

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, FEBRUARY 25, 2015

SESSION OF 2015

199TH OF THE GENERAL ASSEMBLY

No. 16

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (MIKE TURZAI) PRESIDING

#### PRAYER

HON. MARGO L. DAVIDSON, member of the House of Representatives, offered the following prayer:

Father God, we thank You for Your goodness and Your mercy, Your loving-kindness and Your tender compassion. We give, first and foremost, thanks unto You, and we bless Your holy and righteous name.

Father God, today we come to You knowing that You are almighty and there is nothing too hard for You. You commanded us that we should pray for the government and all those who are in authority, so we pray today for our President; his Cabinet; Congress, both House and Senate. We ask that You fill them all with Your grace, knowledge, and understanding. We pray also for those in local government, those who are charged with the safety and care of our towns, cities, and boroughs – municipalities all over this land. Give them strength for the journey, wisdom in conflict, and understanding for those who do not share their perspective or experience. Guide them, we pray, O God.

Now, Father, I ask You to also look on the Governor; each and every member of this legislature, Senate and House. Look today on everyone in this chamber and all the staff members who assist us with the work we do.

As we deliberate today the business before this House, help us, O Lord, to be ever mindful that it is only by Your grace that we serve. Remind us of what a privilege and an honor it is to serve the great people of this Commonwealth, who have put their trust in us. Help us, O God, not to betray that trust but to exercise our duties with fidelity.

As we consider the bills and amendments before us this day, remind us again that You said true religion, true duty and honor is to care for the sick and the widows, children, youth, and those without adequate resources. God, grant us the grace to think of others and to esteem others above ourselves. Help us to seek to better understand other people who are not like us – to consider their needs, not just our own. Let us fight for those who cannot fight for themselves. Let us be a voice for the voiceless, champions for the weary. Let us also agree, God, not to be disagreeable. Let us seek peace and pursue it.

Give us this day, my Lord, Your wisdom, Your guidance, Your understanding, Your grace, Your heart.

We ask all these blessings in Your matchless majestic name, and we say, Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, February 24, 2015, will be postponed until printed.

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

##### HB 33, PN 355

By Rep. HARPER

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, in planning agencies, further providing for appointment, term and vacancy of planning commission members and for conduct of business of planning commission.

#### LOCAL GOVERNMENT.

##### HB 57, PN 49

By Rep. GODSHALL

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in rates, further providing for sliding scale of rates and adjustments; and, in natural gas competition, further providing for duties of natural gas distribution companies.

#### CONSUMER AFFAIRS.

##### HB 66, PN 57

By Rep. GODSHALL

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for transfer of existing facilities to authority.

#### CONSUMER AFFAIRS.

##### HB 140, PN 124

By Rep. GODSHALL

An Act amending the act of December 14, 1982 (P.L.1211, No.279), entitled "An act providing for ridesharing arrangements and providing that certain laws shall be inapplicable to ridesharing arrangements," providing for a short title; further providing for definitions and for motor carrier laws not applicable to ridesharing; and making editorial changes.

#### CONSUMER AFFAIRS.

**HB 512, PN 568**

By Rep. SAYLOR

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in transfers of credits between institutions of higher education, further providing for definitions, for duties of public institutions of higher education and for transfer and articulation oversight committee.

EDUCATION.

**HB 530, PN 569**

By Rep. SAYLOR

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, further providing for agreements with institutions of higher education; in opportunities for educational excellence, further providing for definitions and for concurrent enrollment agreements; and extensively revising and adding charter school provisions.

EDUCATION.

**RESOLUTION REPORTED  
FROM COMMITTEE**

**HR 102, PN 567**

By Rep. SAYLOR

A Resolution establishing the select subcommittee on Technical Education and Career Readiness to investigate, review and make recommendations concerning career training programs to ensure that every student has the opportunity to pursue a meaningful career.

EDUCATION.

**BILL REPORTED AND REREFERRED TO  
COMMITTEE ON PROFESSIONAL LICENSURE**

**HB 64, PN 55**

By Rep. SAYLOR

An Act providing for suicide prevention continuing education.

Reported from Committee on EDUCATION with request that it be rereferred to Committee on PROFESSIONAL LICENSURE.

The SPEAKER. Without objection, the bill will be so rereferred.

**LEAVES OF ABSENCE**

The SPEAKER. Are there requests for leaves of absence?

The majority whip requests leaves of absence for Representative O'NEILL of Bucks County for the day, and Representative MASSER of Northumberland County for the day.

The minority whip requests leaves of absence for Representative Pete DALEY from Washington County for the day, and Representative Dan MILLER of Allegheny County for the day.

The Chair recognizes that, without objection, the leaves of absence are now granted.

