molchany	Swanger
Davidson	Harris, J.	Moul	Tallman
Davis	Heffley	Mullery	Taylor
Day	Helm	Mundy	Thomas
Dean	Hennessey	Murt	Tobash

Deasy	Hickernell	Mustio	Toepel
DeLissio	James	Neuman	Toohil
DeLozier	Kampf	O'Brien	Topper
DeLuca	Kauffman	O'Neill	Truitt
Denlinger	Kavulich	Oberlander	Turzai
Dermody	Keller, F.	Painter	Vereb
DiGirolamo	Keller, M.K.	Parker	Vitali
Donatucci	Keller, W.	Pashinski	Waters
Dunbar	Killion	Payne	Watson
Ellis	Kim	Peifer	White
Emrick	Kinsey	Petrarca	Youngblood

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Boback	Wheatley
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LEAVES ADDED—7

DeLuca	Fleck	Mahoney	Micozzie
Farry	Galloway	McGeehan	

LEAVES CANCELED—1

Wheatley

The SPEAKER. Two hundred members having voted on the master roll call, a quorum is present.

UNCONTESTED CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. BAKER called up **HR 1094, PN 4319**, entitled:

A Resolution designating the month of November 2014 as "COPD Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Adolph	English	Kirkland	Petri
Aument	Evankovich	Knowles	Pickett
Baker	Evans	Kortz	Pyle
Barbin	Everett	Kotik	Quinn
Barrar	Fabrizio	Krieger	Rapp
Benninghoff	Farina	Kula	Ravenstahl
Bishop	Farry	Lawrence	Readshaw
Bizzarro	Fee	Longiatti	Reed
Bloom	Fleck	Lucas	Reese
Boyle, B.	Flynn	Mackenzie	Regan
Boyle, K.	Frankel	Maher	Roae
Bradford	Freeman	Mahoney	Rock
Briggs	Gabler	Major	Roebuck
Brooks	Gainey	Maloney	Ross
Brown, R.	Galloway	Markosek	Rozzi
Brown, V.	Gergely	Marshall	Sabatina
Brownlee	Gibbons	Marsico	Saccone
Burns	Gillen	Masser	Sainato
Caltagirone	Gillespie	Matzie	Samuelson
Carroll	Gingrich	McCarter	Sankey
Causar	Godshall	McGeehan	Santarsiero
Christiana	Goodman	McGinnis	Saylor

Clay	Greiner	McNeill	Scavello
Clymer	Grell	Mentzer	Schlossberg
Cohen	Grove	Metcalfe	Schreiber
Conklin	Hackett	Metzgar	Simmons
Corbin	Haggerty	Miccarelli	Sims
Costa, D.	Hahn	Micozzie	Smith
Costa, P.	Haluska	Millard	Snyder
Cox	Hanna	Miller, D.	Sonney
Cruz	Harhai	Miller, R.	Stephens
Culver	Harhart	Milne	Stern
Cutler	Harkins	Mirabito	Stevenson
Daley, M.	Harper	Miranda	Sturla
Daley, P.	Harris, A.	Molchany	Swanger
Davidson	Harris, J.	Moul	Tallman
Davis	Heffley	Mullery	Taylor
Day	Helm	Mundy	Thomas
Dean	Hennessey	Murt	Tobash
Deasy	Hickernell	Mustio	Toepel
DeLissio	James	Neuman	Toohil
DeLozier	Kampf	O'Brien	Topper
DeLuca	Kauffman	O'Neill	Truitt
Denlinger	Kavulich	Oberlander	Turzai
Dermody	Keller, F.	Painter	Vereb
DiGirolamo	Keller, M.K.	Parker	Vitali
Donatucci	Keller, W.	Pashinski	Waters
Dunbar	Killion	Payne	Watson
Ellis	Kim	Peifer	White
Emrick	Kinsey	Petrarca	Youngblood

NAYS—0

NOT VOTING—0

EXCUSED—2

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

LEAVE 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 from Allegheny County, Mr. DeLUCA, for the remainder of the day. Without objection, the leave will be granted.

REPUBLICAN CAUCUS

The SPEAKER. The Speaker recognizes the lady from Susquehanna County, Ms. Major, 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 room at 12 noon. We would be prepared to come back to the floor at 1 p.m. Thank you, Mr. Speaker.

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 caucus at 12 noon. Democrats will caucus at 12 noon. Thank you.

RECESS

The SPEAKER. This House stands in recess until 1 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 1:15 p.m.; further extended until 1:30 p.m.

AFTER RECESS

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

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, Mr. MICOZZIE, from Delaware County for the day. Without objection, the leave will be granted.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. For what purpose does the gentleman from Dauphin County, Mr. Marsico, rise?

Mr. MARSICO. Mr. Speaker, I would like to submit comments for the record on HB 1163.

The SPEAKER. The gentleman will deliver them to the clerk and they will be noted in the record.

Mr. MARSICO. Thank you.

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

Thank you, Mr. Speaker.

I just want to take a moment to express my deep disappointment with the Senate, and specifically, the Senator from the 38th District for preventing final passage of HB 1163 last week.

This piece of legislation would have created the offense of cyber harassment of a child.

HB 1163 passed unanimously by a vote of 200-0 in the House on April 1. However, this critical piece of legislation failed in the Senate due to a last-minute amendment that prevented final passage of this bill.

It is a sad state of affairs when we cannot come together as lawmakers and put the importance of protecting our children before our own personal agendas. And unfortunately, that is exactly what happened when the Senator from the 38th District attached an unrelated amendment to my legislation this week that caused the bill to lose support.

The Senator from the 38th District blocked a bill that would have prevented cyberbullying during National Bullying Prevention Month, which makes this even worse. HB 1163 would make cyber harassment of a child a punishable offense.

The Judiciary Committee worked tirelessly on this issue. We held hearings on the problem of bullying. We heard from children who have been victims, along with child mental health experts and school administrators.

As it stands, we do have laws on the books that prohibit harassment, of course. But those laws were written long ago.

The hearings we held make clear they are inadequate to address bullying in the electronic age. It is time for our statutes to catch up with the technology that has changed the bully's playing field.

Every child in this Commonwealth has the right to grow up free from intimidation, torment, and emotional distress. They deserve to grow up in an environment that allows them to focus their energy on achieving their full potential.

Many groups supported this bill, groups such as: The National Character Education Foundation; the Pennsylvania District Attorneys Association; the Pennsylvania Office of Attorney General; the Pennsylvania Juvenile Judges' Commission; the Juvenile Law Center; the Pennsylvania Chiefs of Police; Pennsylvania Office of the Victim Advocate; Pennsylvania Coalition Against Rape, and the Pennsylvania State Police.

HB 1163 would have gone a long way toward helping children to do so, and I am disgusted that this legislation was blocked from receiving final passage.

If I have the honor of representing the 105th Legislative District again next session, I fully intend on reintroducing this vital bill. It will absolutely be one of my first priorities. I will not stop fighting for Pennsylvania's children and the passage of this legislation. And I hope that you will all support me in this fight.

Thank you, Mr. Speaker.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of Mark Thomas Weiss, who has recently been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Mark Thomas Weiss.

Whereas, Mark Thomas Weiss earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Mark is a member of Troop 230.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Mark Thomas Weiss.

* * *

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of Andrew James Worth, who has been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Andrew James Worth.

Whereas, Andrew James Worth earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Andrew is a member of Troop 19.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Andrew James Worth.

CALENDAR

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 46, PN 3761**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, codifying the act of July 2, 2006 (P.L.292, No.65), known as the Organ and Bone Marrow Donor Act; further providing for applicability; and making a related repeal.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Mr. Godshall, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Godshall, for a brief description of Senate amendments.

Mr. GODSHALL. Thank you, Mr. Speaker.

All the Senate did with this bill is take a freestanding bill and put it in the Pennsylvania Tax Code. So that was the only change that was made. Thank you.

LEAVE 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 from Bucks County, Mr. GALLOWAY, for the remainder of the day. Without objection, the leave will be granted.

CONSIDERATION OF HB 46 CONTINUED

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—197

Adolph	Evankovich	Knowles	Pickett
Aument	Evans	Kortz	Pyle
Baker	Everett	Kotik	Quinn
Barbin	Fabrizio	Krieger	Rapp
Barrar	Farina	Kula	Ravenstahl
Benninghoff	Farry	Lawrence	Readshaw
Bishop	Fee	Longietti	Reed
Bizzarro	Fleck	Lucas	Reese
Bloom	Flynn	Mackenzie	Regan
Boyle, B.	Frankel	Maher	Roae
Boyle, K.	Freeman	Mahoney	Rock
Bradford	Gabler	Major	Roebuck
Briggs	Gainey	Maloney	Ross
Brooks	Gergely	Markosek	Rozzi
Brown, R.	Gibbons	Marshall	Sabatina
Brown, V.	Gillen	Marsico	Saccone
Brownlee	Gillespie	Masser	Sainato
Burns	Gingrich	Matzie	Samuelson
Caltagirone	Godshall	McCarter	Sankey
Carroll	Goodman	McGeehan	Santarsiero
Causar	Greiner	McGinnis	Saylor
Christiana	Grell	McNeill	Scavello

Clay	Grove	Mentzer	Schlossberg
Clymer	Hackett	Metcalfe	Schreiber
Cohen	Haggerty	Metzgar	Simmons
Conklin	Hahn	Miccarelli	Sims
Corbin	Haluska	Millard	Smith
Costa, D.	Hanna	Miller, D.	Snyder
Costa, P.	Harhai	Miller, R.	Sonney
Cox	Harhart	Milne	Stephens
Cruz	Harkins	Mirabito	Stern
Culver	Harper	Miranda	Stevenson
Cutler	Harris, A.	Molchany	Sturla
Daley, M.	Harris, J.	Moul	Swanger
Daley, P.	Heffley	Mullery	Tallman
Davidson	Helm	Mundy	Taylor
Davis	Hennessey	Murt	Thomas
Day	Hickernell	Mustio	Tobash
Dean	James	Neuman	Toepel
Deasy	Kampf	O'Brien	Toohil
DeLissio	Kauffman	O'Neill	Topper
Delozier	Kavulich	Oberlander	Truitt
Denlinger	Keller, F.	Painter	Turzai
Dermody	Keller, M.K.	Parker	Vereb
DiGirolamo	Keller, W.	Pashinski	Vitali
Donatucci	Killion	Payne	Waters
Dunbar	Kim	Peifer	Watson
Ellis	Kinsey	Petrarca	White
Emrick	Kirkland	Petri	Youngblood
English			

NAYS—0

NOT VOTING—0

EXCUSED—5

Boback	Galloway	Micozzie	Wheatley
DeLuca			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 91, PN 4310**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for educational improvement tax credit; and repealing provisions relating to educational opportunity scholarship tax credit; and, in city revitalization and improvement zones, further providing for definitions and for establishment of contracting authority.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Mr. Evankovich, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Evankovich, for a brief description of Senate amendments.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, the Senate amended HB 91 from its original form. It keeps the original provisions of the bill which will allow vocational schools and technical schools to participate in the EITC (educational improvement tax credit) program. It also creates an open door in between the EITC program and the

OSTC (opportunity scholarship tax credit) program so that unclaimed tax credits can flow between the two.

Mr. Speaker, the changes in the Senate also streamline the tax credit process to allow the process to be more simply completed by the participating entities.

And lastly, Mr. Speaker, the bill provides some technical CRIZ (City Revitalization and Improvement Zone) language to the 2013 Fiscal Code, which enacted pilot programs for townships and boroughs. The change simply allows the townships and boroughs to have the authority to create the contracting authorities necessary to participate in the program. Thank you.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the previous member articulated quite well the amendments from the Senate into HB 91.

But I just want to add that, as we look at the mission, if you will, of the educational improvement tax credit and the educational opportunity scholarship tax credit, as you merge them into one, we are providing \$150 million combined for the parents to have an opportunity to send their child to the school of their choice – of course, it is done through scholarships, through business tax credits.

But I think as members of this General Assembly, we can be very proud of this accomplishment, because it is the parents who have the responsibility to make certain that the place where they send their child to be educated is the one that they are most comfortable with. And so this is just an outstanding bill. All who have contributed in a bipartisan way can be very proud of it, and it certainly deserves a "yes" vote. Thank you.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—193

Adolph	Evans	Knowles	Pyle
Aument	Everett	Kortz	Quinn
Baker	Fabrizio	Kotik	Rapp
Barbin	Farina	Krieger	Ravenstahl
Barrar	Farry	Kula	Readshaw
Benninghoff	Fee	Lawrence	Reed
Bishop	Fleck	Longiatti	Reese
Bizzarro	Flynn	Lucas	Regan
Bloom	Frankel	Mackenzie	Roae
Boyle, B.	Freeman	Maher	Rock
Boyle, K.	Gabler	Mahoney	Roebuck
Bradford	Gainey	Major	Ross
Briggs	Gergely	Maloney	Rozzi
Brooks	Gibbons	Markosek	Sabatina
Brown, R.	Gillen	Marshall	Saccone
Brown, V.	Gillespie	Marsico	Sainato
Brownlee	Gingrich	Masser	Samuelson
Burns	Godshall	Matzie	Sankey
Caltagirone	Goodman	McCarter	Santarsiero
Causar	Greiner	McGeehan	Saylor
Christiana	Grell	McGinnis	Scavello
Clay	Grove	McNeill	Schlossberg
Clymer	Hackett	Mentzer	Schreiber

Cohen	Haggerty	Metcalfe	Simmons
Conklin	Hahn	Metzgar	Sims
Corbin	Haluska	Miccarelli	Smith
Costa, D.	Hanna	Millard	Snyder
Costa, P.	Harhai	Miller, D.	Sonney
Cox	Harhart	Miller, R.	Stephens
Cruz	Harkins	Milne	Stern
Culver	Harper	Mirabito	Stevenson
Cutler	Harris, A.	Miranda	Sturla
Daley, M.	Harris, J.	Molchany	Swanger
Daley, P.	Heffley	Moul	Tallman
Davidson	Helm	Mullery	Taylor
Davis	Hennessey	Murt	Thomas
Day	Hickernell	Mustio	Tobash
Dean	James	Neuman	Toepel
Deasy	Kampf	O'Brien	Toohil
DeLozier	Kauffman	O'Neill	Topper
Denlinger	Kavulich	Oberlander	Truitt
Dermody	Keller, F.	Painter	Turzai
DiGirolamo	Keller, M.K.	Parker	Vereb
Donatucci	Keller, W.	Payne	Vitali
Dunbar	Killion	Peifer	Waters
Ellis	Kim	Petrarca	Watson
Emrick	Kinsey	Petri	White
English	Kirkland	Pickett	Youngblood
Evankovich			

NAYS—4

Carroll	DeLissio	Mundy	Pashinski
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NOT VOTING—0

EXCUSED—5

Boback	Galloway	Micozzie	Wheatley
DeLuca			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 803, PN 4240**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, providing for school access to emergency epinephrine.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Mr. Stevenson, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Stevenson, for a brief description of the Senate amendments.

Mr. STEVENSON. Thank you, Mr. Speaker.

In the Senate HB 803 was amended to ensure that EpiPens are maintained by a school and kept in a safe, secure location, which is consistent with CDC (Centers for Disease Control and Prevention) guidelines for managing food allergies in schools. They further amended the bill to allow certified registered nurse practitioners to prescribe EpiPens to be maintained in the school.

Neither of these amendments changes the underlying purpose of the bill or its intent. The Senate then passed the bill unanimously.

These are agreed-to amendments, and these amendments and the bill still have the support of the PA Association of School Nurses and Practitioners, Food Allergy Research and Education, PA Society for Respiratory Care, PA Medical Society, Mylan, Inc., and Sanofi U.S.

I would encourage support for the bill as amended. Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Boback Galloway Micozzie Wheatley
DeLuca

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1013, PN 4174**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, further providing for home education program.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Mr. Gillen, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Gillen, for a brief description of the Senate amendments.

Mr. GILLEN. Thank you, Mr. Speaker.

This is a clarifying amendment that the communication between the superintendent and the supervisor of the homeschool would need to be in writing when it comes to the issue of reasonable cause. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I just wanted to bring to the members' attention that this bill is opposed by the Pennsylvania association of school superintendents. I am certainly not an expert on the subject matter, but I think it takes them out of the process with regard to the approval of a high school diploma for a student who has been homeschooled.

As this bill was discussed in caucus, apparently a student who has been homeschooled in effect, it would be his parent who would decide whether or not a high school diploma would be issued. Now, they would have to hire an evaluator, but this would be the evaluator that they would hire.

So there are certain concerns I just want to bring to the members' attention on this bill. I am not an expert on it. Others can debate it if they choose, but it does have some controversy.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

On the question, the Speaker recognizes the gentleman from Luzerne County, Mr. Pashinski.

Mr. PASHINSKI. Thank you, Mr. Speaker.

Would the gentleman please stand for brief interrogation?

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

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

Could you clarify whether the evaluators themselves have any degree of certification in order to evaluate the projects?

Mr. GILLEN. Thank you. The evaluators come from a menu of qualifications, including a licensed, clinical psychologist, a school psychologist, a certified educator, Mr. Speaker, and actually, the superintendent can choose to designate an evaluator himself.

Mr. PASHINSKI. It was my understanding that the superintendent would not be involved in this process.

Mr. GILLEN. No. Actually, the superintendent is involved in the process.

When choosing an evaluator, the typical homeschool family goes to the superintendent's office and the superintendent has a list of the evaluators.

Mr. PASHINSKI. He has a list of evaluators?

Mr. GILLEN. He has a list of approved evaluators, correct.

Mr. PASHINSKI. Okay. And it is the superintendent that approves those evaluators?