**MASTER ROLL CALL**

The SPEAKER. The Chair is about to take the master roll call. Members will proceed to vote.

The following roll call was recorded:

**PRESENT—198**

Acosta	Evankovich	Kirkland	Ravenstahl
Adolph	Evans	Klunk	Readshaw
Baker	Everett	Knowles	Reed
Barbin	Fabrizio	Kortz	Reese
Barrar	Farina	Kotik	Regan
Benninghoff	Farry	Krieger	Roae
Bishop	Fee	Lawrence	Roebuck
Bizzarro	Flynn	Lewis	Ross
Bloom	Frankel	Longietti	Rozzi
Boback	Freeman	Mackenzie	Sabatina
Boyle	Gabler	Maher	Saccone
Bradford	Gainey	Mahoney	Sainato
Briggs	Galloway	Major	Samuelson
Brown, R.	Gergely	Maloney	Sankey
Brown, V.	Gibbons	Markosek	Santarsiero
Brownlee	Gillen	Marshall	Santora
Burns	Gillespie	Marsico	Saylor
Caltagirone	Gingrich	Matzje	Schemel
Carroll	Godshall	McCarter	Schlossberg
Causar	Goodman	McGinnis	Schreiber
Christiana	Greiner	McNeill	Schweyer
Cohen	Grell	Mentzer	Simmons
Conklin	Grove	Metcalfe	Sims
Corbin	Hackett	Metzgar	Snyder
Costa, D.	Hahn	Miccarelli	Sonney
Costa, P.	Hanna	Millard	Staats
Cox	Harhai	Miller, B.	Stephens
Cruz	Harhart	Milne	Sturla
Culver	Harkins	Moul	Tallman
Cutler	Harper	Mullery	Taylor
Daley, M.	Harris, A.	Murt	Thomas
Davidson	Harris, J.	Mustio	Tobash
Davis	Heffley	Nesbit	Toepel
Dawkins	Helm	Neuman	Toohil
Day	Hennessey	O'Brien	Topper
Dean	Hickernell	Oberlander	Truitt
Deasy	Hill	Ortitay	Vereb
DeLissio	Irvin	Parker, C.	Vitali
DeLozier	James	Parker, D.	Ward
DeLuca	Jozwiak	Pashinski	Warner
Dermody	Kampf	Payne	Waters
Diamond	Kaufner	Peifer	Watson
DiGirolamo	Kauffman	Petrarca	Wentling
Donatucci	Kavulich	Petri	Wheatley
Driscoll	Keller, F.	Pickett	Wheeland
Dunbar	Keller, M.K.	Pyle	Youngblood
Dush	Keller, W.	Quigley	Zimmerman
Ellis	Killion	Quinn	
Emrick	Kim	Rader	Turzai,
English	Kinsey	Rapp	Speaker

**ADDITIONS—0****NOT VOTING—0****EXCUSED—4**

Daley, P.	Masser	Miller, D.	O'Neill
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The SPEAKER. One hundred and ninety-eight members having voted on the master roll, a quorum is present.

**UNCONTESTED CALENDAR**

**RESOLUTIONS PURSUANT TO RULE 35**

Mr. MURT called up **HR 81, PN 465**, entitled:

A Resolution designating the month of February 2015 as "Career and Technical Education Month" in Pennsylvania.

\* \* \*

Mr. MATZIE called up **HR 88, PN 522**, entitled:

A Resolution recognizing the importance of finding the cause and cure for multiple sclerosis; expressing appreciation to the Pennsylvania chapters of the National Multiple Sclerosis Society for their work; and recognizing the week of March 2 through 8, 2015, as "Multiple Sclerosis Awareness Week" in Pennsylvania.

\* \* \*

Mrs. R. BROWN called up **HR 104, PN 578**, entitled:

A Resolution designating the week of February 22 through 28, 2015, as "Automated External Defibrillator (AED) Awareness Week" in Pennsylvania.

\* \* \*

Mr. READSHAW called up **HR 109, PN 667**, entitled:

A Resolution recognizing the 23rd anniversary of the Khojaly Massacre and honoring the life and memory of the victims of this horrific tragedy.

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Mr. READSHAW called up **HR 110, PN 668**, entitled:

A Resolution designating March 1, 2015, as "Saint David's Day" in Pennsylvania.

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Mr. FABRIZIO called up **HR 116, PN 672**, entitled:

A Resolution recognizing the month of February 2015 as "National Cancer Prevention Month" in Pennsylvania.

On the question,  
Will the House adopt the resolutions?

The following roll call was recorded:

**YEAS—198**

Acosta	Evankovich	Kirkland	Ravenstahl
Adolph	Evans	Klunk	Readshaw
Baker	Everett	Knowles	Reed
Barbin	Fabrizio	Kortz	Reese
Barrar	Farina	Kotik	Regan
Benninghoff	Farry	Krieger	Roae
Bishop	Fee	Lawrence	Roebuck
Bizzarro	Flynn	Lewis	Ross
Bloom	Frankel	Longietti	Rozzi
Boback	Freeman	Mackenzie	Sabatina

Boyle	Gabler	Maher	Saccone
Bradford	Gainey	Mahoney	Sainato
Briggs	Galloway	Major	Samuelson
Brown, R.	Gergely	Maloney	Sankey
Brown, V.	Gibbons	Markosek	Santarsiero
Brownlee	Gillen	Marshall	Santora
Burns	Gillespie	Marsico	Saylor
Caltagirone	Gingrich	Matzie	Schemel
Carroll	Godshall	McCarter	Schlossberg
Causer	Goodman	McGinnis	Schreiber
Christiana	Greiner	McNeill	Schweyer
Cohen	Grell	Mentzer	Simmons
Conklin	Grove	Metcalfe	Sims
Corbin	Hackett	Metzgar	Snyder
Costa, D.	Hahn	Miccarelli	Sonney
Costa, P.	Hanna	Millard	Staats
Cox	Harhai	Miller, B.	Stephens
Cruz	Harhart	Milne	Sturla
Culver	Harkins	Moul	Tallman
Cutler	Harper	Mullery	Taylor
Daley, M.	Harris, A.	Murt	Thomas
Davidson	Harris, J.	Mustio	Tobash
Davis	Heffley	Nesbit	Toepel
Dawkins	Helm	Neuman	Toohil
Day	Hennessey	O'Brien	Topper
Dean	Hickernell	Oberlander	Truitt
Deasy	Hill	Ortityay	Vereb
DeLissio	Irvin	Parker, C.	Vitali
Delozier	James	Parker, D.	Ward
DeLuca	Jozwiak	Pashinski	Warner
Dermody	Kampf	Payne	Waters
Diamond	Kaufman	Peifer	Watson
DiGirolamo	Kauffman	Petrarca	Wentling
Donatucci	Kavulich	Petri	Wheatley
Driscoll	Keller, F.	Pickett	Wheeland
Dunbar	Keller, M.K.	Pyle	Youngblood
Dush	Keller, W.	Quigley	Zimmerman
Ellis	Killion	Quinn	
Emrick	Kim	Rader	Turzai,
English	Kinsey	Rapp	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Daley, P.	Masser	Miller, D.	O'Neill
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolutions were adopted.

**FILMING PERMISSION**

The SPEAKER. A brief announcement. There is permission for media access to the House floor at the present time. Ruslan Jafarou of the Caspian Broadcasting Company in Azerbaijan will be videotaping with audio. Members, there is media access to the House floor that has been granted to the Caspian Broadcasting Company from Azerbaijan. There will be videotaping with audio.

Members, I would ask you to please take your seats. Members, if you could, we are going to be going to remarks. Please take your seats.

**STATEMENT BY MR. MURT**

The SPEAKER. At this time Representative Tom Murt of Montgomery County will be granted the floor.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, while we want every child to achieve success at the highest levels of education—

The SPEAKER. Mr. Murt, will you just suspend for a second, please; just for a second.

Members, please grant the good gentleman your attention. We have a few speakers with respect to the resolutions. Please grant them your attention.

Representative Murt of Montgomery County will proceed.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, while we want every child to achieve success at the highest levels of education, we must realize that not every student benefits from a traditional 4-year college experience. Nationally, career and technical education programs are changing to meet our country's education and skill needs, and in the process, we are changing the lives of people across this Commonwealth. These career and technical education programs create an educational environment that combines core academics with real-world application.

Career and technical education affects 14 million students in 1300 public high schools and 1700 2-year institutions nationwide. The mission is to prepare students for success in college and careers by helping them develop the skills, technical knowledge, academic rigor, and real-world experience for high-skill, high-demand, and highly successful careers. That is why we must commit ourselves to helping high schools partner with colleges and employers that offer the real-world education and hands-on training that will lead to good jobs and careers. Career and technical education acknowledges that not everyone needs a 4-year degree to be successful but that a combination of postsecondary education and industry-recognized credentials can lead to family-sustaining jobs and careers.

Our State economic growth is linked to the strength and skills of our future workforce. We must work to ensure that students of all ages are prepared not only for college but for successful careers. That is why I thank our members for passing HR 81, which declares February "Career and Technical Education Month" in Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

**STATEMENT BY MRS. BROWN**

The SPEAKER. Representative Rosemary Brown of Monroe County is recognized to speak on HR 104, AED (automated external defibrillator) Awareness Week. The floor is for Representative Brown.