Mr. GILLEN. There is a Pennsylvania Department of Education standard that they must comport with.

Mr. PASHINSKI. Pennsylvania Department of Education. And therefore, the individual, the parents that are hiring these evaluators, are the ones that will then administer the diploma?

Mr. GILLEN. The diploma would have to be signed by an evaluator who is on an approved Pennsylvania Department of Education list, as well as the supervisor of the homeschool program.

Mr. PASHINSKI. Do the children take the SAT test (scholastic aptitude test) by any chance?

Mr. GILLEN. The children take standardized tests.

Mr. PASHINSKI. SATs? Keystones or Core? Is it SATs or Cores?

Mr. GILLEN. There is a menu of standardized tests that they may choose from.

Mr. PASHINSKI. Okay. So strictly the certified evaluator is the one that will evaluate this and that was approved by the superintendent?

Mr. GILLEN. I am sorry, Mr. Speaker. I did not hear the first part of that comment.

Mr. PASHINSKI. Okay.

The SPEAKER. The gentleman will suspend for a minute.

Members will just kindly hold the conversations down a little bit, please. Thank you very much.

The gentleman, Mr. Pashinski, may proceed.

Mr. PASHINSKI. Okay. I have just been informed that they do not have to be certified but they are on the list.

Mr. GILLEN. Who does not have to be certified?

Mr. PASHINSKI. The list that is given to the superintendent.

Mr. GILLEN. The qualifications to be an evaluator is under the purview of the Pennsylvania Department of Education. The school district provides the list, Mr. Speaker, to individual homeschool families who are interested.

Mr. PASHINSKI. Okay. Thank you. Hold on a second, please.

So it is my understanding that these people that are the evaluators simply need 2 years of experience in a particular subject area. Is that correct?

Mr. GILLEN. You have read a part of one of the qualifications, Mr. Speaker.

Mr. PASHINSKI. Okay. All right. Thank you, Mr. Speaker.

May I speak against the amendment, please?

The SPEAKER. The gentleman is in order on the question, which is concurrence in Senate amendments.

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

There is no doubt that the parents that love their children and care for them and educate them do a great job. What is happening here, though, is it appears as though there is less certification, less qualified people that determine the final evaluation of that particular subject. This House, and I know the Senate, has done everything possible to make sure that those that are put before our students here in Pennsylvania, our children, are highly qualified. This provision does just the opposite.

I urge a "no" vote, Mr. Speaker. Thank you.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. TURZAI. I rise in support of HB 1013.

It is an outstanding piece of legislation. I salute the maker of the bill. It balances the needs for the homeschool communities while maintaining quality education for each and every student in the Commonwealth of Pennsylvania, and I ask for a "yes" vote.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—129

Adolph	Fee	Kula	Quinn
Aument	Fleck	Lawrence	Rapp
Baker	Gabler	Lucas	Reed
Barbin	Gibbons	Mackenzie	Reese
Barrar	Gillen	Maher	Regan
Benninghoff	Gillespie	Major	Roae
Bloom	Gingrich	Maloney	Rock
Brooks	Godshall	Marshall	Ross
Brown, R.	Goodman	Marsico	Saccone
Caltagirone	Greiner	Masser	Sainato
Carroll	Grell	Matzie	Sankey
Causer	Grove	McGinnis	Saylor
Christiana	Hackett	Mentzer	Scavello
Clymer	Hahn	Metcalfe	Schreiber
Corbin	Haluska	Metzgar	Simmons
Costa, D.	Harhai	Miccarelli	Smith
Cox	Harhart	Millard	Snyder
Culver	Harper	Miller, R.	Sonney
Cutler	Harris, A.	Milne	Stephens
Davidson	Heffley	Mirabito	Stern
Day	Helm	Moul	Stevenson
Delozier	Hennessey	Murt	Swanger
Denlinger	Hickernell	Mustio	Tallman
Dermody	James	Neuman	Taylor
DiGirolamo	Kampf	O'Neill	Tobash
Dunbar	Kauffman	Oberlander	Toepel
Ellis	Keller, F.	Payne	Toohil
Emrick	Keller, M.K.	Peifer	Topper
English	Killion	Petrarca	Truitt
Evankovich	Knowles	Petri	Turzai
Everett	Kotik	Pickett	Vereb
Farina	Krieger	Pyle	Watson
Farry			

NAYS—68

Bishop	Dean	Kim	Parker
Bizzarro	Deasy	Kinsey	Pashinski
Boyle, B.	DeLissio	Kirkland	Ravenstahl
Boyle, K.	Donatucci	Kortz	Readshaw
Bradford	Evans	Longietti	Roebuck
Briggs	Fabrizio	Mahoney	Rozzi
Brown, V.	Flynn	Markosek	Sabatina
Brownlee	Frankel	McCarter	Samuelson
Burns	Freeman	McGeehan	Santarsiero
Clay	Gainey	McNeill	Schlossberg
Cohen	Gergely	Miller, D.	Sims
Conklin	Haggerty	Miranda	Sturla
Costa, P.	Hanna	Molchany	Thomas
Cruz	Harkins	Mullery	Vitali
Daley, M.	Harris, J.	Mundy	Waters
Daley, P.	Kavulich	O'Brien	White
Davis	Keller, W.	Painter	Youngblood

NOT VOTING—0

EXCUSED—5

Boback	Galloway	Micozzie	Wheatley
DeLuca			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1655, PN 4226**, entitled:

An Act establishing the Patient-Centered Medical Home Advisory Council; providing powers and duties of the council, the Department of Human Services; and providing for development of a plan to implement a Statewide medical home model.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Mr. Baker, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Baker, for a brief description of the Senate amendments.

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

Mr. Speaker, the changes in the Senate that were made was updating the language to reflect the Department of Human Services versus the Department of Public Welfare, and the references to the various medical associations and professional associations were made by groups such as family physicians, nurse practitioners, hospital health systems. There is an extensive list there, but it basically changed it from associations to the professional groups. And there is a reference to the Affordable Care Act, and there is a sunset provision that expires June 30, 2020.

Thank you, Mr. Speaker.

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Boback	Galloway	Micozzie	Wheatley
DeLuca			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1846, PN 4314**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for schedule of compensation and for use of savings.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. Moved by the lady, Ms. Quinn, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the lady, Ms. Quinn, for a brief description of the Senate amendments.

Ms. QUINN. Thank you, Mr. Speaker.

The Senate amended this legislation, HB 1846, once in committee and once again on third consideration. Consistent with current law, the Senate amendments cap the maximum reimbursement rate for drugs and professional pharmaceutical services to 110 percent of the average wholesale price of the original manufactured product. The bill as amended also limits reimbursements to an initial 7-day supply for schedule II and III drugs containing hydrocodone, with a conditional 15-day supply if the patient requires surgery or another medical procedure. For all drugs, physicians are limited to reimbursement for an initial 30-day supply.

To mitigate the practice of doctor shopping, where patients essentially receive drugs from multiple health-care providers for the same injury, the Senate amended the bill to stipulate that if one health-care provider has dispensed drugs to a workmen's compensation patient, no other health-care provider may submit reimbursements for drugs dispensed to the same employee under the same workers' compensation claim number.

Lastly, the Senate amendments require that the Pennsylvania Compensation Rating Bureau, the PCRB, calculate the savings achieved through the implementation of the bill and provide the employers with an immediate and proportional reduction in the workmen's compensation premium rates in calendar year 2016.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. TURZAI. Thank you.

I rise in support of HB 1846, and I would like to congratulate the maker of this bill and the hard work and outstanding effort she did in getting this over the goal line.

This bill sets forth limits on physician dispensing and workers' compensation that will ensure that injured workers get the access they need and at an affordable price.

Much work has been put into this excellent legislation. It is real reform, and I again applaud my good friend and colleague from Bucks County. Thank you very much.

On the question recurring,
Will the House concur in Senate amendments?

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the minority whip, who requests a leave of absence for the gentleman from Philadelphia County, Mr. McGEEHAN, for the remainder of the day. Without objection, the leave will be granted.

CONSIDERATION OF HB 1846 CONTINUED

On the question recurring,
Will the House concur in Senate amendments?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Boback Galloway Micozzie Wheatley
DeLuca McGeehan

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2110, PN 4308**, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for definitions, for powers and duties of secretary and for report.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Mr. Benninghoff, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Benninghoff, for a brief description of the Senate amendments.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

As the members know, we passed HB 2110 by unanimous vote in April of this year. The Senate added language that prohibits the Secretary of the department from authorizing the game of keno or Internet instant games unless specifically authorized by law; additionally, offering Internet-based or monitored-based interactive lottery games or simulated casino lottery games, including video poker, video roulette, slot machines, or video blackjack through the State lottery.

Basically, Mr. Speaker, this gives us better oversight in this, and I would ask for your support of the bill as amended. Thank you.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, you know I am not a gambling man, but if you would have said my last remarks on the floor of the House would be to support legislation, HB 2110, that would prohibit Internet gambling by the State lottery, I might have taken the bet, and yet that is exactly what this legislation does. You heard Representative Benninghoff explain that. As he put it, the Secretary of Revenue does not have the authority to place Internet gambling or other defined games in the lottery without the consent of the General Assembly.

So, Mr. Speaker, while allowing the lottery the mechanism to increase its profits, it does this other very important consideration of expanding gambling by prohibiting it. So I support, obviously, this legislation. Thank you.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, would the sponsor of the bill please rise for brief interrogation?

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I would like to take a minute to ensure that the amendments put into this bill in the Senate will not impact any of the current lottery games.

For example, yesterday the lottery launched a new game that has an Internet component to it. Will this bill have any impact on the lottery's ability to offer that game?

Mr. BENNINGHOFF. Mr. Speaker, I appreciate the gentleman's question. The Department of Revenue says that they are confident that this does not affect any of the current or proposed games that they are doing currently.

Mr. MARKOSEK. Okay. So just so I am clear, what we are doing here today will not impact that game that was just recently introduced?

Mr. BENNINGHOFF. Correct. We have been given that reassurance, and like you, we want to protect the lottery system that is serving our seniors to the best of our ability. We believe this bill and these amendments do that.

Mr. MARKOSEK. Okay. Thank you.

Mr. Speaker, that ends the interrogation and I will be voting in favor of HB 2110. Thank you.

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

Adolph	English	Kirkland	Pickett
Aument	Evankovich	Knowles	Pyle
Baker	Evans	Kortz	Quinn
Barbin	Everett	Kotik	Rapp
Barrar	Fabrizio	Krieger	Ravenstahl
Benninghoff	Farina	Kula	Readshaw
Bishop	Farry	Lawrence	Reed
Bizzarro	Fee	Longietti	Reese
Bloom	Fleck	Lucas	Regan
Boyle, B.	Flynn	Mackenzie	Roae
Boyle, K.	Frankel	Maher	Rock
Bradford	Freeman	Mahoney	Roebuck
Briggs	Gabler	Major	Ross
Brooks	Gainey	Maloney	Rozzi
Brown, R.	Gergely	Markosek	Sabatina
Brown, V.	Gibbons	Marshall	Saccone
Brownlee	Gillen	Marsico	Sainato
Burns	Gillespie	Masser	Samuelson
Caltagirone	Gingrich	Matzie	Sankey
Carroll	Godshall	McCarter	Santarsiero
Causer	Goodman	McGinnis	Saylor
Christiana	Greiner	McNeill	Scavello
Clay	Grell	Mentzer	Schlossberg
Clymer	Grove	Metcalfe	Schreiber
Cohen	Hackett	Metzgar	Simmons
Conklin	Haggerty	Miccarelli	Sims
Corbin	Hahn	Millard	Smith
Costa, D.	Haluska	Miller, D.	Snyder
Costa, P.	Hanna	Miller, R.	Sonney
Cox	Harhai	Milne	Stephens
Cruz	Harhart	Mirabito	Stern
Culver	Harkins	Miranda	Stevenson

Cutler	Harper	Molchany	Sturla
Daley, M.	Harris, A.	Moul	Swanger
Daley, P.	Harris, J.	Mullery	Tallman
Davidson	Heffley	Mundy	Taylor
Davis	Helm	Murt	Tobash
Day	Hennessey	Mustio	Toepel
Dean	Hickernell	Neuman	Toohil
Deasy	James	O'Brien	Topper
DeLissio	Kampf	O'Neill	Truitt
Delozier	Kauffman	Oberlander	Turzai
Denlinger	Kavulich	Painter	Vereb
Dermody	Keller, F.	Parker	Vitali
DiGirolamo	Keller, M.K.	Pashinski	Waters
Donatucci	Keller, W.	Payne	Watson
Dunbar	Killion	Peifer	White
Ellis	Kim	Petrarca	Youngblood
Emrick	Kinsey	Petri	

NAYS-1

Thomas

NOT VOTING-0

EXCUSED-6

Boback	Galloway	Micozzie	Wheatley
DeLuca	McGeehan		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2377, PN 4291**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing for definitions and for laws suspended during emergency assignments.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Mr. James, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. James, for a brief description of Senate amendments.

Mr. JAMES. Thank you, Mr. Speaker.

Upon agreement, the original bill as it left the House, we agreed to work with the Democrats on fine-tuning the language, and essentially they have specified exactly which taxes are payable and which are not. Essentially taxes for your actual employment are not and everything else is. I recommend that we vote – ask for concurrence.

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS-196

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Boback	Galloway	Micozzie	Wheatley
DeLuca	McGeehan		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2481, PN 4309**, entitled:

An Act authorizing the Treasury Department to process Supplemental Security Income State Supplement Payments for other states; providing for duties of the Treasury Department; and establishing the SSP Processing Account.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Mr. Mentzer, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Mentzer, for a brief description of the Senate amendments.

Mr. MENTZER. Mr. Speaker, this amendment was an amendment inserted by the Budget Office. It is an agreed-upon amendment.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the previous speaker stand for brief interrogation?

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

Mr. VITALI. One of the things – and honestly, I do not have a lot of background in this bill. I just was listening in caucus today on it, so sometimes information is loose there.

But one of the things I found very concerning is the concept that the law firm of Stevens & Lee would get a \$2.5 million fee out of a \$10 million contract that the State would get. Can you talk to me about that \$2.5 million fee that Stevens & Lee would get?

Mr. MENTZER. Mr. Speaker, Mr. Speaker, any arrangement that was made with any outside consultant was done through the Treasury Department. I do know that there are no fees to be paid other than fees that would be paid on a contingency basis.

Mr. VITALI. So are you aware that— I mean, I want to make sure my staffers on the Democratic side were correct. Would in fact Stevens & Lee be getting a \$2.5 million fee in this circumstance for bringing over the New Jersey business?

Mr. MENTZER. Not that we are aware of.

Mr. VITALI. Not that you are aware of.

Do you know if there is anyone else who can answer this question? Anyone else who is familiar with this bill?

Mr. MENTZER. No.

Mr. VITALI. Okay. I would like to speak on the bill.

The SPEAKER. The question is concurrence in Senate amendments. The gentleman is in order.

Mr. VITALI. I mean, I have some real concerns here. I am going to assume that what House Democratic staff is telling me is true.

I remember the name Stevens & Lee from when I was working on the pay-to-play issue and the enormous amounts of political contributions they got with regard to bond bidding, so I have a real concern here.

Now, I am not going to mention anybody's name and embarrass anyone, but we did do a quick check of campaign finance reports, and we see two different Republican Senators in leadership received \$10,000 contributions from Stevens & Lee. We found HRCC (House Republican Campaign Committee)

received a \$10,000 contribution from Stevens & Lee. We have a member of Republican leadership on the Democratic side who received a \$15,000—

The SPEAKER. The gentleman will suspend.

Mr. VITALI. —contribution from Stevens & Lee.

The SPEAKER. The gentleman will suspend. The gentleman will suspend. The gentleman will suspend.

I believe you are questioning motive when you go down the road you just started down. I think the underlying question the gentleman is raising is warranted, but when you start attaching motive to that is when I believe your debate tactics – and I do not mean that pejoratively – I just mean that tactic steps on that line.

Mr. VITALI. Right. But I just want to express to the House my concern here.

When someone gets a \$2.5 million fee – and it is hard to understand what could be done to earn that fee, and knowing that this firm is getting this fee, it is money that Pennsylvania General Fund is not getting, I have real concerns about this issue.

I have concerns about this bill because I really do not know if this compensation scheme is the best one. I understand from caucus that there was not a process of bidding to get this contract, and I do know that there is a way to do that with professional contracts by prequalifying bidders. So I just have – I am just going to raise this, I am going to raise this as a concern.

I do not think I can support the bill given the questions that were raised. But I do think it merits further inquiry from those who are watchdogs of State government that we are having one firm who is getting an enormous fee and has made these political contributions.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

On that question, the Speaker recognizes the gentleman from Northampton County, Mr. Samuelson.

Mr. SAMUELSON. Thank you.

I would like to interrogate the maker of the bill.

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

Mr. SAMUELSON. Thank you.

In response to the gentleman from Delaware County just a moment ago, I think you said that this bill would allow contingent fee contracts. Is that included in this legislation, where the Department of Treasury could enter into a contract and there be a contingent fee?

Mr. MENTZER. The Treasury will be paid from other States to process other State's checks. The fees will be paid from those other States.

Mr. SAMUELSON. Treasury would receive a payment from the other States. Normally those funds would go into the General Fund here in Pennsylvania. You are saying fees. Fees to whom?

Mr. MENTZER. Fees—

Mr. SAMUELSON. Could fees be paid to an outside law firm out of those proceeds that would normally go to the Pennsylvania Treasury?

Mr. MENTZER. This is all internal within – inside the Department of Treasury. The Department of Treasury negotiates any kind of a fee.