Mrs. R. BROWN. Thank you, Mr. Speaker.

As many of you know, February is American Heart Month, and it is within that scope that I have introduced a resolution to establish this week, February 22 through the 28, as AED Awareness Week in Pennsylvania.

AED stands for automated external defibrillator. I hope many of you knew what that stood for before I even said it. These devices are an easy-to-operate tool that is an effective treatment for restoring a regular heartbeat and rhythm in sudden cardiac arrest. Sudden cardiac arrest is one of the leading causes of death in the United States, and over 350,000 people will

suffer from sudden cardiac arrest this year. Nearly 7,000 to 10,000 kids die from sudden cardiac arrest each year. Many of us are parents in here, and I hope that that number really sticks with you – 7,000 to 10,000 kids a year die from sudden cardiac arrest.

I was handed this pack of cards from my constituent, Rachel Moyer, and on here are the faces of the many children who have lost their lives to sudden cardiac arrest. So if you would like to look at these, I do have them on my desk.

During the 2013-14 session, I worked with the Moyers and many of you here who supported and sponsored Act 35, a new law that established an AED program within the Department of Education directing the agency to issue an invitation for bids every 2 years for the costs of the AEDs in hopes of schools being able to obtain the devices for a lower cost.

This legislation also established a registry of schools that do or do not have AEDs. I encourage each one of you to look at that registry and follow up with your school districts to ensure they have made every effort to protect your constituents, their students, staff, and visitors by having an AED in each building. If you do not know this information, you are behind the ball.

Just a little tidbit of information if you are thinking that CPR (cardiopulmonary resuscitation) can be done without an AED: CPR alone works only in 4 to 6 percent of the time; with an AED, the odds for survival go up to 75 percent or higher.

I cannot thank the Moyers enough for their dedication to this cause, and I commend them for their aspiration to make our schools safer in this capacity and for working proactively to ensure other families may not have to suffer the loss of a child to sudden cardiac arrest when an AED could have potentially saved their life. The Moyers have been instrumental in their efforts to help make a difference, and it has been an honor to work with them on this issue.

Rachel just returned from Alaska where she continues to travel not only our State but our country to educate the public and legislators on AEDs. I thank Rachel and several other visitors that I will mention in a moment for taking the time this morning to train State employees and legislators on how to use an AED. The following individuals have dedicated much time to the issue; unfortunately, due to sometimes a loss of a child, of their child, that may have been saved with an AED.

**GUESTS INTRODUCED**

Mrs. R. BROWN. I would like to welcome and recognize mother Toni Savino and aunt Lorraine Sikora here in memory of Louis Savino. If you will stand in the back there, Lorraine. Thank you, and Toni. We also have with us George Over, in memory of his son, Ryan Over; mother and father, my constituents, John and Rachel Moyer, in memory of their son, Gregory Moyer.

Our hearts are with each and every one of you today and always, but most importantly, thank you for your strength and efforts to continue and put forth efforts to help bring awareness to AEDs and the importance of their accessibility both in schools and in our community. It is in memory of your children and in the fight to strengthen awareness and protect others that I am very honored to be able to have the privilege in my position to create AED Awareness Week in Pennsylvania. And I hope that because of this week people who do not know what

AED stands for will know what that stands for and will work to get these units in their facilities.

I ask that each legislator communicates this resolution in your communications to your constituents to ensure the acronym AED is known and to ensure that facilities in your local district are doing their best to be ready for an emergency cardiac arrest, especially with our children.

Thank you, Mr. Speaker. And I do have bracelets that I hope each one of you will pick up at my desk to remind you of AED awareness. Thank you.

The SPEAKER. Thank you, Representative.

### STATEMENT BY MR. MATZIE

The SPEAKER. Representative Matzie, the good gentleman from Beaver County, and Representative Quinn, the good lady from Bucks County, are called upon to speak on HR 88, Multiple Sclerosis Week in Pennsylvania. The floor is yours.

Mr. MATZIE. Thank you, Mr. Speaker.

MS is a disease that is often misunderstood, which is why I am proud to be here today to offer this resolution along with the gentlelady, Representative Quinn.

HR 88 designates the week of March 2 through March 8 as "Multiple Sclerosis Awareness Week." Through the week's recognition, Pennsylvania citizens are encouraged to take a proactive approach in learning more about multiple sclerosis and how to make a difference in the lives of those living with MS.

Awareness weeks like this one have been shown to increase education about and encourage participation in active fundraising events. It is an important resolution to spark awareness of what this disorder does and how drastically it alters people's lives.

MS is a chronic neurological disorder. It affects the central nervous system. MS can differ in severity, with about 90 percent of the diagnosed population having relapsing-remitting MS, where they experience periodic relapses followed by partial or complete recovery.

While the disease is not fatal, once diagnosed with MS, a person will always have MS. There is no cure. About twice as many women are diagnosed with MS than men, with women from 20 to 40 being particularly susceptible. Connections have been made between diagnosis of the disease and environmental and genetic factors, but no specific cause has been found.

This week of awareness will ignite an understanding that can encourage active efforts to help people suffering with MS far beyond the designated week.

And personally, I can tell you that while most people are diagnosed between the ages of 20 and 50, my father was diagnosed at the age of 72, and he was diagnosed by his eye surgeon who was about to do cataract surgery. And he asked him, "When did you get MS?" And my father said, "I don't have MS." And his surgeon said, "Yes, you do have MS." He immediately got on the phone with a doctor who got him an appointment, and sure enough there are three tests they give you – a blood test, a spinal tap, and an MRI (magnetic resonance imaging) – to determine whether or not you have it. Fortunately for my father, the MS only affected his vision. He is legally blind in one eye, but for many years he thought it was just something that he had to live with rather than knowing if in fact it was MS. So he has had it now and been diagnosed with it for

almost 10 years and lives through it with his blindness in one eye, but it could eventually affect other parts of the central nervous system as he continues in his long journey of life.

So it is a very important awareness week and opportunity for me as a policymaker to discuss my personal side of the story, and I hope that you will make do and avail yourself to the information provided relative to what MS is so you can spread that as well. Thank you.

Ms. QUINN. Thank you, Representative Matzie.

### STATEMENT BY MS. QUINN

The SPEAKER. Representative Quinn.

Ms. QUINN. Thank you, Mr. Speaker, and thank you, colleagues, for your interest in this subject.

MS is on the rise and there is no known cure, and my colleague spoke beautifully and personally about this. And on behalf of Representative Matzie, I would like to commend the efforts of the Pennsylvania chapters of the National Multiple Sclerosis Society that are leading the charge to raise the awareness of the disease in our Commonwealth, while also doing tremendous work to assist those afflicted. Their never-ending ventures have inspired a movement where MS patients are not just living with the disease, but they are thriving with MS.

There are people in each of our communities that feel the effects of this disease, and the National MS Society says 200 more people are diagnosed every week in the United States, which is why the need for continued research and treatments and cure cannot be overstated.

Thank you very much for your support of this resolution.

The SPEAKER. Thank you.

### LEADERS FROM THE REPUBLIC OF AZERBAIJAN INTRODUCED

The SPEAKER. Members, as I noted, we have guests filming from Azerbaijan.

Located in the rear of the House today, we would ask that you please welcome this very distinguished group. These distinguished leaders are from the Republic of Azerbaijan and are members of Parliament from both the majority and minority parties. They are the guests of Representative Harry Readshaw here today, and I would ask each of the members, if you could please come closer to the railing so that all the members can see you and greet you. We are so honored that you would be with us today. Thank you.

It is really quite an honor for us to have you here. Representative Readshaw's HR 109 recognized the 23d anniversary of the Khojaly Massacre and honoring the life and memory of the victims of that horrific tragedy.

Among the guests are Sevinc Feteliyeva, Asim Mollazade, and Khalik Mammadov. Thank you again, and I look forward to meeting you with many of the other members here shortly. Thank you for coming to our legislative body.

### GUESTS INTRODUCED

The SPEAKER. Located in the rear of the House, the Chair welcomes students from Dover High School's career and technical education program. Would you please stand. These are

guests of Representative Grove, and they include Malik Allen, Nicole Fenn, Samantha Heilman, Sarah Myers, Cierra Leathery, Kevin Heider, and their teacher, Charles Benton. Thank you very much for joining us today.

### U.S. MARSHALS INTRODUCED

The SPEAKER. We are very honored to have with us today a distinguished group of individuals that we are honored to introduce.

On October 30, 2014, the 7-week manhunt for the gentleman – no, not the gentleman – for Eric Frein came to an end at the Birchwood-Pocono Airpark near the town of Tannersville. For 48 days law enforcement agents – including officers of the Pennsylvania State Police; Federal Bureau of Investigation; Bureau of Alcohol, Tobacco, Firearms and Explosives; and local police forces – searched for the man who stands accused of shooting and killing Cpl. Bryon Dickson and wounding Trooper Alex Douglass, our heroes. It was one of the largest manhunts in Pennsylvania history.

As the search continued, the Pennsylvania State Police requested the assistance of a special operations task force of deputy United States marshals based in Virginia. It was this special operations group that discovered and apprehended the perpetrator at the airport hangar.