Mr. SAMUELSON. And I am just curious, a fee would be paid to whom? What kind of firm or law firm, consulting firm? Many of us had concerns when the lottery was proposed to be privatized and there were fees going to lawyers and consultants, over \$4 million. I am concerned here if there could be fees going to lawyers and consultants.

The SPEAKER. The gentleman will pause and allow him to answer your questions one at a time, please.

Mr. MENTZER. There is no outside consulting firm associated with the processing of other States SSI (supplemental security income) payments. It is all done by the Treasury Department, the Pennsylvania Treasury.

Mr. SAMUELSON. Okay. Would this bill prohibit Treasury from paying an outside firm or an outside consultant if, for instance, they would be able to get a contract with New Jersey to process their payments? Would 100 percent of the money go to the Pennsylvania Treasury?

Mr. MENTZER. If they want to bid out a third party to do it, then certainly they can do that on a competitive basis.

Mr. SAMUELSON. And 100 percent of that money from New Jersey would go to the Pennsylvania Treasury? Or would there be— When the language in this bill talks about a contingent fee, I am not sure whom the contingent fee is being paid to.

Mr. MENTZER. This is a bill that our Treasurer is doing. It is a bill so that Pennsylvania can earn fees from other States for the processing of their SSI payments. This is something that our Treasury wants.

Mr. SAMUELSON. Okay. Final question, does this bill require that 100 percent of those fees coming from the other States would go to our Treasury and there would be nothing going to a consultant or a lawyer that is involved in this arrangement?

Mr. MENTZER. All the fees come directly to the Treasury. They come directly to the Treasury from other States.

Mr. SAMUELSON. And are they prohibited from contracting with other folks in this arrangement? Why is there a mention of contingent fees at all?

Mr. MENTZER. I think I already answered that question.

Mr. SAMUELSON. Why is contingent fees mentioned in this legislation?

Mr. MENTZER. In order to provide options for the Treasury.

Mr. SAMUELSON. Okay. Thank you, Mr. Speaker.

On the bill?

The SPEAKER. On the question of concurrence in Senate amendments, the gentleman is in order.

Mr. SAMUELSON. This language causes me a lot of concern. To provide options to the Treasury, it sounds like those fees are not prohibited. Here we are on the final day of the legislative session. This is the kind of topic that could be readdressed in January, perhaps have a committee discussion, have a public hearing, get these issues out in the open.

So I would urge a "no" vote today and maybe revisit this issue in the new session. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

On that question, the Speaker recognizes the gentleman, Mr. Vitali, for the second time.

Mr. VITALI. Yeah. I think as I was reading this bill while the previous speaker was talking, I mean, I think maybe there is a way around this, but it would require maybe us coming back next session after amendment.

If we amended that language with regard to contingent fees and provided a system of bidding, we developed this before in conjunction with some previous legislation, to kind of take the politics out of the awarding of attorney's fees; in other words, a system where— I think this legislation, HB 2481, could be amended to set up, with regard to the awarding of legal fees, a prequalification process. You could get all law firms who are qualified by some prescreening process and then allow them to bid against each other, because when law firms bid against each other, qualified law firms, they sharpen their pencils a little bit and they come in at a lower price because they want the work. And you can still – even though they are bidding against each other, for example in this bill, you will still get a quality law firm because there has been a prescreening process. You are only allowing firms who have shown they have the ability to do this work who will be allowed to bid against each other.

MOTION TO TABLE

Mr. VITALI. So rather than create the appearance of impropriety here, I would say that we – I am going to move to table this so we do not have to take a "no" vote.

The idea is, we come back in January—

The SPEAKER. The gentleman will suspend.

I believe you made a motion. Let me state the motion.

Mr. VITALI. Right.

The SPEAKER. And then I would recognize you as to why—

Mr. VITALI. Right.

The SPEAKER. —you want to table the bill.

The gentleman from Delaware County, Mr. Vitali, has moved to table HB 2481.

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. Vitali.

Mr. VITALI. I am not going to beat this to death, but I think there is this specter of politicization here, and I think if we table this, it is a way to get by it without voting "no." And then we can come back and we can deal with the political aspects, this appearance of politics here.

So I would say we move to table, then we come back in January, maybe tweak it a bit, and we do not have to do deal with the accusations by the media, accusations by government watchdog groups, that we are awarding contracts just because they have made then and fifteen thousand dollar contributions to leadership here. We do not need that as a body.

So let us just come back in January and create a process where all firms have an even chance regardless of whether they have made political contributions or not. So I would move to table.

The SPEAKER. On the motion to table, the Speaker recognizes the gentleman from Allegheny County, Mr. Turzai.

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

I would ask the membership to vote against the motion to table.

HB 2481 passed the House on October 6 of 2014 by 196 to 1. The Senate voted 48 to 0 to pass the bill on October 15 of 2014. In a bipartisan fashion, the Pennsylvania Treasurer's

Office supports HB 2481 and has specifically made it clear that it supports the measure.

The body has thoroughly vetted this, it is an open process, and we would ask for everybody to vote against the motion to table.

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

The following roll call was recorded:

YEAS—40

Bishop	Conklin	Harris, J.	Parker
Boyle, B.	Cruz	Keller, W.	Roebuck
Boyle, K.	Daley, P.	Kim	Sabatina
Bradford	Davidson	Kinsey	Samuelson
Briggs	Dean	Kirkland	Santarsiero
Brown, V.	DeLissio	McCarter	Sims
Brownlee	Donatucci	Mirabito	Thomas
Caltagirone	Frankel	Molchany	Vitali
Clay	Freeman	O'Brien	Waters
Cohen	Gainey	Painter	Youngblood

NAYS—156

Adolph	Fee	Kula	Pyle
Aument	Fleck	Lawrence	Quinn
Baker	Flynn	Longietti	Rapp
Barbin	Gabler	Lucas	Ravenstahl
Barrar	Gergely	Mackenzie	Readshaw
Benninghoff	Gibbons	Maher	Reed
Bizzarro	Gillen	Mahoney	Reese
Bloom	Gillespie	Major	Regan
Brooks	Gingrich	Maloney	Roae
Brown, R.	Godshall	Markosek	Rock
Burns	Goodman	Marshall	Ross
Carroll	Greiner	Marsico	Rozzi
Causar	Grell	Masser	Saccone
Christiana	Grove	Matzie	Sainato
Clymer	Hackett	McGinnis	Sankey
Corbin	Haggerty	McNeill	Saylor
Costa, D.	Hahn	Mentzer	Scavello
Costa, P.	Haluska	Metcalfe	Schlossberg
Cox	Hanna	Metzgar	Schreiber
Culver	Harhai	Miccarelli	Simmons
Cutler	Harhart	Millard	Smith
Daley, M.	Harkins	Miller, D.	Snyder
Davis	Harper	Miller, R.	Sonney
Day	Harris, A.	Milne	Stephens
Deasy	Heffley	Miranda	Stern
Delozier	Helm	Moul	Stevenson
Denlinger	Hennessey	Mullery	Sturla
Dermody	Hickernell	Mundy	Swanger
DiGirolamo	James	Murt	Tallman
Dunbar	Kampf	Mustio	Taylor
Ellis	Kauffman	Neuman	Tobash
Emrick	Kavulich	O'Neill	Toepel
English	Keller, F.	Oberlander	Toohil
Evankovich	Keller, M.K.	Pashinski	Topper
Evans	Killion	Payne	Truitt
Everett	Knowles	Peifer	Turzai
Fabrizio	Kortz	Petrarca	Vereb
Farina	Kotik	Petri	Watson
Farry	Krieger	Pickett	White

NOT VOTING—0

EXCUSED—6

Boback	Galloway	Micozzie	Wheatley
DeLuca	McGeehan		

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

On the question recurring,
Will the House concur in Senate amendments?
The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—181

Adolph	Everett	Kotik	Pyle
Aument	Fabrizio	Krieger	Quinn
Baker	Farina	Kula	Rapp
Barbin	Farry	Lawrence	Ravenstahl
Barrar	Fee	Longietti	Readshaw
Benninghoff	Fleck	Lucas	Reed
Bizzarro	Flynn	Mackenzie	Reese
Bloom	Frankel	Maher	Regan
Bradford	Gabler	Mahoney	Roae
Brooks	Gainey	Major	Rock
Brown, R.	Gergely	Maloney	Roebuck
Brown, V.	Gibbons	Markosek	Ross
Brownlee	Gillen	Marshall	Rozzi
Burns	Gillespie	Marsico	Sabatina
Caltagirone	Gingrich	Masser	Saccone
Carroll	Godshall	Matzie	Sainato
Causar	Goodman	McGinnis	Sankey
Christiana	Greiner	McNeill	Santarsiero
Clay	Grell	Mentzer	Saylor
Clymer	Grove	Metcalfe	Scavello
Cohen	Hackett	Metzgar	Schlossberg
Conklin	Haggerty	Miccarelli	Schreiber
Corbin	Hahn	Millard	Simmons
Costa, D.	Haluska	Miller, D.	Sims
Costa, P.	Hanna	Miller, R.	Smith
Cox	Harhai	Milne	Snyder
Cruz	Harhart	Mirabito	Sonney
Culver	Harkins	Molchany	Stephens
Cutler	Harper	Moul	Stern
Daley, M.	Harris, A.	Mullery	Stevenson
Daley, P.	Harris, J.	Mundy	Sturla
Davidson	Heffley	Murt	Swanger
Davis	Helm	Mustio	Tallman
Day	Hennessey	Neuman	Taylor
Deasy	Hickernell	O'Brien	Tobash
Delozier	James	O'Neill	Toepel
Denlinger	Kampf	Oberlander	Toohil
Dermody	Kauffman	Painter	Topper
DiGirolamo	Kavulich	Parker	Truitt
Donatucci	Keller, F.	Pashinski	Turzai
Dunbar	Keller, M.K.	Payne	Vereb
Ellis	Keller, W.	Peifer	Waters
Emrick	Killion	Petrarca	Watson
English	Knowles	Petri	White
Evankovich	Kortz	Pickett	Youngblood
Evans			

NAYS—15

Bishop	Dean	Kinsey	Samuelson
Boyle, B.	DeLissio	Kirkland	Thomas
Boyle, K.	Freeman	McCarter	Vitali
Briggs	Kim	Miranda	

NOT VOTING—0

EXCUSED—6

Boback	Galloway	Micozzie	Wheatley
DeLuca	McGeehan		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

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

HB 46, PN 3761

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, codifying the act of July 2, 2006 (P.L.292, No.65), known as the Organ and Bone Marrow Donor Act; further providing for applicability; and making a related repeal.

HB 91, PN 4310

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for educational improvement tax credit; and repealing provisions relating to educational opportunity scholarship tax credit; and, in city revitalization and improvement zones, further providing for definitions and for establishment of contracting authority.

HB 803, PN 4240

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, providing for school access to emergency epinephrine.

HB 1013, PN 4174

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, further providing for home education program.

HB 1655, PN 4226

An Act establishing the Patient-Centered Medical Home Advisory Council; providing powers and duties of the council, the Department of Human Services; and providing for development of a plan to implement a Statewide medical home model.

HB 1846, PN 4314

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for schedule of compensation and for use of savings.

HB 2110, PN 4308

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for definitions, for powers and duties of secretary and for report.

HB 2377, PN 4291

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing for definitions and for laws suspended during emergency assignments.

HB 2481, PN 4309

An Act authorizing the Treasury Department to process Supplemental Security Income State Supplement Payments for other states; providing for duties of the Treasury Department; and establishing the SSP Processing Account.

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

RULES COMMITTEE MEETING

The SPEAKER. The Speaker recognizes the gentleman from Allegheny County for an announcement.

Mr. TURZAI. Thank you, Mr. Speaker.

We will have a 3 o'clock meeting of the Rules Committee in the Appropriations conference room – the Appropriations Committee conference room at 3 p.m. Thank you.

The SPEAKER. There will be a 3 o'clock meeting of the Rules Committee in the Appropriations Committee conference room.

RECESS

The SPEAKER. The House will be in recess until 3:30, unless sooner recalled by the Speaker.

AFTER RECESS

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

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, Mr. FLECK, from Huntingdon County for the remainder of the day. Without objection, the leave will be granted.

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 80, PN 4318

By Rep. TURZAI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, further providing for the offense of criminal trespass; defining the offense of theft of secondary metal; prescribing penalties; and, in firearms and other dangerous articles, further providing for Pennsylvania State Police and for limitation on the regulation of firearms and ammunition.

RULES.

HB 1135, PN 4284

By Rep. TURZAI

An Act designating a bridge that carries State Route 153 over the Bennett Branch in Huston Township, Clearfield County, as the Huston Township Veterans Memorial Bridge; designating U.S. Route 219 in Johnsonburg Borough, Elk County, from the intersection of State Route 1009, Center Street, starting at roadway segment 0502 offset 0000 to the intersection of State Route 1009, Center Street, ending at roadway segment 0522 offset 1159, as the Veterans of Johnsonburg Bypass; designating a portion of Pennsylvania Route 1001 between Rhawn Street, 0100/0000 and Kendrick Street, 0100/2784 in the City of Philadelphia, Philadelphia County, as the Firefighter Daniel Sweeney Memorial Highway; designating a portion of Pennsylvania Route 611 between Maple Avenue and Meetinghouse Road, in Montgomery County, as the Lieutenant Joseph C. Park II Memorial Highway; designating a portion of State Route 272 in Lancaster County, south of State Route 372 and before Osceola Road, as the Staff

Sergeant Keith A. Bennett Memorial Highway; designating a portion of U.S. Route 1, City Avenue in Philadelphia and Montgomery Counties from its intersection with Presidential Boulevard to its intersection with Monument Road as Ed Bradley Way; providing for the redesignation of the Easton-Phillipsburg Toll Bridge operated by the Delaware River Joint Toll Bridge Commission as the Sergeant William John Cahir Memorial Bridge; designating a portion of PA Route 191 in Washington Township, Northampton County, as the "World War II Homefront Heroes Highway"; renaming the Hokendauqua Bridge in Lehigh County as the Lieutenant Colonel Thomas J. Lynch Memorial Bridge; renaming the Main Street Bridge in Brockway Borough, Jefferson County, as the Ensign USN Connie Rita Esposito Memorial Bridge; designating a bridge carrying State Route 1008 known as Pompey Hill Road, over the Stonycreek River in Quemahoning and Stonycreek Townships, Somerset County, as the Private John W. Mostoller Bridge; designating a bridge on that portion of State Route 271 over the South Branch Blacklick Creek, Nanty Glo Borough, Cambria County, as the Platoon Sergeant Alfred McCullough Memorial Bridge; designating a bridge on that portion of State Route 181 over the Conewago Creek, between Newberry Township and East Manchester Township, York County, as the SP4 Randy Stephen Schell Memorial Bridge; and designating a portion of Pennsylvania Route 144 in Centre County as the PFC Donald Ray Lucas Memorial Highway.

RULES.

HB 1874, PN 2935 (Amended) By Rep. TURZAI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for counseling of sexually violent predators.

RULES.

HB 2178, PN 3855 By Rep. TURZAI

An Act amending Titles 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, in enforcement, further providing for powers and duties of waterways conservation officers and deputies and for powers and duties of enforcement officers.

RULES.

SUPPLEMENTAL CALENDAR A

BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 1874, PN 2935**, as further amended by the House Rules Committee:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for counseling of sexually violent predators.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. Moved by the gentleman, Mr. Farry, that the House concur in the amendments.

The Speaker recognizes the gentleman, Mr. Farry, for a brief description of the Senate amendments as amended by the House.

Mr. FARRY. Thank you, Mr. Speaker.

The Senate amended HB 1874, which previously passed the House unanimously on February 5 of 2014. In the Rules Committee that was just held, the Senate amendments were stripped out as the bill was reverted to a prior printer's number. The bill before us now represents the identical language previously unanimously passed by the House.

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence on the floor of the gentleman from Allegheny County, Mr. Wheatley. Without objection, his name will be added back to the master roll call.

CONSIDERATION OF HB 1874 CONTINUED

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

The following roll call was recorded:

YEAS—196

Adolph	English	Knowles	Pyle
Aument	Evankovich	Kortz	Quinn
Baker	Evans	Kotik	Rapp
Barbin	Everett	Krieger	Ravenstahl
Barrar	Fabrizio	Kula	Readshaw
Benninghoff	Farina	Lawrence	Reed
Bishop	Farry	Longietti	Reese
Bizzarro	Fee	Lucas	Regan
Bloom	Flynn	Mackenzie	Roae
Boyle, B.	Frankel	Maher	Rock
Boyle, K.	Freeman	Mahoney	Roebuck
Bradford	Gabler	Major	Ross
Briggs	Gainey	Maloney	Rozzi
Brooks	Gergely	Markosek	Sabatina
Brown, R.	Gibbons	Marshall	Saccone
Brown, V.	Gillen	Marsico	Sainato
Brownlee	Gillespie	Masser	Samuelson
Burns	Gingrich	Matzie	Sankey
Caltagirone	Godshall	McCarter	Santarsiero
Carroll	Goodman	McGinnis	Saylor
Causar	Greiner	McNeill	Scavello
Christiana	Grell	Mentzer	Schlossberg
Clay	Grove	Metcalfe	Schreiber
Clymer	Hackett	Metzgar	Simmons
Cohen	Haggerty	Miccarelli	Sims
Conklin	Hahn	Millard	Smith
Corbin	Haluska	Miller, D.	Snyder
Costa, D.	Hanna	Miller, R.	Sonney
Costa, P.	Harhai	Milne	Stephens
Cox	Harhart	Mirabito	Stern
Cruz	Harkins	Miranda	Stevenson
Culver	Harper	Molchany	Sturla
Cutler	Harris, A.	Moul	Swanger

Daley, M.	Harris, J.	Mullery	Tallman
Daley, P.	Heffley	Mundy	Taylor
Davidson	Helm	Murt	Thomas
Davis	Hennessey	Mustio	Tobash
Day	Hickernell	Neuman	Toepel
Dean	James	O'Brien	Toohil
Deasy	Kampf	O'Neill	Topper
DeLissio	Kauffman	Oberlander	Truitt
Delozier	Kavulich	Painter	Turzai
Denlinger	Keller, F.	Parker	Vereb
Dermody	Keller, M.K.	Pashinski	Vitali
DiGirolamo	Keller, W.	Payne	Waters
Donatucci	Killion	Peifer	Watson
Dunbar	Kim	Petrarca	Wheatley
Ellis	Kinsey	Petri	White
Emrick	Kirkland	Pickett	Youngblood

NAYS—0

NOT VOTING—0

EXCUSED—6

Boback	Fleck	McGeehan	Micozzie
DeLuca	Galloway		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments as amended by the Rules Committee were concurred in.

Ordered, That the clerk return the same to the Senate for concurrence.

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2178, PN 3855**, entitled:

An Act amending Titles 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, in enforcement, further providing for powers and duties of waterways conservation officers and deputies and for powers and duties of enforcement officers.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Mr. Moul, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Moul, for a brief description of Senate amendments.

Mr. MOUL. Thank you, Mr. Speaker.

The Senate worked with the Pennsylvania Game Commission to amend this bill, and what they did was narrow the scope of training related to the wiretap act to just the body cameras, which is what the gist of the whole bill is all about. So they narrowed the scope of training on the bill.

Thank you, Mr. Speaker.

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—190

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

NAYS—6

Dermody	Krieger	Pyle	Truitt
Evankovich	Neuman		

NOT VOTING—0

EXCUSED—6

Boback	Fleck	McGeehan	Micozzie
DeLuca	Galloway		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

The House proceeded to consideration of concurrence in Senate amendments to **HB 1135, PN 4284**, entitled:

An Act designating a bridge that carries State Route 153 over the Bennett Branch in Huston Township, Clearfield County, as the Huston Township Veterans Memorial Bridge; designating U.S. Route 219 in Johnsonburg Borough, Elk County, from the intersection of State Route 1009, Center Street, starting at roadway segment 0502 offset 0000 to the intersection of State Route 1009, Center Street, ending at roadway segment 0522 offset 1159, as the Veterans of Johnsonburg Bypass; designating a portion of Pennsylvania Route 1001 between Rhawn Street, 0100/0000 and Kendrick Street, 0100/2784 in the City of Philadelphia, Philadelphia County, as the Firefighter Daniel Sweeney Memorial Highway; designating a portion of Pennsylvania Route 611 between Maple Avenue and Meetinghouse Road, in Montgomery County, as the Lieutenant Joseph C. Park II Memorial Highway; designating a portion of State Route 272 in Lancaster County, south of State Route 372 and before Osceola Road, as the Staff Sergeant Keith A. Bennett Memorial Highway; designating a portion of U.S. Route 1, City Avenue in Philadelphia and Montgomery Counties from its intersection with Presidential Boulevard to its intersection with Monument Road as Ed Bradley Way; providing for the redesignation of the Easton-Phillipsburg Toll Bridge operated by the Delaware River Joint Toll Bridge Commission as the Sergeant William John Cahir Memorial Bridge; designating a portion of PA Route 191 in Washington Township, Northampton County, as the "World War II Homefront Heroes Highway"; renaming the Hokendauqua Bridge in Lehigh County as the Lieutenant Colonel Thomas J. Lynch Memorial Bridge; renaming the Main Street Bridge in Brockway Borough, Jefferson County, as the Ensign USN Connie Rita Esposito Memorial Bridge; designating a bridge carrying State Route 1008 known as Pompey Hill Road, over the Stonycreek River in Quemahoning and Stonycreek Townships, Somerset County, as the Private John W. Mostoller Bridge; designating a bridge on that portion of State Route 271 over the South Branch Blacklick Creek, Nanty Glo Borough, Cambria County, as the Platoon Sergeant Alfred McCullough Memorial Bridge; designating a bridge on that portion of State Route 181 over the Conewago Creek, between Newberry Township and East Manchester Township, York County, as the SP4 Randy Stephen Schell Memorial Bridge; and designating a portion of Pennsylvania Route 144 in Centre County as the PFC Donald Ray Lucas Memorial Highway.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Mr. Gabler, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Gabler, for a brief description of the Senate amendments.

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

HB 1135, as it left the House, contained two bridge or roadway namings in the 75th Legislative District. As amended by the Senate, there were 12 additional roadways or bridges that were added at the request of various members of the House and Senate.

I would ask for a concurrence in Senate amendments and an affirmative vote. Thank you very much.

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Boback	Fleck	McGeehan	Micozzie
DeLuca	Galloway		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 80, PN 4318**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, further providing for the offense of criminal trespass; defining the offense of theft of secondary metal; prescribing penalties; and, in firearms and other dangerous articles, further providing for Pennsylvania State Police and for limitation on the regulation of firearms and ammunition.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. Moved by the gentleman, Mr. Metcalfe, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Metcalfe, for a brief description of the Senate amendments.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, the Senate amended the bill substantially. Those amendments include language to amend section 3503 of Title 18 relating to criminal trespass in order to add the offense of trespassing in order to steal a secondary metal. It also includes, and has been amended into it, the language from HB 1243, which the House passed 143 to 54 on October 6, 2014. That language does two things. First, it requires the State Police to send mental health data to the National Instant Criminal Background Check System, and it provides remedies for the unlawful regulation of firearms, Mr. Speaker.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise to oppose this bill because HB 80 contains a couple of very bad ideas, as it was amended in the Senate to incorporate a preemption of our local governments from being able to pass legislation that would provide the tools to their law enforcement agencies that they so desperately want to combat the scourge of illegal guns on their streets. Primarily, and I have said this before, it deals with the issue of local governments mandating that their citizens report the loss of a weapon or a weapon being stolen from their homes. A simple idea, a reasonable idea, a commonsense idea that is supported by so many of our municipalities across Pennsylvania because they believe that this tool will help them keep weapons from getting into the hands of felons and juveniles who use them to perpetrate crimes.

We should support those local governments because we have not been able to do it here. We have, as I have said before, we have been trying for over a decade to pass this bill, to get this bill considered, to mandate the reporting of lost and stolen weapons. Other States have done that. We should do that. But if we are not going to do it, let us not handicap our local governments from being able to pass legislation that their law enforcement agencies want, and that, quite frankly, the citizens of this State, when polled, want.

The other bad idea in this bill is that it gives standing to the NRA (National Rifle Association) to bring lawsuits against those local governments, many of those local governments who are struggling financially, who would have to defend and pay damages if the lawsuits by the NRA were successful. This is not

a great idea. I mean, since when does an organization have standing to sue a local government? This is a bad precedent that we are setting here, and particularly because the NRA has been marketing this and walking around with this piece of legislation for months. It is their bill to give them standing in their enormous resources to go after our local governments. We should not allow that to happen. It is a bad precedent.

So I would ask my colleagues to take a reasonable approach here. I know what is likely to happen. We all have to represent our districts. But those of us who represent districts that are struggling to combat crime on our streets and illegal guns used to perpetrate those crimes need some assistance, and if we are not going to provide it here, let us allow those governments to do what is in the best interest of the citizens of those municipalities.

I urge a "no" vote. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to nonconcur on HB 80 for the following reasons. Number one, my colleague from Pittsburgh, Allegheny County, laid out a very credible argument dealing with the cost that will be borne by local municipalities if this bill becomes law. The way the bill is drafted, municipalities are going to have to put money out one way or the other, whether they win or lose. And so, Mr. Speaker, taxpayers in our local municipalities are already overburdened. This is a bad bill for the financial stability of our local communities.

Secondly, Mr. Speaker, there is this Scripture, I believe in Galatians, which talks about the need for us to never engage in creating dissension amongst our brothers. This bill is going to create dissension between local officials and people in local communities because there are people in our local communities who want our local elected officials to do something about the scourge of gun violence in our communities.

Every poll that has been taken, every poll that has been taken, over 85 percent of the people that responded to those polls at the local level have said that they are okay with reasonable restrictions on guns, reasonable restrictions, like lost and stolen, straw purchases, people who break in to commit a crime in order to get guns. Mr. Speaker, people have said that they are okay with some restrictions, and it will not be tantamount to an infringement on the Second Amendment.

So, Mr. Speaker, we have the financial consequences associated to this. We have the moral consequences associated with this. We are creating dissension at the local level. Thirdly, Mr. Speaker, we need to deal with this whole – this Second Amendment. The National Rifle Association has repeatedly said that we cannot tolerate any infringement on their right to access guns as articulated or as interpreted by them of the Second Amendment.

So, Mr. Speaker, my primary concern, we have two colleagues who were faced with a very tragic situation last week. If one of my colleagues had not been legally armed, he and my other colleague would not be here today. But thankfully, they were legally carrying a weapon and were able to thwart their perpetrators. But, Mr. Speaker, my colleagues will tell you that if the mayor of Harrisburg, if the county commissioner of Dauphin County, if their hands were not tied and could do what was in the best interest of the people of Harrisburg, of Dauphin

County, that 17-year-old punk would not have had a gun in his hand. That 17-year-old punk would not have had a gun in his hand because he possessed the gun illegally. He should not have had the gun. But because of all of the stolen guns that take place, all of the straw purchases that are being made, this young man was able to put his hand on a gun. And therefore, we should not tie the hands of the mayor of Harrisburg or the county commissioner or the elected officials of Dauphin County. They should be able to do what is reasonably necessary to bring an end to the scourge of gun violence in this community and people having access to guns.

Mr. Speaker, if I did not know any different, because I talked to a lot of these young people, young people who are able to get guns before they can even get a book. And, Mr. Speaker, the first thing that a 12-year-old— I had a teen summit last Saturday. Over 125 young people were out, from 9 years old on up, at 9 o'clock in the morning. And one of the things that I talked about with these young people, I asked a 12-year-old, a 12-year-old, I asked him, why would you take a gun to settle a dispute that you have with a friend? You know what he told me? You know what he told me? He told me, because I have got a right under the Second Amendment of the Constitution. I have a right to use a gun to defend myself against other 10-years-olds that might be bullying him or might be trying to hurt him. He was never intended, he was never intended under the Second Amendment.

You and I know, a 10-year-old, 11-year-old, 12-year-old cannot go out here and buy a gun and get a permit like you and me. The other thing is, 10-, 11-, 12-year-olds, they cannot get any training for the guns that they are able to get from friends and they are able to steal out of homes. Law-abiding members of this General Assembly, you teach your kids how to use weapons. Your kids are able to responsibly deal with guns that they have access to. This is not the case in many parts of Pennsylvania. Kids are getting guns and doing whatever they want with them because they think they have a right under the Second Amendment.

So, Mr. Speaker, I say today is the day to draw the line in the sand. Let us separate the bad people from the good people. The good people who have a right to guns under the Second Amendment, they should be protected, but these little 9-, 10-, 11-, 12-year-olds, folks who would beat their wives in domestic situations. Mr. Speaker, gun violence happens in our homes and in our communities. Give our local communities an opportunity to deal with this issue in our local communities. Let us not go home today and tie the hands of our local officials. Let us not go home today and put additional financial burdens on local municipalities. Let us not go home today and create dissension and an adversarial climate in our local communities. Let us not go home today letting the bad people think that they have the same rights that you and I have. Let us send a clear message to the bad people that we are going to empower our local communities to do what they need to do to make sure that babies get books, not guns; to make sure that bad people do not use guns to continue their bad habits.

Let us do that today. Nonconcur on HB 80, Mr. Speaker. Thank you.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

On that question, the Speaker recognizes the gentleman from Armstrong County, Mr. Pyle.

Mr. PYLE. Thank you, Mr. Speaker.

Mr. Speaker, I am not sure if this is a parliamentary inquiry or not, but I need to ask of the Speaker a definition.

The SPEAKER. The gentleman may state his parliamentary inquiry.

Mr. PYLE. Mr. Speaker, I am not sure I understand what exactly this phrase "illegal gun" means. The last I checked, they are inanimate objects that cannot think for themselves and are therefore incapable of creating actions by themselves.

The SPEAKER. That would not be a parliamentary inquiry. The interpretation of the definition of words used in a bill would have to be defined by the bill. The interpretation of the definition of words used by members in a debate or in a public domain is subject to your own interpretation.

Mr. PYLE. Well, thank you very much for that—

The SPEAKER. Is the gentleman seeking further recognition on the bill?

Mr. PYLE. May I speak on the bill, Mr. Speaker?

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

Mr. PYLE. Mr. Speaker, the point I was making is this. Quite simply, there is no such thing as an illegal gun. There are about as many illegal guns as there are illegal manhole covers. They are inanimate, incapable of creating their own thoughts or actions.

Mr. Speaker, I feel for the gentleman for the city of the first class, and I understand they have a lot of problems we in the backwater countries do not really have. But here is my question toward this bill. If I leave Harrisburg today and I drive to my friend, Tommy Killion's district in Delaware County, I will pass through 11 legislative districts. My question is, being somebody who is legally allowed to own guns, holds a concealed carry permit, and am federally empowered to cross county lines holding a firearm, at which point do I go from legal to illegal to legal to illegal to legal to illegal, not being privy to all the local firearm statutes in counties between here and New Jersey?

Mr. Speaker, we must vote concurrence on HB 80. To have a crazy quilt of "now you see it, now you don't" going on across 300 miles east to west, 110 miles north to south, would turn criminals – well, would turn law-abiding citizens unknowingly into criminals. And I know the old adage is, ignorance is not above the law. No, it is not. But in assessing the problems of the city of the first class, and of Squirrel Hill and of Pittsburgh, you know, it is funny, and I am happy that somebody brought up Squirrel Hill because I live about 20 miles from it. We do not have these issues with quote, unquote, "illegal guns." We do not have them. Maybe it is because our population density is much less than the city of the second class. We are only a county of the sixth class.

But what I can tell you about where we are a little bit ahead of the curve, Mr. Speaker, is we respect people's rights, and if you think we are fighting hard for the Second, you should hear us fight for the First because we feel freedom of speech and freedom of press and freedom to assemble and of religion are just as important. Mr. Speaker, we must concur with HB 80.

Mr. Speaker, I do have a parliamentary inquiry.

Mr. Speaker, not too long ago the Supreme Court of the land held down *Heller v. DC* that said localities cannot make their own gun laws beyond that of the ruling home State. This is a moot conversation. I appreciate the gentleman from Cranberry making it. We must concur with HB 80. To do anything less would be unconstitutional.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

On that question, the Speaker recognizes the lady from Montgomery County, Mrs. Dean.

Mrs. DEAN. Thank you, Mr. Speaker.

I rise today in opposition to HB 80 yet again. Talk about some sausage making. HB 80, as we see it today, is really a compilation, as you all know, of three earlier House bills. The first part, theft of secondary metal and trespass, is a concept I support in its promotion of public safety. The second part of this bill, directing that the State Police report mental health data to the National Instant Criminal Background Check System, NICS, is another thing I support. Yet the third part of this bill, allowing membership organizations and other persons to sue municipalities to block or overturn local ordinances, I cannot support. And in the same breath, you would be able to, the membership organizations would be able to collect attorney's fees and costs and expenses, and even lost income from employment.

This is a dangerous provision that threatens our municipalities' financial stability, and just as alarming, it will hamper our local towns and cities from taking action to protect their own citizens, where the State has failed to do that. My own township, Abington Township, has passed a lost-and-stolen ordinance like 48 other municipalities responding to the problem of illegal drugs – excuse me – guns.

Our own State government task force on violence recommended, recommended lost-and-stolen legislation, but we failed to do it as a State. HB 80 puts our own citizens at risk, both in their pocketbooks, when their municipalities need to defend themselves from litigation, and also in their persons as important protective ordinances, as some of my colleagues have talked about, and laws will be put in jeopardy. In addition, the absurdly broad definition of "membership organization," as was revealed in House debate, in this bill, could force our local taxpayers' town or city to defend themselves from membership organizations such as the KKK (Ku Klux Klan) or the Aryan Nations or ISIS (Islamic State of Iraq and Syria), criminal gangs, the Mafia. Is that really the kind of legislation we want to pass? Is that really the responsible thing for us to do here this last day of session? We know where this is coming from. One group has pushed this, has ushered this, has shuttled this around this Capitol, and soon they will be suing a town near you.

Finally, since this is a compilation of three separate bills, I have serious concerns on how they are germane to each other. You have got to wonder about that. How do they meet the single-subject rule that we hold so dear? While all the provisions are contained within Title 18, it fails me to identify the unifying theme among them, among all three: theft of metals, State Police disclosure of records, relief for persons – i.e., the NRA – adversely affected by an ordinance. To protect our towns and cities from costly litigation and this special standing that I cannot understand, we have to point out the flaws of this legislation, and I urge that we vote "no" on concurrence on HB 80.

Thank you very much, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

On that question, the Speaker recognizes the lady from Philadelphia County, Mrs. Parker.

Mrs. PARKER. Thank you, Mr. Speaker.