### GUESTS INTRODUCED

The SPEAKER. Today we are honored to have five members of this elite unit with us on the House floor as guests of Representative Mike Regan. Gentlemen, if you could please stand and allow us to show our sincere appreciation for your exceptional work. Please stand.

We are further honored to have with us Stacia Hylton, the director of the United States Marshals Service. Could you also please stand and be recognized.

### REMARKS BY MR. REGAN

The SPEAKER. Representative Mike Regan will be given the floor and will give you much more of the information with respect to the work done by the marshals and with respect to the other members of law enforcement. I turn it over now to my colleague, our colleague, Representative Mike Regan.

Mr. REGAN. Thank you very much, Speaker Turzai.

Mr. Speaker, it is an unbelievable honor for me to rise today and recognize this group of my law enforcement brothers from the U.S. Marshals Service.

As all of you know, on September 12 of last year, Pennsylvania tragically lost one of its finest in Cpl. Bryon Dickson. On that same day Trooper Alex Douglass was critically wounded. The Pennsylvania State Police were confronted with the tragic loss of one of their own and were immediately immersed in what would ultimately become the largest manhunt in Pennsylvania history.

The State Police quickly identified Eric Frein as a suspect in this heinous and cowardly crime, but to intensify and complicate matters, Frein, who was reported to be a survivalist and an expert marksman, had vanished into a forest that covered

more than 350 square miles. The State Police quickly realized they could not handle this all by themselves so they reached out to several State and local agencies for assistance. Hundreds of officers from four States poured into Pennsylvania to help.

Ronald Reagan once said, people "...who say... there are no heroes..." today, well, they "...just don't know where to look."

Here we had a cold-blooded killer on the loose who had already demonstrated he had absolutely no qualms about killing police officers, and our law enforcement community ran, without hesitation, into those woods that Frein knew like the back of his hand to apprehend him. I am sure they had every expectation that there would be further bloodshed.

Among those who selflessly put themselves in harm's way were members of the U.S. Marshals Service Special Operations Group. SOG, as they are known, is an elite, highly trained, and specialized tactical team within the U.S. Marshals Service that responds to situations that are extraordinarily difficult, dangerous, and dire – situations like we unfortunately found ourselves in. We had a region of the Commonwealth paralyzed with fear and a nation just waiting for the other shoe to drop.

Finally, after 48 days, on October 30, the news broke that Frein had been captured, some 30 miles away from the original crime scene, by marshals. Upon hearing that news, I felt overwhelming pride in my heart and a sense of relief that only comes after a prayer has been answered. The suspect was in custody, and there was no further loss of innocent life.

The fact that marshals arrested Frein was not a surprise to me; after all, the marshals arrest more fugitives every year than all other Federal agencies combined and are widely recognized as the greatest manhunters in the world.

While all residents of the Commonwealth breathed a collective sigh of relief, these gentlemen with us today merely packed up their gear and headed off to the next job. These men have dedicated their lives to pursuing justice. They live by the motto, "Let no guilty man go free."

Mr. Speaker, today it is my honor beyond words to welcome to the hall of the House the five members of the U.S. Marshals Service Special Operations Group who apprehended Eric Frein. I would ask my colleagues to join me, U.S. Marshal Martin Pane, acting State Police Commissioner Col. Marcus Brown, and U.S. Marshal Johnny Hughes in thanking this group of heroes. And if you could please give it up one more time for the guys who captured Eric Frein.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative Regan.

As many of you know, Representative Regan was a former United States marshal for the middle district of Pennsylvania, and it is an honor that he would bring this fine group with us today.

### GUEST INTRODUCED

The SPEAKER. We also have with us today, I believe with the Pennsylvania State Police, the acting State Police Commissioner, Col. Marcus Brown. Colonel Brown, thank you for your service.

We will be at ease for just a few moments and then will resume our calendar.

The House will come to order.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. Members, at this time I am going to call the good gentleman from Delaware County, Appropriations Chairman Bill Adolph, for an announcement.

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

Mr. Speaker, there will be an immediate meeting of the House Appropriations Committee in the majority caucus room. That is immediately. Thank you.

The SPEAKER. We are just going to go at ease, members, at this time until the Appropriations Committee meeting is completed. We expect that it will only be just a few minutes.

There will be an immediate meeting of the House Appropriations Committee in the majority caucus room.

The House will be at ease at this time.

The House will come to order.

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

**HB 264, PN 695** (Amended) By Rep. HENNESSEY

An Act providing standards for carbon monoxide alarms in care facilities; imposing powers and duties on the Department of Aging, the Department of Health and the Department of Human Services; and prescribing penalties.

AGING AND OLDER ADULT SERVICES.

**BILLS REREPORTED FROM COMMITTEE**

**HB 75, PN 66** By Rep. ADOLPH

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, providing for nonresident pharmacies.

APPROPRIATIONS.

**HB 141, PN 691** By Rep. ADOLPH

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 penalties for violations of compulsory attendance requirements.

APPROPRIATIONS.

**HB 158, PN 692** By Rep. ADOLPH

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

APPROPRIATIONS.

**HB 209, PN 199** By Rep. ADOLPH

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

APPROPRIATIONS.

The SPEAKER. Members, please take your seats. We are now moving to second consideration of bills.

**CALENDAR****BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 466, PN 521**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, as follows: In preliminary provisions, further providing for definitions and for interpretation. In the Pennsylvania Liquor Control Board, further providing for general powers, providing for fee adjustment by regulation and further providing for subject of regulations, for enforcement and for wine and spirits marketing. In Pennsylvania Liquor Stores, further providing for establishment and for sales. Providing for wine and spirits distribution. In licensing, further providing for hotels, restaurants and clubs liquor licenses, providing for grocery store licenses, further providing for liquor license sales and restrictions, providing for grocery store license sales and restrictions and further providing for malt and brewed beverages licenses, for wine auction permits, for importers' license fees, privileges and restrictions, for interlocking business, for malt and brewed beverages licenses, for distributor package reform permit, for distributors and dispensers licenses, for prohibitions against the grant of licenses, for numbers and kinds of licenses, for distributors and importing distributors restrictions, for retail dispensers restrictions, for interlocking business prohibited, for breweries, for county limitations, for assignability, for renewal and temporary provisions, for sanctions, for responsible alcohol management, for local option, for unlawful acts, for hours of operation, for licensees and taxation, for penalties and for vacation of premises. In distilleries, wineries, bonded warehouses, bailees and transporters, further providing for limited wineries, for distilleries and for license fees. In disposition of money, further providing for moneys paid into Liquor License Fund. Providing for supplemental provisions.

On the question,

Will the House agree to the bill on second consideration?

Mr. **DiGIROLAMO** offered the following amendment No. **A00143**:

Amend Bill, page 1, lines 16 through 22; page 2, lines 1 through 29; by striking out " as" in line 16, all of lines 17 through 22 on page 1 and all of lines 1 through 29 on page 2 and inserting

in Pennsylvania Liquor Control Board, further providing for general powers of board; in Pennsylvania Liquor Stores, further providing for board to establish State liquor stores, for when sales may be made at Pennsylvania Liquor Stores, and for sales by Pennsylvania Liquor Stores; in licenses and regulations and liquor and alcohol and malt and brewed beverages, further providing for renewal of licenses and temporary provisions for licensees in armed service, for revocation and suspension of licenses and fines and for shipment of wine into Commonwealth, providing for direct shipment of wine and further providing for unlawful acts relative to liquor, malt and brewed beverages and licensees; and, in disposition of moneys collected under provisions of act, further providing for moneys paid into the State Stores Fund for use of the Commonwealth.

Amend Bill, page 2, lines 32 through 42; pages 3 through 191, lines 1 through 30; page 192, lines 1 and 2; by striking out all of said lines on said pages and inserting

Section 1. Section 207(a) and (b) of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14) and amended November 30, 2004

(P.L.1727, No.221) and December 8, 2004 (P.L.1810, No.239), are amended and the section is amended by adding subsections to read:

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

(a) To buy, import or have in its possession for sale and sell liquor, alcohol, corkscrews, wine and liquor accessories, trade publications, gift cards, gift certificates, wine- or liquor-scented candles and wine glasses in the manner set forth in this act: Provided, however, That all purchases shall be made subject to the approval of the State Treasurer, or his designated deputy. The board shall buy liquor and alcohol at the lowest price and in the greatest variety reasonably obtainable. Such sales and purchases may be to or from persons or entities located both in and outside this Commonwealth.

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

\* \* \*

(l) Notwithstanding any other provision of law to the contrary, to enter into agreements with governmental units of this Commonwealth and other states, for the purchase or sale of goods and services with, from or to the governmental units. This authority includes, but is not limited to, the purchase or sale of alcohol.

(m) To be licensed as a lottery sales agent, as set forth in section 305 of the act of August 26, 1971 (P.L.351, No.91), known as the "State Lottery Law," and to take any actions authorized by such designation, except that no bond, insurance or indemnification may be required from the board.

(n) To establish and implement a customer relations management program for the purpose of offering incentives, such as coupons or discounts on certain products, to unlicensed customers of the board.