Mr. Speaker, in 2013 the city of Philadelphia witnessed 247 murders. When a murder occurred in the context of domestic violence, a gun was the most frequently used weapon, about 41 percent of the time. In addition to that, Mr. Speaker, that really does not say much compared to the 1,128 people who were actually wounded and/or killed by gunshots in 2013 in our great city. I rise to ask my colleagues to not concur with HB 80 because those alarming or what should be alarming statistics that I just shared with you about the unfortunate cases of violence that resulted in the loss of life, which includes use of an illegally acquired firearm, has not only impacted the city of Philadelphia, but it has impacted municipalities across the Commonwealth of Pennsylvania, which is why so many have passed laws commonly referred to as "the mandatory reporting requirement" for lost and stolen handguns in particular.

Now, Mr. Speaker, I was not going to reference this, but the gentlelady on my side of the aisle from Montgomery who spoke before I did, she referenced the Mafia during her remarks, and as she referenced the Mafia – I am somewhat of a movie buff – I could not help but to have a scene run through my mind from the movie called "The Godfather," in which someone responds that they are going to convince someone to act in a certain way because they are going to quote, unquote, "make them an offer that they can't refuse."

Well, today, Mr. Speaker, HB 80, as amended by the Senate, makes an offer that local municipalities across the Commonwealth will not be able to refuse because they cannot afford to pay the penalties, Mr. Speaker, the financial penalties associated with HB 80, when in fact they are only attempting to respond to the crisis of public safety in their respective municipalities.

I heard one of my colleagues on the other side of the aisle who spoke before me, who talked about the importance of the First Amendment and the importance of the Second Amendment, and with all due respect, Mr. Speaker, I do not think that there are any in this 203-member body who do not firmly support our First and Second Amendment rights. Mr. Speaker, they are the very items that make our democracy, that make our country, that make others across the world hold us in such high esteem. But, Mr. Speaker, even those things had to be amended. They were not perfect. They did not get it right the first time around, which is why they had to make some adjustments as they went along in the process so that we can continue to make our democracy more perfect and in a way that our founders would have had it.

In addition, Mr. Speaker, I want to note that HB 80 does not make dollars and it does not make cents for municipalities across the Commonwealth. Why do I say this, Mr. Speaker? I do not know. It is an old adage from my grandmother, and I know I am pretty old-fashioned, but she would say, "If an issue doesn't make dollars and it doesn't make cents, why would you even entertain it?" This bill does not make dollars and it does not make cents for cash-strapped municipalities, Mr. Speaker, who are attempting to address their own issues associated with public safety because we as a General Assembly have failed, and we have not been able to come together to reach some consensus agreement to help those municipalities who look to State government for their help.

So instead, Mr. Speaker, I want us to think about this offer that the local municipalities cannot refuse. A rise in costs and property taxes, they talked about education, the basic providing of services in municipalities across the Commonwealth of Pennsylvania. It is something that is of grave importance, and Philadelphia is not alone. Everywhere you go, municipalities are struggling to generate the revenue that they need to take care of their own house.

But now, but now, the most powerful lobby, Mr. Speaker, and I would not just say in the Commonwealth of Pennsylvania, but one of the most powerful lobbying groups in our nation, Mr. Speaker, has said to those municipalities that you cannot, and if you do decide that in absence of the State responding to give you the power that you need to address the public violence and public safety crisis that you are actually feeling on a daily basis, if you attempt to use the legislative process to do that, we are going to make you pay, and we are going to hit you where it hurts, and that is in the form of rare taxpayer dollars.

Finally, Mr. Speaker, I want to say to you, and I want to say to members of the listening audience, that this is a perfect example of the majority having its way and the minority having its say, because when you are in the majority, Mr. Speaker, you do not have to stand up on the floor and give this explanation about why you should not concur in this bill because all we have to do is press a button and say "yes." But what I want the public to know is that when it comes to controlling the flow of illegal guns in the Commonwealth of Pennsylvania, this is not a partisan issue. No one can lay blame and say, well, this bill passed because of Republicans or this bill passed because of Democrats. We have some philosophical differences here, Mr. Speaker, and there will be bipartisan support for and there will be bipartisan support against, but if this bill does anything, Mr. Speaker, it should do what it has done for me. And I hope it motivates and inspires the electorate who are watching to – I do not care if it is rain, sleet, or snow, when they have the opportunity to exercise their right, they better make it to where it is going to count, to the polls on November 4 because that is the only way that we are going to ensure that bills, which I believe are unconstitutional, like HB 80, because it violates the single-subject rule – and I did make that motion in committee, but again, because I am part of the minority, it failed.

Democracy works when people participate, when people are active. I hope the people of the Commonwealth of Pennsylvania, particularly in those municipalities where they have passed some version of the lost-and-stolen gun reporting requirement, I hope they are paying attention to these votes. I hope they are paying attention to what we are doing here today and that they go and give us our response where it matters most, and that is on November 4 in the election.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. SACCONI. Thank you, Mr. Speaker.

I rise in support of HB 80. I would like to add some perspective to some of the comments I have heard by my colleagues on this bill. The last time we debated this bill and this time – I have heard it many, many times now today – the repeated objection to membership organizations having standing— No, I stand corrected. I have heard the repeated objection to the NRA having standing to be able to sue

municipalities in these cases. And I say, "Oh, really? Is that right? That is your objection?" It sounds really peculiar to me, because when it is the ACLU (American Civil Liberties Union) or the Sierra Club or the Freedom from Religion Foundation all the way from Wisconsin coming in here and intimidating and suing municipalities, I would hear an eerie silence from the left in those cases. You know, Mr. Speaker, the well-funded antigun lobby and its minions, their solution to gun violence is to disarm law-abiding citizens by adding these local hurdles to their ability to keep and bear arms.

Mr. Speaker, I just want to say to all my colleagues and the antigun lobby: We are not the problem. Law-abiding citizens carrying their weapon is not the problem. Quit directing your solutions at us. What we need to do is stop excusing the criminals and start prosecuting them. Mr. Speaker, not one of the 247 homicides committed in Philadelphia last year was committed with a lawfully purchased gun. Disarming responsible citizens merely makes them targets and victims. We have a right to defend ourselves and our families. As I said, we are not the problem. Most Pennsylvanians understand this, and we saw that represented in the vote we took 2 weeks ago.

So I say, let us pass this bill finally and stop local municipalities from infringing on our constitutional rights. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. J. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, will the maker of the bill please stand for brief interrogation?

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

Mr. J. HARRIS. Thank you, Mr. Speaker.

Mr. Speaker, I wanted to know, does the Attorney General of our Commonwealth currently have standing to sue local governments over gun laws that they believe to be unconstitutional?

Mr. METCALFE. Our legal counsel is telling me that we are not aware that she has that standing or has the ability to do that.

Mr. J. HARRIS. Really? Thank you, Mr. Speaker.

Mr. Speaker, would you please explain the clause that gives organizations standing to sue local governments?

Mr. METCALFE. So as long as the organization, as long as the membership organization has a member in its organization that could sue, then the membership organization is allowed to sue.

Mr. J. HARRIS. Okay. Mr. Speaker, could you give me an example of a few organizations that would meet that qualification?

Mr. METCALFE. Well, Allegheny County Sportsmen's League is one of the organizations that has brought a suit in the past related to the illegal firearms registry that is currently being kept by our State Police. And of course, the courts harsh words and split hairs and claimed the registry was not a registry because it was not fully inclusive. That is one organization I am aware of that has brought a suit in the past.

Mr. J. HARRIS. Okay. Thank you, Mr. Speaker.

I know this, I believe this question was asked before and was a little inflammatory, but I am going to ask again. Could the Ku Klux Klan sue if they had a member who was harmed by this law?

Mr. METCALFE. No; they are a terrorist organization, do not have standing, but related to the membership organization question, this is no different than what we have currently for the Wage Payment and Collection Law, which allows a civil action to be commenced by a labor organization. So it recognizes associational standing in a particular situation that is not a new concept to the law. So your labor unions are already able to do this, so this is just adding into another section of law.

Mr. J. HARRIS. Great. Thank you.

Mr. Speaker, also, do local governments have the opportunity to repeal these laws that they may have on the books before being sued?

Mr. METCALFE. Yes, they do. They would have 60 days.

Mr. J. HARRIS. Okay. Thank you, Mr. Speaker.

That concludes my interrogation.

Mr. METCALFE. Thank you.

Mr. J. HARRIS. On the bill, Mr. Speaker.

The SPEAKER. The gentleman is in order on the question, which is concurrence in Senate amendments.

Mr. J. HARRIS. Mr. Speaker, today I came to Harrisburg with a sense of excitement. I am a freshman. Today would be one of the last session days of my freshman term, and as an unopposed freshman, it would seem as though I would go on to a second term come January. It was a day of excitement for me, Mr. Speaker, to come to the Capitol to close out what have definitely been 2 of the best years of my life. That excitement quickly turned to sadness as we began to talk about the last-minute movements that have happened to HB 80.

Mr. Speaker, I own a firearm, so this is not for me about the Second Amendment. I legally own a firearm in this Commonwealth and understand, on both sides of the aisle, folks' desire to legally own firearms. That is not what this argument is about, Mr. Speaker. What we are poised to do today is to allow membership organizations to sue local governments, local governments who all they have tried to do is to protect their citizens. So let us remove the Second Amendment. Let us remove the pro-gun lobby and the antigun lobby from the conversation, because that is not what the conversation is about. Nobody is saying that you should not have a right to own a gun. I think you should have that right. But what I do not think we should be doing is giving outside organizations the opportunity to sue our local governments. We have an Attorney General here, Mr. Speaker, and if we were really concerned about local governments adhering to State law, we could give the Attorney General the authority to make municipalities conform to the State law. We do not need this legislation to give outside organizations the opportunity to sue our local governments.

Mr. Speaker, what we are doing today, we will draw back on services that many of our young people receive from different departments of human services throughout this Commonwealth. In Philadelphia County, many young people who are in custody of the city will no longer have certain services, because if our city is sued and found guilty, there will be financial ramifications. Not only will there be financial ramifications, but, Mr. Speaker, the city could be sued to pay the legal costs of the petitioner.

I said it once before, and I will say it again: This legislation is not bad, it is morally bankrupt. It is morally bankrupt, as we try to bankrupt our local governments. Mr. Speaker, on my last day as a freshman in this chamber, I did not expect for us to

look for ways to bankrupt our local governments. I did not expect for us to look for ways to revert and shift money from our local government coffers to the coffers of these membership organizations. I did not expect us to do this. I did not expect for us to take the most valuable resources that we have, the rare resources that we have in a local government and divert them to these membership organizations.

MOTION TO TABLE

Mr. J. HARRIS. And since I did not expect to do that, Mr. Speaker, I now make a motion, Mr. Speaker, that we table this bill.

The SPEAKER. The gentleman from Philadelphia, Mr. Harris, has moved to table HB 80, PN 4318.

On the question,

Will the House agree to the motion?

The SPEAKER. The only people eligible to debate the motion to table are the two floor leaders, the maker of the motion, and the maker of the bill.

The practice of the House is to allow someone to stand in for the majority leader or the minority leader.

With that, I recognize the gentleman from Montgomery County, Mr. Vereb, on the motion to table.

Mr. VEREB. Mr. Speaker, I respectfully request that we oppose the motion to table. Thank you.

LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the minority whip, who requests a leave of absence for the gentleman from Fayette County, Mr. MAHONEY, for the remainder of the day. Without objection, the leave will be granted.

CONSIDERATION OF HB 80 CONTINUED

The SPEAKER. On the motion to table, again the same thing applies.

I will recognize the gentleman, Mr. Frankel, from Allegheny County in the stead of the minority leader.

The gentleman is in order on the motion.

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise to support the gentleman's motion. I think it is reasonable. I think some of what we have heard today in terms of this debate reflects the deep concerns our municipal governments have with respect to having to defend actions in an unprecedented move by empowering an organization. And I should say in response to an earlier comment, those other, the ACLUs and others of this world bring an individual plaintiff. They do not do it as an organization.

This is unprecedented. I think we ought to be careful in terms of discussing this, and it should be tabled to be considered in the next session of the legislature. Thank you very much.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—54

Bishop	Davis	Kinsey	Roebuck
Boyle, B.	Dean	Kirkland	Sabatina
Boyle, K.	DeLissio	McCarter	Samuelson
Bradford	Donatucci	McNeill	Santarsiero
Briggs	Evans	Miller, D.	Schlossberg
Brown, V.	Fabrizio	Miranda	Schreiber
Brownlee	Frankel	Molchany	Sims
Caltagirone	Freeman	Mundy	Sturla
Clay	Gainey	O'Brien	Taylor
Cohen	Haggerty	Painter	Thomas
Costa, P.	Harkins	Parker	Vitali
Cruz	Harris, J.	Pashinski	Waters
Daley, M.	Keller, W.	Ravenstahl	Youngblood
Davidson	Kim		

NAYS—141

Adolph	Fee	Krieger	Pyle
Aument	Flynn	Kula	Quinn
Baker	Gabler	Lawrence	Rapp
Barbin	Gergely	Longietti	Readshaw
Barrar	Gibbons	Lucas	Reed
Benninghoff	Gillen	Mackenzie	Reese
Bizzarro	Gillespie	Maher	Regan
Bloom	Gingrich	Major	Roae
Brooks	Godshall	Maloney	Rock
Brown, R.	Goodman	Markosek	Ross
Burns	Greiner	Marshall	Rozzi
Carroll	Grell	Marsico	Saccone
Causar	Grove	Masser	Sainato
Christiana	Hackett	Matzie	Sankey
Clymer	Hahn	McGinnis	Saylor
Conklin	Haluska	Mentzer	Scavello
Corbin	Hanna	Metcalfe	Simmons
Costa, D.	Harhai	Metzgar	Smith
Cox	Harhart	Miccarelli	Snyder
Culver	Harper	Millard	Sonney
Cutler	Harris, A.	Miller, R.	Stephens
Daley, P.	Heffley	Milne	Stern
Day	Helm	Mirabito	Stevenson
Deasy	Hennessey	Moul	Swanger
Delozier	Hickernell	Mullery	Tallman
Denlinger	James	Murt	Tobash
Dermody	Kampf	Mustio	Toepel
DiGirolo	Kauffman	Neuman	Toohil
Dunbar	Kavulich	O'Neill	Topper
Ellis	Keller, F.	Oberlander	Truitt
Emrick	Keller, M.K.	Payne	Turzai
English	Killion	Peifer	Vereb
Evankovich	Knowles	Petrarca	Watson
Everett	Kortz	Petri	Wheatley
Farina	Kotik	Pickett	White
Farry			

NOT VOTING—0

EXCUSED—7

Boback	Fleck	Mahoney	Micozzie
DeLuca	Galloway	McGeehan	

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

On the question recurring,
Will the House concur in Senate amendments?

The SPEAKER. Is the gentleman seeking further recognition on the question?

Mr. J. HARRIS. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order and may proceed.

MOTION TO SUSPEND RULES

Mr. J. HARRIS. Mr. Speaker, I would like to make a motion to suspend the rules to revert to the prior printer's number.

The SPEAKER. Will the gentleman state the prior printer's number which he would seek to refer to.

Mr. J. HARRIS. One second; 2248. Say it again? 4248.

The SPEAKER. The gentleman from Philadelphia, Mr. Harris, moves to suspend the rules to seek to revert HB 80 to PN 4248.

On the question,

Will the House agree to the motion?

The SPEAKER. On the question of suspension of the rules, the Speaker recognizes the gentleman from Allegheny County, Mr. Turzai.

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

I would ask the members to oppose the motion to revert to a prior printer's number. This legislation has come over from the Senate. There is strong consensus within the chamber to pass the legislation and get it to the Governor's desk, and I would ask the members to please vote against the motion, with all due respect to the good member from Philadelphia.

The SPEAKER. On the motion to suspend the rules, the Speaker recognizes the gentleman from Allegheny County, Mr. Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

I respectfully urge my colleagues to support the gentleman's motion to suspend.

This bill, HB 80, is far afield from its original intent. The amendments in the Senate are in significant, I think, conflict with what the original intent of this legislation was. Reverting to HB 80 in its original form would give us a clean vote to deal with the whole committee process that went into this bill. We should support the motion to revert to a prior printer's number.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—51

Bishop	Davis	Kirkland	Samuelson
Boyle, B.	Dean	McCarter	Santarsiero
Boyle, K.	DeLissio	McNeill	Schlossberg
Bradford	Donatucci	Miranda	Schreiber
Briggs	Evans	Molchany	Sims
Brown, V.	Frankel	Mundy	Stephens
Brownlee	Freeman	O'Brien	Sturla
Caltagirone	Gainey	Painter	Taylor
Clay	Haggerty	Parker	Thomas
Costa, P.	Harris, J.	Pashinski	Vitali
Cruz	Keller, W.	Ravenstahl	Waters
Daley, M.	Kim	Roebuck	Youngblood
Davidson	Kinsey	Sabatina	

NAYS—144

Adolph	Farina	Kortz	Petri
Aument	Farry	Kotik	Pickett
Baker	Fee	Krieger	Pyle
Barbin	Flynn	Kula	Quinn
Barrar	Gabler	Lawrence	Rapp
Benninghoff	Gergely	Longiatti	Readshaw
Bizzarro	Gibbons	Lucas	Reed
Bloom	Gillen	Mackenzie	Reese
Brooks	Gillespie	Maher	Regan
Brown, R.	Gingrich	Major	Roae
Burns	Godshall	Maloney	Rock
Carroll	Goodman	Markosek	Ross
Causar	Greiner	Marshall	Rozzi
Christiana	Grell	Marsico	Saccone
Clymer	Grove	Masser	Sainato
Cohen	Hackett	Matzie	Sankey
Conklin	Hahn	McGinnis	Saylor
Corbin	Haluska	Mentzer	Scavello
Costa, D.	Hanna	Metcalfe	Simmons
Cox	Harhai	Metzgar	Smith
Culver	Harhart	Miccarelli	Snyder
Cutler	Harkins	Millard	Sonney
Daley, P.	Harper	Miller, D.	Stern
Day	Harris, A.	Miller, R.	Stevenson
Deasy	Heffley	Milne	Swanger
Delozier	Helm	Mirabito	Tallman
Denlinger	Hennessey	Moul	Tobash
Dermody	Hickernell	Mullery	Toepel
DiGirolamo	James	Murt	Toohil
Dunbar	Kampf	Mustio	Topper
Ellis	Kauffman	Neuman	Truitt
Emrick	Kavulich	O'Neill	Turzai
English	Keller, F.	Oberlander	Vereb
Evankovich	Keller, M.K.	Payne	Watson
Everett	Killion	Peifer	Wheatley
Fabrizio	Knowles	Petrarca	White

NOT VOTING—0

EXCUSED—7

Boback	Fleck	Mahoney	Micozzie
DeLuca	Galloway	McGeehan	

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House concur in Senate amendments?

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, there is no other area of policy or constitutional right that receives an absolutist approach as we often hear with respect to the Second Amendment. Mr. Speaker, I support the Second Amendment. I support the Third Amendment. I support all of the Bill of Rights. But, Mr. Speaker, we recognize as a nation, and our courts have held repeatedly over time that the rights enumerated in our Constitution, both at the Federal and State level, have limitations. And when I hear our colleagues rise on the floor of the House and repeatedly tell us that because a city or town in this Commonwealth passes a law to require that gun owners report to the police if their firearm is lost or

stolen that that somehow infringes upon that gun owner's Second Amendment rights, I am bewildered. How in fact does that infringe on anyone's rights?

It is a public safety issue, Mr. Speaker, no less than prohibiting someone from yelling "fire" in a crowded theater, the famous example used to illustrate the fact that our First Amendment speech rights in fact do have limitations; no less so with the Second Amendment.

Requiring that kind of public safety in those towns and cities across the Commonwealth that choose to do so does not infringe on anyone's rights, and yet we are poised today, Mr. Speaker, we are poised to allow the National Rifle Association to sue those towns and cities that have the courage to act on behalf of their citizens in the absence of action by this legislature and our Governor here in Harrisburg.

Mr. Speaker, it is wrong, and we should not be supporting a bill that does that. But there is a more fundamental problem with this particular bill, Mr. Speaker, and that more fundamental problem is the way in which this particular vehicle, this particular bill, was amended in the Senate. This bill started out life, as many of the previous speakers have noted, as a bill that dealt with the crime of theft of secondary metals, and now suddenly, Mr. Speaker, it includes provisions dealing with the ability of an organization like the NRA to sue towns and cities throughout the Commonwealth that choose to pass reasonable gun safety legislation. Moreover, the title of this bill, Mr. Speaker, has nothing to do with that ability to go and sue our towns and cities.

CONSTITUTIONAL POINT OF ORDER

Mr. SANTARSIERO. So, Mr. Speaker, it is clear to me, and I trust if this bill passes today it will be clear to the courts in Pennsylvania, that this bill as currently composed violates Article III, section 3, of the Pennsylvania Constitution, the single-subject rule, and as a consequence, is unconstitutional.

And so, Mr. Speaker, I move that under Article III, section 3, of the Pennsylvania Constitution that HB 80 is in fact unconstitutional.

The SPEAKER. The gentleman, Mr. Santarsiero, raises the point of order that HB 80, PN 4318, is unconstitutional.

The Speaker, under rule 4, is required to submit the question affecting the constitutionality of a bill to the House for decision, which the Chair now does.

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

The SPEAKER. The Speaker recognizes the gentleman, Mr. Santarsiero, on the question of constitutionality.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

As I just said a moment ago, there are two prongs to the test of the single-subject rule under Article III, section 3, of the Pennsylvania Constitution. The first one is that all the subject matters contained in the particular piece of legislation are germane to one another. Mr. Speaker, there is no question that the proposal to allow organizations like the NRA to sue our municipalities because they pass gun safety legislation is not germane to the original provision of the bill regarding the theft of secondary metals.

The second prong, Mr. Speaker, has to do with whether the title of the original bill has anything to do with that new subject matter, and there is nothing in the title of HB 80, Mr. Speaker, that has anything to do with allowing organizations like the NRA to sue our municipalities that pass gun safety legislation.

So for both of those reasons, Mr. Speaker, this bill as currently composed fails the single-subject test, and is in fact unconstitutional under Article III, section 3, of the Pennsylvania Constitution.

The SPEAKER. On the question of constitutionality, the Speaker recognizes the gentleman from Lancaster County, Mr. Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman raises the issue of constitutionality, and I would like to highlight some of the already existing case law to this point. Mr. Speaker, in *Pennsylvanians Against Gambling Expansion*, also known as the *PAGE* case, the Pennsylvania Supreme Court found that the subject of gaming, with several minor exceptions, complied with the single-subject rule. In other words, does it have a single unifying theme? And I would answer that it does.

Furthermore, and more recently, in *Washington v. The Department of Public Welfare*, "the theme of improving the effectiveness and efficiency of the delivery of human services programs to people in need" was determined to be a single subject. And the Commonwealth Court went on to explain that the subject – and this is very important – that the "subject" should not be confused with the "content" of the underlying issues. "A single subject..." can in fact "encompass many subtopics."

And, Mr. Speaker, we have one of those cases before us in this bill. HB 80 has a single subject. It deals with crimes and regulations which affect the ability to own firearms, which directly involves the Second Amendment. Within that subject, there are several subtopics, including the creation of two new offenses which can preclude the purchase or possession of firearms under Federal law, because under Federal law, a misdemeanor of the first degree or above can implicate your right to own a firearm.

Providing firearms information is also included in this bill as it relates to mental health records. That is also an important distinction relating to the ownership of a firearm. That is something that this administration undertook in 2013 under the leadership of the gentleman from Montgomery County, and I think it is important that we recognize that that also deals with the ownership and the rights of those who can own firearms. And furthermore, it does provide remedies for unauthorized local regulations of firearms.

If we look at the *Washington v. The Department of Public Welfare* case, I believe that they do a very good job of summing it up: "To satisfy the single subject rule, a bill may amend several statutes so long as the amendments pertain to the same subject...", and they reference the *PAGE* case. "...On the other hand, having all amendments apply to a single codified statute does not, in itself, satisfy the single subject rule..." That is the test that we have before us, and in that particular case, "...Act 80 did not confine its statutory changes" solely "to the Public Welfare Code. What matters" – again quoting from the court – "What matters, however, is whether a single unifying theme can be found. Our job" – this is the court speaking – "Our job is not to micro-manage the legislature but to give effect, if possible, to the presumption of constitutionality enjoyed by Act 80."

Mr. Speaker, what we are dealing with here is precisely that. It is a conglomeration of several ideas all dealing with the ownership of firearms, and for that reason this motion should be defeated.

Furthermore, I think it is worth highlighting that in the *Spahn v. Zoning Board of Adjustment* case, they explained the "subject" should not be confused with "content," and any single subject can encompass many subtopics. That is precisely what this case does and precisely why the bill is in order and should be supported.

Thank you, Mr. Speaker.

The SPEAKER. On the question of constitutionality, the Speaker recognizes the gentleman from Lancaster County, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, would the majority leader rise for brief interrogation, because he also made this same argument about the constitutionality in the Rules Committee, and I would like to get something verified on the record?

The SPEAKER. Would the gentleman state, whom are you asking to interrogate?

Mr. STURLA. The majority leader.

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, in the Rules Committee today, you made the same argument as to why you thought this did not violate the single-subject rule as was just made from the gentleman from Lancaster County. And I guess what I want for a clarification standpoint so that— You know, I also believe that the courts will find that this does violate the single-subject rule. However, in the event that they do not, as we move forward with future proceedings in the House, would it be my understanding that because of the way you interpret this as to say that because the initial bill, even though I do not believe its purpose was to restrict gun ownership by amending the scrap metal bill, but because it did increase penalties, therefore it could affect gun ownership, therefore the unifying theme was that an increased penalty was the single subject. Is that correct? Is that my interpretation of what is being said?

Mr. TURZAI. Sir, we concur in the remarks put on the record by the good gentleman from Lancaster County.

Mr. STURLA. So then I guess my question is, if increased penalties affect, say, someone's ability to stand for office, that then Election Code bills would in fact be a part or would be fair game or would have, had they been introduced in an appropriate timely manner, would have been able to be included in this bill and still be part of a single subject because, after all, the increased penalty affects someone's ability to stand for elected office?

Mr. TURZAI. Sir, we do not engage in hypotheticals or in speculation. Before us is HB 80, and in speaking to the specifics of HB 80, we would concur in the remarks by the good gentleman from Lancaster County that has already spoken on constitutionality.

Mr. STURLA. Thank you, Mr. Speaker.

If I could, on the bill, or on constitutionality.

The SPEAKER. The gentleman is in order on the question of constitutionality.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, as I said before, I believe that the courts will find that this does violate the single-subject rule, because the

premise here, at least as it was described, was that simply the fact that there is an increased penalty constitutes the single subject of therefore you cannot own a gun, therefore gun laws come into play here. It also would affect Election Code bills, because you cannot stand for office if you have certain offenses against you. It would also open up the ability to talk about day-care laws in legislation like this, because you cannot become a day-care worker if you have certain offenses against you. Mr. Speaker, it is at best a far, far stretch to claim that this is a single subject.

And it also implies that the original intent of the secondary metals bill was to preclude someone from owning a weapon by increasing the offense. I will contend that that was never a discussion when we discussed that bill originally, that it was never a discussion or listed as an intent in the legislation itself, and it was never discussed or listed as an intent in the cosponsorship memo that got circulated. You know, if in fact that was the intent, then it should have been expressed as an intent as to why the secondary metals bill was being amended in that fashion. I believe it was to prevent the theft of secondary metals and that that was the intent of that initial bill. I am not sure that passing laws about guns necessarily affects the intent to steal secondary metals.

So for that reason I believe that this bill does violate the single-subject rule, but I also think that if in fact we contend that it does not, that we set a rather scary precedent around here about what does and does not violate the single-subject rule, because I think you can, as was pointed out here, make sure that just about anything would meet the standard that is being held up here today as not violating the single-subject rule.

I encourage a—

PARLIAMENTARY INQUIRY

Mr. STURLA. Would it be a "yes" or a "no" vote to say that this is not constitutional?

Mr. Speaker, a parliamentary inquiry.

Would a "yes" or "no" vote—

The SPEAKER. Those voting "aye"— The way I will read the question is, those voting "aye" will vote to declare the bill to be constitutional; those voting "no" will vote to declare the bill to be unconstitutional.

Mr. STURLA. Okay. Thank you, Mr. Speaker.

Then in that case I encourage a "no" vote. Thank you, Mr. Speaker.

The SPEAKER. On the question of constitutionality, the Speaker recognizes the gentleman from Philadelphia County, Mr. Cohen.

Mr. COHEN. Mr. Speaker, I also urge a "no" vote on the constitutionality of this. It is a violation of the single-subject law. It is certainly possible the court can do anything, but if the single-subject rule is to mean anything, then the court will have no choice but to rule it unconstitutional.

For the life of me I do not understand why the solid pro-NRA majority in this House and the State Senate gave people the opportunity to raise the single-subject rule here. Obviously, this is going to be well litigated. I would think that the best course of action for those people who support this legislation would be to join with those of us who oppose it and rule this version of this bill unconstitutional. There will be

plenty of time in the next session to pass a constitutional version of the legislation that you desire to pass.

Again, I would urge a "no" vote on constitutionality.

The SPEAKER. On the question of constitutionality, the Speaker recognizes the gentleman from Cumberland County, Mr. Bloom.

Mr. BLOOM. Thank you, Mr. Speaker.

I rise to oppose the motion to find the bill unconstitutional, and I simply wanted to point out that the maker of the motion indicated that perhaps the bill in its current form would violate the clear title provision of the Constitution that requires that the subject be clearly expressed in the title of the bill, and I just wanted to briefly go over the requirements for clear title.

Under the *PAGE* case that was cited earlier by the gentleman from Lancaster County, Mr. Cutler, the purpose of the clear title requirement is to "...put the members of the Assembly and others...on notice, by the title of the (bill)...so they might vote on it with circumspection." Only reasonable notice is required. It is not required to be an index or synopsis of the bill. And in order to violate the clear title provisions of the Constitution, a party would have to demonstrate that either the legislators or the public were actually deceived as to the bill's contents, or the title would have to be so deficient that no reasonable person would have been on notice as to the bill's contents.

Mr. Speaker, the title of the bill now as it is stated in its current printer's number states, "Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, IN BURGLARY AND OTHER CRIMINAL INTRUSION, FURTHER PROVIDING FOR THE OFFENSE OF CRIMINAL TRESPASS; defining the offense of theft of secondary metal;...prescribing penalties; AND, IN FIREARMS AND OTHER DANGEROUS ARTICLES, FURTHER PROVIDING FOR PENNSYLVANIA STATE POLICE AND FOR LIMITATION ON THE REGULATION OF FIREARMS AND AMMUNITION." Mr. Speaker, clearly this provides adequate notice that there would be no deception as to what the contents of this bill are and there would be no deficiency in the ability of a reasonable person to be on notice as to the bill's contents.

Therefore, I would urge a "no" vote on the motion to declare the bill unconstitutional. Thank you, Mr. Speaker.

The SPEAKER. On the question of constitutionality, those voting "aye" will vote to declare the bill to be constitutional; those voting "no" will vote to declare the bill to be unconstitutional.

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

The following roll call was recorded:

YEAS—141

Adolph	Farry	Kotik	Petri
Aument	Fee	Krieger	Pickett
Baker	Flynn	Kula	Pyle
Barbin	Gabler	Lawrence	Quinn
Barrar	Gergely	Longietti	Rapp
Benninghoff	Gibbons	Lucas	Readshaw
Bizzarro	Gillen	Mackenzie	Reed
Bloom	Gillespie	Maher	Reese
Brooks	Gingrich	Major	Regan
Brown, R.	Godshall	Maloney	Roae
Burns	Goodman	Markosek	Rock

Carroll	Greiner	Marshall	Rozzi
Causser	Grell	Marsico	Saccone
Christiana	Grove	Masser	Sainato
Clymer	Hahn	Matzie	Sankey
Conklin	Haluska	McGinnis	Saylor
Corbin	Hanna	Mentzer	Scavello
Costa, D.	Harhai	Metcalfe	Simmons
Cox	Harhart	Metzgar	Smith
Culver	Harkins	Miccarelli	Snyder
Cutler	Harper	Millard	Sonney
Daley, P.	Harris, A.	Miller, R.	Stern
Day	Heffley	Milne	Stevenson
Deasy	Helm	Mirabito	Swanger
Delozier	Hennessey	Moul	Tallman
Denlinger	Hickernell	Mullery	Taylor
Dermody	James	Murt	Tobash
DiGirolamo	Kampf	Mustio	Toepel
Dunbar	Kauffman	Neuman	Toohil
Ellis	Kavulich	O'Neill	Topper
Emrick	Keller, F.	Oberlander	Truitt
English	Keller, M.K.	Pashinski	Turzai
Evankovich	Killion	Payne	Verbe
Everett	Knowles	Peifer	Watson
Fabrizio	Kortz	Petrarca	White
Farina			

NAYS—54

Bishop	Davis	Kirkland	Sabatina
Boyle, B.	Dean	McCarter	Samuelson
Boyle, K.	DeLissio	McNeill	Santarsiero
Bradford	Donatucci	Miller, D.	Schlossberg
Briggs	Evans	Miranda	Schreiber
Brown, V.	Frankel	Molchany	Sims
Brownlee	Freeman	Mundy	Stephens
Caltagirone	Gainey	O'Brien	Sturla
Clay	Hackett	Painter	Thomas
Cohen	Haggerty	Parker	Vitali
Costa, P.	Harris, J.	Ravenstahl	Waters
Cruz	Keller, W.	Roebuck	Wheatley
Daley, M.	Kim	Ross	Youngblood
Davidson	Kinsey		

NOT VOTING—0

EXCUSED—7

Boback	Fleck	Mahoney	Micozzie
DeLuca	Galloway	McGeehan	

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

On the question recurring,
Will the House concur in Senate amendments?

CONSTITUTIONAL POINT OF ORDER

The SPEAKER. Is the gentleman from Bucks County, Mr. Santarsiero, seeking further recognition on the question?

Mr. SANTARSIERO. I am, Mr. Speaker. Thank you.

The SPEAKER. The gentleman is in order and may proceed.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Notwithstanding that vote, Mr. Speaker, I know, I feel very strongly we will be vindicated in the courts as we were with Act 13. It is not the first time that this legislature, unfortunately, in the last 4 years has passed unconstitutional legislation as we are

poised to do tonight, but there is yet another basis for finding that this proposed piece of legislation is unconstitutional.

In addition to the one we just debated under Article III, section 3, under Article III, section 1, the original purpose of HB 80 has been changed by the additional language that was inserted in the Senate with respect to the ability to sue our municipalities for passing reasonable gun safety legislation.

And so therefore, I move to find HB 80 unconstitutional under Article III, section 1, of the Pennsylvania Constitution.

The SPEAKER. The gentleman from Bucks County, Mr. Santarsiero, raises an additional point of order that HB 80, PN 4318, is unconstitutional.

The Speaker, under rule 4, is required to submit questions affecting the constitutionality of a bill to the House for decision, which the Chair now does.

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

The SPEAKER. Is the gentleman seeking recognition?

On the question of constitutionality, the Speaker recognizes the gentleman from Lancaster County, Mr. Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Those of us here in the chamber tonight and those who are listening will recognize that the arguments are very similar. Mr. Speaker, any time that we deal with the idea of single subject or clear title, and in this case, original purpose, the arguments are essentially the same.

The bill as amended conforms with the original purpose of the bill as it was introduced. Both the original bill as well as the subsequent amendments deal with and address crimes and regulations which affect the ability to own a firearm, which also affects the Second Amendment or Article I, section 21, of our own Constitution.

It established, the original bill established the offense of theft of secondary metals, graded the offense as a misdemeanor of the first degree, a \$200 to \$1,000 fine, or a felony, \$1,000 or more for third or subsequent offenses, and these penalties in and of themselves by definition under Federal law preclude firearm ownership.

Currently the bill contains language concerning the theft of secondary metals, and also contains a provision regarding the trespass with the intent to steal secondary metals, which is a misdemeanor of the first degree which also precludes firearm ownership under Federal law, as well as language requiring firearms information be provided to the Federal government regarding mental health records, which also precludes firearm ownership, and it does provide remedies for unauthorized local regulation of firearms.

Mr. Speaker, it is very clear, just as the House previously voted that the bill did not violate the single subject or the clear title, I would also urge that we oppose this motion and uphold the original purpose of the bill. Thank you.

The SPEAKER. On the question of constitutionality, the Speaker recognizes the gentleman from Bucks County, Mr. Santarsiero.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, it is tortured logic to argue that a bill dealing with the theft of secondary metals has anything to do with firearm ownership, and it is completely circular to come back and say, well, we also amended HB 80 from its original form to

include a provision with respect to providing mental health records with respect to firearm ownership, and therefore, it is all the same. HB 80 did not have that provision in it either, Mr. Speaker, so that cannot be used as the basis for arguing that in fact the subject matter has not been changed.

Mr. Speaker, this bill as written is clearly unconstitutional, as the gentleman from Philadelphia argued earlier. If those who are seeking to have the prohibition for municipalities to pass gun safety legislation enacted into law in Pennsylvania, what was previously HB 2011, then they should wait until the next session and do it then without proposing a constitutionally infirm bill.

I urge the members to recognize the constitutional problems in this bill and vote "no," that it is not constitutional, but I am confident that if we are not successful tonight on that vote, that the Pennsylvania courts will reach that conclusion. Thank you.

The SPEAKER. On the question of constitutionality, those voting "aye" will vote to declare the bill to be constitutional; those voting "no" will vote to declare the bill to be unconstitutional.

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

The following roll call was recorded:

YEAS—140

Adolph	Farina	Kortz	Petri
Aument	Farry	Kotik	Pickett
Baker	Fee	Krieger	Pyle
Barbin	Flynn	Kula	Quinn
Barrar	Gabler	Lawrence	Rapp
Benninghoff	Gergely	Longietti	Readshaw
Bizzarro	Gibbons	Lucas	Reed
Bloom	Gillen	Mackenzie	Reese
Brooks	Gillespie	Maher	Regan
Brown, R.	Gingrich	Major	Roae
Burns	Godshall	Maloney	Rock
Carroll	Goodman	Markosek	Rozzi
Causar	Greiner	Marshall	Saccone
Christiana	Grell	Marsico	Sainato
Clymer	Grove	Masser	Sankey
Conklin	Hahn	Matzie	Saylor
Corbin	Haluska	McGinnis	Scavello
Costa, D.	Hanna	Mentzer	Simmons
Cox	Harhai	Metcalfe	Smith
Culver	Harhart	Metzgar	Snyder
Cutler	Harkins	Miccarelli	Sonney
Daley, P.	Harper	Millard	Stern
Day	Harris, A.	Miller, R.	Stevenson
Deasy	Heffley	Milne	Swanger
Delozier	Helm	Mirabito	Tallman
Denlinger	Hennessey	Moul	Taylor
Dermody	Hickernell	Mullery	Tobash
DiGirolamo	James	Murt	Toepel
Dunbar	Kampf	Mustio	Toohil
Ellis	Kauffman	Neuman	Topper
Emrick	Kavulich	O'Neill	Truitt
English	Keller, F.	Oberlander	Turzai
Evankovich	Keller, M.K.	Payne	Vereb
Everett	Killion	Peifer	Watson
Fabrizio	Knowles	Petrarca	White

NAYS—55

Bishop	Davis	Kirkland	Sabatina
Boyle, B.	Dean	McCart	Samuelson
Boyle, K.	DeLissio	McNeill	Santarsiero
Bradford	Donatucci	Miller, D.	Schlossberg

Briggs	Evans	Miranda	Schreiber
Brown, V.	Frankel	Molchany	Sims
Brownlee	Freeman	Mundy	Stephens
Caltagirone	Gainey	O'Brien	Sturla
Clay	Hackett	Painter	Thomas
Cohen	Haggerty	Parker	Vitali
Costa, P.	Harris, J.	Pashinski	Waters
Cruz	Keller, W.	Ravenstahl	Wheatley
Daley, M.	Kim	Roebuck	Youngblood
Davidson	Kinsey	Ross	

NOT VOTING—0

EXCUSED—7

Boback	Fleck	Mahoney	Micozzie
DeLuca	Galloway	McGeehan	

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

On the question recurring,
Will the House concur in Senate amendments?

The SPEAKER. On that question, the Speaker recognizes the lady from Philadelphia County, Ms. DeLissio.

Ms. DeLISSIO. Thank you, Mr. Speaker.
Mr. Speaker, on the bill?

The SPEAKER. The lady is in order on the question of concurrence in Senate amendments.

Ms. DeLISSIO. Correct, Mr. Speaker. Thank you.
On concurrence.

The SPEAKER. Correct.

Ms. DeLISSIO. Mr. Speaker, one argument I hear often is that if we simply enforce the State laws that are on the books, we would not have this problem, and I maintain, Mr. Speaker, that this problem is not that simple. That statement really oversimplifies this, because if indeed by just enforcing what was already State law none of the local municipalities – and I understand there are several dozen of them – would have taken the actions that they have taken over the past years in order to put local ordinances on their books as it pertains to public safety of their citizens. So, Mr. Speaker, that is the first point that I would like to make. This argument is not that simple.

Number two, the Commonwealth, Mr. Speaker, has the obligation to protect all of its citizens, and to that end, Mr. Speaker, I maintain that there is nobody being adversely impacted by these local ordinances that are on the books for the reasons of public safety, but most definitely, Mr. Speaker, we can point to many, many, many instances of our citizens who have been hurt by illegal guns in particular, and since it is our obligation to ensure the safety of all of our citizens, we are favoring one set of citizens over the other. So I maintain that clearly one group has been harmed when in fact the other group really has not, because nobody's Second Amendment rights have been violated even though that is a refrain that is made consistently but with no real evidence of what that harm has been.

And number three, Mr. Speaker, if this is indeed about standing— When this was originally HB 1243 and I asked the question about why we were allowing a private membership organization to have standing, as you may recall, I got sort of a, not a great answer but subsequently got maybe a little bit of a

better answer. And if this is indeed about giving somebody standing so they can file suit, I do not understand, Mr. Speaker, and I have really tried to understand how we would award that standing to a third party, private membership organization versus a government entity, something like the Attorney General's Office, because indeed, then, a government entity has the responsibility of ensuring that all of our citizens, the welfare of all of our citizens is taken into consideration.

And for those three reasons, Mr. Speaker, I am a "no" vote on concurrence, and sincerely hope that the majority of my colleagues will vote similarly.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, one of the best statements on the folly of this bill was made by Mayor Michael Nutter, and it was sent to members of the Philadelphia delegation. Mayor Nutter ran for office on a pledge to reduce crime, and certainly crime has gone down in his administration. He is very focused on this subject. Mayor Nutter writes, "I am writing to express profound disturbance at the provisions added in the Senate to HB 80 regarding standing and various monetary costs in lawsuits to invalidate firearm ordinances believed by plaintiffs to violate preemption provisions in 53 Pa. C.S. §2962(g). This Bill is now before the House.... Respectfully, but in the strongest possible terms, I urge the House not to concur in these amendments.

"Gun violence represents a particularly tragic epidemic in poorer communities in cities like Philadelphia. Of the 247 murders Philadelphia witnessed in 2013, 201 of them, (81.4%) were by gunshot. And among all murders, 191 of the victims were black, 224 were male, and 160 were under age 34. Where a murder occurred in the domestic violence context, a gun was the most frequently-used weapon, used about 41% of the time. And this says nothing of the overall terror wrought on our communities by gunfire: in 2013, there were a total of 1,128 people wounded or killed by gunshots.

"Parents, family members, and leaders are naturally compelled by" their "concern for their children, loved ones, and fellow community members to do everything in their power to combat" some of "the shootings that destroy lives and hollow out communities. It is squarely at some of these responses by the community that HB 80 is now aimed. The standing and attorneys fees provisions of HB 80 simply raise the stakes for local governments, and the communities they serve, for trying to do something about illegal gun violence.

"In Philadelphia, we have implemented ordinances and policies, such as requirements regarding lost or stolen firearms, and possession of firearms on City property, that address the issue of proliferation of unlawful guns, while, we believe, staying within the statutory framework set out by the General Assembly. While any law can be... conducted "...in court, no one, much less resource-strapped municipalities and their taxpayers, should be singled out to bear markedly increased risk for trying to protect human life. Indeed, under HB 80, it would be riskier for the City to act on matters of unlawful gun possession and violence than to act on zoning. No one would reasonably argue that human life should be riskier to defend than a setback" in zoning.

"All must concede that there is a balance to be struck between the right of law-abiding citizens to keep and bear arms, and reducing the proliferation of illegal firearms and the deaths they cause. The General Assembly should not facilitate lawsuits against local governments simply to thwart their modest attempts at striking a balance that may save lives. Article I, Section 11, of the Constitution of Pennsylvania provides that the courts shall be open to all, and provides for remedies in the due course of the law. No more is necessary to settle disputes about the validity of ordinances, and yet this bill would give certain litigants special treatment, and impose new costs on taxpayers. And it seeks to do so where our local communities have only acted to protect their sons and daughters.

"I therefore respectfully urge the House not to pass HB 80 with these onerous provisions in it."

Mr. Speaker, Mayor Nutter is certainly an expert witness on crime. He has been in city government for about 30 years now. His administration has done everything it can to reduce crime. I would urge that his words be heeded and that all members carefully consider their actions and that, hopefully, more people will vote "no" on HB 80.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, one of the previous speakers spoke regarding the limitations on constitutional rights, and specifically used the example of whether or not you can yell "fire" in a theater. I believe that is an excellent example, because in that particular case we punish the offender, we punish the individual who screams "fire" by having laws in place that discourage that conduct, and I would offer that we should attack the issue of gun violence in the same way. Those individuals who break the law using firearms should be punished to the fullest extent of the law.

Mr. Speaker, while it is accurate that there are limitations on constitutional rights in some cases, we overwhelmingly seek to encourage individuals through punishment not to engage in that activity. We do not adversely impact the rights of every other individual in the room.

Furthermore, I think that there is an important piece of this debate that has been missed. Up until this point there has been failure to recognize the limitations that have been placed on municipalities by this General Assembly regarding the breadth of their authority. Furthermore, we are failing to recognize those instances or ordinances, such as are being argued for today, that are in fact already declared unconstitutional. The gentleman from Armstrong County referenced the *Heller* case, which was a United States Supreme Court case, and I think it is important again to revisit the current status of the law.

Mr. Speaker, this bill as proposed would amend the Uniform Firearms Act to require that the Pennsylvania State Police transmit the mental health data within 72 hours of receipt. I think that is an excellent improvement. Currently the State Police only may share – it is not a "shall"; it is a "may," and it is not required. Until recently this data was not even shared. In early 2013, at the encouragement of our colleague from Montgomery County and through his efforts, this information is

now being uploaded. It is important that we codify this so that future administrations do not again neglect this important duty.

Furthermore, the bill amends section 6120 of the Uniform Firearms Act to provide a remedy if the party prevails in a civil action against a municipality that has unlawfully promulgated local firearm regulations. Mr. Speaker, right now under existing law these municipalities cannot promulgate these ordinances. They have been prohibited to do such since 1974, and this bill does not in any way modify the scope of preemption that already exists under existing law.

Mr. Speaker, municipalities have limitations to their authority and this is one of them, but this preemption is not self-enforcing. In fact, many of us have heard the statement, "You can't fight city hall," because they have the mass resources of the taxpayers behind it. Mr. Speaker, in this case, citizens can already challenge unconstitutional ordinances based on their constitutionality if these ordinances are enforced at the local level. That remedy is also already available to each and every one of us as a citizen, but what this bill does change is it provides a remedy for the high costs involved in the pursuing litigation – those very same high costs that the opponents of the bill have been arguing will bankrupt their communities.

Mr. Speaker, we as citizens must safeguard our constitutional rights, particularly against those municipalities which knowingly and purposefully violate the current statutory preemption. Mr. Speaker, this is not my own personal opinion; this is the opinion of our own Supreme Court.

Quoting from the *Ortiz* case, *Ortiz v. Commonwealth*, they said in 1996 "Because the ownership of firearms is constitutionally protected, its regulation is a matter of statewide concern. The constitution does not provide that the right to bear arms shall not be questioned in any part of the commonwealth except Philadelphia and Pittsburgh, where it may be abridged at will, but that it shall not be questioned in any part of the commonwealth. Thus, regulation of firearms is a matter of concern in all of Pennsylvania, not merely in Philadelphia and Pittsburgh, and the General Assembly, not city councils, is the proper forum for the imposition of such regulation."

Mr. Speaker, this is the forum where these issues should be decided. We are the ones who will vote on that, just as we have tonight.

And if you look a little further back, in *Marbury v. Madison*, which is for many of us who have gone to law school one of the first cases that we learn about, Justice Marshall said very clearly: "The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury. One of the first duties of government is to afford that protection." This bill will provide that. "In Great Britain the king himself is sued in the respectful form of a petition, and he never fails to comply with the judgment of his court." Justice Marshall later went on to explain, "The government of the United States has been emphatically termed a government of laws, and not of men. It will certainly cease to deserve this high appellation, if the laws furnish no remedy for the violation of a vested legal right." This is precisely what this bill does. It empowers us as individuals to challenge those ordinances which are unconstitutional, and, Mr. Speaker, for me it highlights a more troubling trend, that in which public officials choose which laws they wish to enforce and not enforce.

Mr. Speaker, lastly and in closing, it has been raised that the issue of attorney's fees is inappropriate, but I think that the case law and existing laws that we already have on the books as interpreted by the courts clearly show that we as individuals have rights. It is not unheard of to offer attorney's fees in cases involving constitutional rights. We already do that with the Americans with Disabilities Act and we already do that with the Civil Rights Act to empower those individuals to go find legal representation so that they can adequately defend their rights in court.

For all of those reasons I urge a concurrence vote on HB 80 and ask for the support of the underlying bill and the protections of our liberties. Thank you.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. GAINNEY. Thank you, Mr. Speaker.

I rise today to oppose HB 80, and I rise for a couple of different reasons, but the number one reason is that we are trying to do something to the local that we ask the Federal not to do to us, and that is preempt laws.

We always talk about State laws. When we talked about the health-care bill, we talked about the Federal government not preempting State laws and allowing us to do what we want to do in regards to health care. But today as I stand here, we want to preempt local laws for gun rights that do not make sense, that we are not even sure is constitutional. We are in a situation right now where we know that the killings that are happening in Philadelphia and Pittsburgh – and some of you all might think, just lock them up and throw away the key. It is not that easy.

We have a situation where we could table this, as my other colleagues have said, and work on a bill that is beneficial to the people of Pennsylvania. We should not preempt local governments when we do not want the Federal government to preempt States' rights. We have an opportunity to do something that is good for the people. We see what is going on, but we continue to serve big business instead of serving the people of Pennsylvania. We continue to look on the news and see no matter what happened, people are getting killed, and we continue to do the same old same old because we want to serve a group, give them the right to sue municipalities as if they know what is right for public safety and we know they have no clue. They have no clue to what they are talking about, and we as a General Assembly, we have the obligation to do what is right for the people of Pennsylvania.

Let us not be hypocritical. If we do not want the Federal government to do that to us, let us not let us do that to local authorities. Give us the opportunity to protect our citizens. Give us the opportunity for public safety. If we are not sure if this is even constitutional, let us go back to the table and work on something that will work for the people of Pennsylvania and not for big business, because if big business was for the people, they would make sure they introduce something that is not about death but about life. They would not call it God, guns, and glory; they will call it God and life.

So let us get it correct. Let us do something for the people and vote "no" to HB 80.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Bradford.

Mr. BRADFORD. Thank you, Mr. Speaker.

I rise also in opposition to HB 80, and I just want to make one clarifying point. I know the gentleman from Lancaster spoke eloquently going back through the judicial history of judicial review to *Marbury v. Madison*, and he talks about there is already a preemption law, but a law without recourse is no law at all. And that would be a good point except obviously there is the right of any individual who is an aggrieved individual to go into court. That exists today. That has existed since the existence of the preemption law in Pennsylvania.

What is different about this bill, what is so insulting, what is so incendiary, what is so disrespectful to the communities like those that I represent that have these bills on the books, is this is not about an individual citizen of that community coming forth who has been aggrieved, who has been wronged by, as the gentleman says, the sovereign or the king, going back to old English law. This is not about old English law. This is about the reality of what is happening in our communities and our cities and about gun violence. This is about communities trying to do the right thing. But the gentleman's description of the standing doctrine is so misguided – and again, I respect him deeply and tremendously and I think he is astute and knowledgeable, but I think he does understand that any aggrieved individual has the right to seek judicial review for a wrong and to have that wrong addressed.

But what this bill does, and again, what is so incendiary, is it allows third parties – and let us be clear: we all know who that third party is, and that is not questioning anyone's motives. It is as obvious as can be. It is big-moneyed special interests, those interests who would gladly hammer our little municipalities who are trying to do right by their citizens and go in and seek attorney's fees and court costs and so forth in order to scare them in order to doing what they feel is appropriate and right.

Now, there is recourse, but it is not recourse for the NRA, and that is what this is about. This is a special gift, a favor. This is a wrap it up in a bow on our final day of session and send it to our friends at the NRA and tell them you can sue any municipality in Pennsylvania and you can make that municipality pay. That is not just bad public policy; it is disgraceful.

And for that reason, Mr. Speaker, I ask for a "no" vote on HB 80. Thank you so much.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Kirkland.

Mr. KIRKLAND. Thank you, Mr. Speaker.

Mr. Speaker, I was not going to speak on this, but as I sat there and listened, what came to my mind was my 11 grandchildren.

Mr. Speaker, I rise in opposition to HB 80 on concurrence, and this is the reason why. Mr. Speaker, I have lived in the city of Chester all my life. I have raised my family there. As a matter of fact, my sister continues to live in the house that we grew up in and I live right around the corner from her.

Many of you may or may not have heard in the latest news that the city in which I reside, Chester, Pennsylvania, was dubbed the most violent, crime-ridden city per capita in the Commonwealth of Pennsylvania. Now, that is not a proud distinction that I like to wear. The fact of the matter is, Mr. Speaker, years ago, years ago in the city of 37,000, maybe 35,000 people, that was not the case. Years ago I could walk the

streets and my grandkids could walk the streets and you would see persons on their porches playing and playing jump rope and everything else, but that is not the case now – unfortunately. And many a time my family has asked me, "Why do you stay? Why do you stay in a city that has become so violent?" And I tell them I stay because it was an inheritance given to me by my parents, an inheritance that I plan on keeping and restoring some calm to. And one of the ways that we can do that is when we work with our local governments and give them the tools that are needed so we can bring some peace to our communities.

Mr. Speaker, in my very community I have had the undesirable task of witnessing young men murdered on the streets, and just recently a young lady at the age of 25 gunned down on the streets.

Now, I heard one of my colleagues on the other side say there is no such thing as an illegal gun. Well, maybe when you purchase them in your part of the Commonwealth, it is not illegal, but when you put it in your car or put it in someone else's car and drive it to my city, in my county, and sell them out of that same car to young people 13, 14, 15, and 16 years old, it is now illegal.

Mr. Speaker, I have been here 22 years, 22 years, and I heard my colleague from Philadelphia say that he thought that this would be his proudest day standing here behind the microphone, being able to celebrate 2 years and saying, you know, he has had an excellent time and things were moving forward, but I concur with him when he says this is a sad day in the Commonwealth of Pennsylvania.

And I am not trying to appeal to your political side. I am not trying to appeal to any of those sides. I am trying to appeal to your heart side. We are losing young people each and every day. Someone once said to me— Mr. Speaker, they need to hear this one right here, because I have got to say this. Can I get a little more quiet, Mr. Speaker?

The SPEAKER. Okay.

Mr. KIRKLAND. Thank you.

Someone once said to me, a legislator in this House some years ago, a Republican colleague of mine, said that if the shoe was on the other foot, if these were white children being gunned down on the streets, that this would be a national movement, a national issue. That is what one of my colleagues on the other side said to me. And guess what? I agree.

Mr. Speaker, this is wrong. This is bad for Pennsylvania. We are taking, we are taking the opportunity for our communities such as Chester to right itself, to put in place laws that will disallow illegal guns to be purchased and handed out in our community, put in place laws that will stop the killing, and this body is saying no. Mr. Speaker, this is wrong.

So I am not speaking to your political sense. I am hoping you have got some moral sense and vote "no" on HB 80 on concurrence.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

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

Mr. THOMAS. Mr. Speaker, I just stand to concur with my colleague from Delaware County, and this is not the way we want to close this session out. This is not the way we want to do it.

We all have to go back to our communities. I do not want to have to talk to another family this evening about his or her daughter or mom being gunned down on the street, and I know

that in other parts of the State things are different, but, Mr. Speaker, I guess, as Thomas Jefferson used to say it very eloquently, our primary role is the preservation of life and not the destruction of life. And it should be possible for suburban, rural, and urban Pennsylvania to come together in a way that preserves life rather than results in the destruction of life, and if we move forward on HB 80 tonight, we will in effect create a climate of destruction in our local communities.

And, Mr. Speaker, this whole issue about constitutionality – we know if you look at your laptops and look at the thing, the subject of this bill, there is nothing in this subject, nothing in this subject about whether or not municipalities are complying with the uniform firearms law and scrap metal. That is not in there. And so we can just kind of realize that we made a mistake, and it is possible to correct it before we leave here this evening.

Let the people of Pennsylvania know that this General Assembly, whether you come from north, south, east, or west; whether you come from rural, urban, or suburban Pennsylvania; whether you are white, black, yellow, brown, or green, let the people of Pennsylvania know that because my mama was not shot down or because I do not know of a baby that is dead today because of illegal guns – and somebody mentioned that there are laws that deal with illegal possession. Well, for those of you that do not know, in Pennsylvania if you are out on the street with a gun illegally and not involved in any other crime, do you know it is no more than a second-degree misdemeanor? It is no more than a second-degree misdemeanor in Pennsylvania. So there are no real teeth in the law about walking down the streets with an illegal gun.

But be it as it may, Mr. Speaker, let us close this term out with letting people in Pennsylvania know that we care about the hardworking law officers, police officers, mayors, township managers, borough managers, county commissioners. Let them know that we care about what they are trying to do in their communities, because there are too many communities that are on fire right now as a result of gun violence. Do not leave here tonight saying to them that we do not care about what they are trying to do at the local level, and as soon as the next term starts, let them know that we are going to be a partner in helping to bring an end to the senseless gun violence that exists in the Commonwealth of Pennsylvania, but let us not close the night out by saying to the mayors and to these other leaders that they are not doing the right thing in trying to bring an end to senseless gun violence in their particular communities.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House concur in the amendments inserted by the Senate?

On that question, the Speaker recognizes the gentleman from Butler County, Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Based on the body language of the chamber, I would just ask for a "yes" vote. Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

(Members proceeded to vote.)

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 Bucks County, Mr. FARRY, for the remainder of the day. Without objection, the leave will be granted.

CONSIDERATION OF HB 80 CONTINUED

On the question recurring,
Will the House concur in Senate amendments?

The following roll call was recorded:

YEAS—138

Aument	Fee	Lawrence	Pyle
Baker	Flynn	Longietti	Quinn
Barbin	Gabler	Lucas	Rapp
Barrar	Gergely	Mackenzie	Readshaw
Benninghoff	Gibbons	Maher	Reed
Bizzarro	Gillen	Major	Reese
Bloom	Gillespie	Maloney	Regan
Brooks	Gingrich	Markosek	Roae
Brown, R.	Godshall	Marshall	Rock
Burns	Goodman	Marsico	Rozzi
Carroll	Greiner	Masser	Saccone
Causer	Grell	Matzie	Sainato
Christiana	Grove	McGinnis	Sankey
Clymer	Hackett	Mentzer	Saylor
Conklin	Hahn	Metcalfe	Scavello
Corbin	Haluska	Metzgar	Simmons
Costa, D.	Hanna	Miccarelli	Smith
Costa, P.	Harhai	Millard	Snyder
Cox	Harhart	Miller, R.	Sonney
Culver	Harkins	Milne	Stephens
Cutler	Harris, A.	Mirabito	Stern
Daley, P.	Heffley	Moul	Stevenson
Day	Helm	Mullery	Swanger
Deasy	Hennessey	Murt	Tallman
Delozier	Hickernell	Mustio	Taylor
Denlinger	James	Neuman	Tobash
DiGirolamo	Kauffman	O'Neill	Toepel
Dunbar	Kavulich	Oberlander	Toohil
Ellis	Keller, F.	Pashinski	Topper
Emrick	Keller, M.K.	Payne	Truitt
English	Knowles	Peifer	Turzai
Evankovich	Kortz	Petrarca	Vereb
Everett	Kotik	Petri	Watson
Fabrizio	Krieger	Pickett	White
Farina	Kula		

NAYS—56

Adolph	Davis	Killion	Roebuck
Bishop	Dean	Kim	Ross
Boyle, B.	DeLissio	Kinsey	Sabatina
Boyle, K.	Dermody	Kirkland	Samuelson
Bradford	Donatucci	McCarter	Santarsiero
Briggs	Evans	McNeill	Schlossberg
Brown, V.	Frankel	Miller, D.	Schreiber
Brownlee	Freeman	Miranda	Sims
Caltagirone	Gainey	Molchany	Sturla
Clay	Haggerty	Mundy	Thomas
Cohen	Harper	O'Brien	Vitali
Cruz	Harris, J.	Painter	Waters
Daley, M.	Kampf	Parker	Wheatley
Davidson	Keller, W.	Ravenstahl	Youngblood

NOT VOTING—0

EXCUSED—8

Boback Farry Galloway McGeehan
DeLuca Fleck Mahoney Micozzie

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman from Allegheny County, Mr. Dermody, rise?

Mr. DERMODY. To correct the record, Mr. Speaker.

The SPEAKER. The gentleman may state his correction.

Mr. DERMODY. Mr. Speaker, on the last vote I was recorded in the negative. My switch malfunctioned, and I want to be recorded in the positive.

The SPEAKER. The gentleman's remarks will be noted for the record.

The Speaker refers the following bills and resolutions. For what purpose he is not entirely sure, but the clerk will read them anyway.

**HOUSE RESOLUTIONS
INTRODUCED AND REFERRED**

No. 1096 By Representative DELOZIER

A Resolution directing the Legislative Budget and Finance committee to study and report on the extent of competition in this Commonwealth's communications industry and the impact of the transition to new technologies on the availability and affordability of clear and reliable voice service for all Pennsylvanians.

Referred to Committee on CONSUMER AFFAIRS, October 20, 2014.

No. 1097 By Representatives EVANKOVICH, COHEN, MILLARD, KIRKLAND, MIRABITO, TOOHL, V. BROWN, KINSEY, DONATUCCI, ENGLISH, SWANGER, LUCAS, MAHONEY, McCARTER, MAJOR, MURT and D. COSTA

A Resolution urging the Department of Transportation to change its policy on the documentation required for a name change to a driver's license or identification card.

Referred to Committee on TRANSPORTATION, October 20, 2014.

No. 1098 By Representatives SIMMONS, BAKER, CALTAGIRONE, READSHAW, McNEILL, SAYLOR and SWANGER

A Resolution urging the Congress of the United States to recognize the severe threat that the Ebola outbreak in West Africa poses to populations, governments and economies throughout the world, including the United States, and increase efforts to contain and eradicate this disease.

Referred to Committee on HEALTH, October 20, 2014.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 2551 By Representatives TAYLOR, O'NEILL, J. HARRIS, MURT and HELM

An Act designating the Philadelphia family court building in the City of Philadelphia, Philadelphia County, as the Chief Justice Ron Castille Center for Family Justice.

Referred to Committee on STATE GOVERNMENT, October 20, 2014.

No. 2552 By Representatives EVANKOVICH, McGEEHAN, THOMAS, BOBACK, TOPPER, DAVIS, SAYLOR, MUSTIO, READSHAW, MILLARD, COHEN, CALTAGIRONE, LUCAS, D. COSTA, SWANGER, MAHONEY, MULLERY, BAKER, C. HARRIS, MURT, ROCK, SACCONI, GERGELY, DEASY, DUNBAR, HARHAI, REESE, OBERLANDER, SCAVELLO, FEE, GRELL, QUINN and GINGRICH

An Act providing for release of information by coroners and medical examiners.

Referred to Committee on HEALTH, October 20, 2014.

SENATE BILL FOR CONCURRENCE

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

SB 1440, PN 2384

Referred to Committee on EDUCATION, October 20, 2014.

ANNOUNCEMENT BY MR. GRELL

The SPEAKER. The Speaker recognizes the gentleman from Cumberland County, Mr. Grell, for a meeting announcement.

Mr. GRELL. Thank you, Mr. Speaker.

The meeting of the South Central Republican Caucus which had been scheduled for the end of session today will be rescheduled. Thank you.

VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman from Philadelphia County, Mr. Cohen, rise?

Mr. COHEN. To correct a vote, Mr. Speaker.

The SPEAKER. The gentleman may state his correction.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, on Mr. Harris's move to revert to the prior printer's number, I was in error. I voted "no." I meant to vote "yes" for it.

The SPEAKER. The gentleman's remarks will be noted for the record.

STATEMENT BY MR. THOMAS

The SPEAKER. For what purpose does the gentleman from Philadelphia County, Mr. Thomas, rise?

Mr. THOMAS. Mr. Speaker, I know that there has been an appreciation celebration given for you. I know that a number of people, including myself, have thanked you for your stellar leadership and how you have conducted things, and I just wanted to ask everybody before we leave here to stand and give Speaker Smith a big round of applause for his leadership.

The SPEAKER. The Speaker thanks—

Mr. THOMAS. And I know that—

The SPEAKER. The Speaker would note that the gentleman is under unanimous consent, and if you keep with that gushy stuff, I may withdraw my consent.

Mr. THOMAS. And I look forward to Leader Dermody following in your footsteps.

CALENDAR CONTINUED**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 23, PN 743**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, extensively revising the Uniform Arbitration Act; and making editorial changes.

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

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 23 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 23 be removed from the tabled calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **SB 150, PN 1591**, entitled:

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in DNA data and testing, further providing for policy, for definitions, for powers and duties of State Police, for State DNA Data Base, for State DNA Data Bank, for State Police recommendation of additional offenses, for procedural compatibility with FBI and for DNA sample required upon conviction, delinquency

adjudication and certain ARD cases; providing for collection from persons accepted from other jurisdictions; further providing for procedures for withdrawal, collection and transmission of DNA samples, for procedures for conduct, disposition and use of DNA analysis; providing for request for modified DNA search; and further providing for DNA data base exchange, for expungement and for mandatory cost.

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

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that SB 150 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that SB 150 be removed from the tabled calendar and placed on the active calendar.

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

RESOLUTION

Mr. TURZAI called up **HR 555, PN 2951**, entitled:

A Resolution recognizing February 10, 2014, as the 60th anniversary of the addition of the words "under God" to the Pledge of Allegiance of the United States.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 555 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 555 be removed from the tabled calendar and placed on the active calendar.

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

BILLS SIGNED BY SPEAKER

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

HB 80, PN 4248

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, further providing for the offense of criminal trespass; defining the offense of theft of secondary metal; prescribing penalties; and, in firearms and other dangerous articles, further providing for Pennsylvania State Police and for limitation on the regulation of firearms and ammunition.

HB 1135, PN 4284

An Act designating a bridge that carries State Route 153 over the Bennett Branch in Huston Township, Clearfield County, as the Huston Township Veterans Memorial Bridge; designating U.S. Route 219 in Johnsonburg Borough, Elk County, from the intersection of State Route 1009, Center Street, starting at roadway segment 0502 offset 0000 to the intersection of State Route 1009, Center Street, ending at roadway segment 0522 offset 1159, as the Veterans of Johnsonburg Bypass; designating a portion of Pennsylvania Route 1001 between Rhawn Street, 0100/0000 and Kendrick Street, 0100/2784 in the City of Philadelphia, Philadelphia County, as the Firefighter Daniel Sweeney Memorial Highway; designating a portion of Pennsylvania Route 611 between Maple Avenue and Meetinghouse Road, in Montgomery County, as the Lieutenant Joseph C. Park II Memorial Highway; designating a portion of State Route 272 in Lancaster County, south of State Route 372 and before Osceola Road, as the Staff Sergeant Keith A. Bennett Memorial Highway; designating a portion of U.S. Route 1, City Avenue in Philadelphia and Montgomery Counties from its intersection with Presidential Boulevard to its intersection with Monument Road as Ed Bradley Way; providing for the redesignation of the Easton-Phillipsburg Toll Bridge operated by the Delaware River Joint Toll Bridge Commission as the Sergeant William John Cahir Memorial Bridge; designating a portion of PA Route 191 in Washington Township, Northampton County, as the "World War II Homefront Heroes Highway"; renaming the Hokendauqua Bridge in Lehigh County as the Lieutenant Colonel Thomas J. Lynch Memorial Bridge; renaming the Main Street Bridge in Brockway Borough, Jefferson County, as the Ensign USN Connie Rita Esposito Memorial Bridge; designating a bridge carrying State Route 1008 known as Pompey Hill Road, over the Stonycreek River in Quemahoning and Stonycreek Townships, Somerset County, as the Private John W. Mostoller Bridge; designating a bridge on that portion of State Route 271 over the South Branch Blacklick Creek, Nanty Glo Borough, Cambria County, as the Platoon Sergeant Alfred McCullough Memorial Bridge; designating a bridge on that portion of State Route 181 over the Conewago Creek, between Newberry Township and East Manchester Township, York County, as the SP4 Randy Stephen Schell Memorial Bridge; and designating a portion of Pennsylvania Route 144 in Centre County as the PFC Donald Ray Lucas Memorial Highway.

HB 2178, PN 3855

An Act amending Titles 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, in enforcement, further providing for powers and duties of waterways conservation officers and deputies and for powers and duties of enforcement officers.

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

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 before the House, the Speaker recognizes the gentleman, Mr. Ron Miller, from York County, who moves that this House do now adjourn until Wednesday, November 12, 2014, at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 6:34 p.m., e.d.t., the House adjourned.