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

Section 301. Board to Establish State Liquor Stores.—(a) The board shall establish, operate and maintain at such places throughout the Commonwealth as it shall deem essential and advisable, stores to

be known as "Pennsylvania Liquor Stores," for the sale of liquor and alcohol in accordance with the provisions of and the regulations made under this act; except that no store not so already located shall be located within three hundred feet of any elementary or secondary school, nor within a dry municipality without their first having been a referendum approving such location. When the board shall have determined upon the location of a liquor store in any municipality, it shall give notice of such location by public advertisement in two newspapers of general circulation. In cities of the first class, the location shall also be posted for a period of at least fifteen days following its determination by the board as required in section 403(g) of this act. The notice shall be posted in a conspicuous place on the outside of the premises in which the proposed store is to operate or, in the event that a new structure is to be built in a similarly visible location. If, within five days after the appearance of such advertisement, or of the last day upon which the notice was posted, fifteen or more taxpayers residing within a quarter of a mile of such location, or the City Solicitor of the city of the first class, shall file a protest with the court of common pleas of the county averring that the location is objectionable because of its proximity to a church, a school, or to private residences, the court shall forthwith hold a hearing affording an opportunity to the protestants and to the board to present evidence. The court shall render its decision immediately upon the conclusion of the testimony and from the decision there shall be no appeal. If the court shall determine that the proposed location is undesirable for the reasons set forth in the protest, the board shall abandon it and find another location. Notwithstanding any other provision of law to the contrary, the board may operate and maintain stores located in commercial locations. The board may make decisions to relocate and lease stores in more convenient and consumer-heavy areas, after consumer trends and market trends are analyzed by the board. The board may work with private persons or entities, consistent with the requirements of this section and under such conditions and regulations as the board may enforce, to operate and maintain stores in areas where the board concludes a store is needed to meet consumer demand. The board may establish, operate and maintain such establishments for storing and testing liquors as it shall deem expedient to carry out its powers and duties under this act.

(b) The board may lease the necessary premises for such stores or establishments, but all such leases shall be made through the Department of General Services as agent of the board. Notwithstanding any other provision of law to the contrary, the Department of General Services shall have no more than ninety days from the date the board officially approves a lease recommendation to send the final lease packet to the appropriate agencies for further processing. The Department of General Services shall be required to submit quarterly reports to the chairman and minority chairman of the Law and Justice Committee of the Senate and the chairman and minority chairman of the Liquor Control Committee of the House of Representatives indicating the number of lease recommendations approved by the board during the preceding quarter and whether the corresponding final lease packets were sent to the appropriate agencies within the ninety-day deadline. If the Department of General Services fails to regularly submit these quarterly reports or fails to regularly meet the ninety-day deadline imposed by this subsection, then the General Assembly may consider legislation that would allow the board to lease premises for its stores without the involvement of the Department of General Services. The board, through the Department of General Services, shall have authority to purchase such equipment and appointments as may be required in the operation of such stores or establishments.

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

Section 304. When Sales May Be Made at Pennsylvania Liquor Stores.—(a) Except as provided for in subsection (b), every Pennsylvania Liquor Store shall be open for business week days, except holidays as that term is defined in section 102. The board may, with the approval of the Governor, temporarily close any store in any municipality.

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

Section 4. Section 305(b) of the act, amended July 6, 2005 (P.L.135, No.39), is amended and the section is amended by adding a subsection to read:

Section 305. Sales by Pennsylvania Liquor Stores.—\* \* \*

(b) Every Pennsylvania Liquor Store shall sell liquors at wholesale to hotels, restaurants, clubs, and railroad, pullman and steamship companies licensed under this act; and, under the regulations of the board, to pharmacists duly licensed and registered under the laws of the Commonwealth, and to manufacturing pharmacists, and to reputable hospitals approved by the board, or chemists. Sales to licensees shall be made at a price that includes a discount of ten per centum from the retail price. The board may sell to registered pharmacists only such liquors as conform to the Pharmacopoeia of the United States, the National Formulary, or the American Homeopathic Pharmacopoeia. The board may sell at special prices under the regulations of the board, to United States Armed Forces facilities which are located on United States Armed Forces installations and are conducted pursuant to the authority and regulations of the United States Armed Forces. All other sales by such stores shall be at retail[,], except that incentives, such as coupons or discounts on certain products, may be offered to unlicensed customers of the board as provided for under sections 207(n) and 493(24)(iii). A person entitled to purchase liquor at wholesale prices may purchase the liquor at any Pennsylvania Liquor Store upon tendering cash, check or credit card for the full amount of the purchase. For this purpose, the board shall issue a discount card to each licensee identifying such licensee as a person authorized to purchase liquor at wholesale prices. Such discount card shall be retained by the licensee. The board may contract through the Commonwealth bidding process for delivery to wholesale licensees at the expense of the licensee receiving the delivery.

\* \* \*

(j) If the board becomes a licensed lottery sales agent, as set forth in section 305 of the act of August 26, 1971 (P.L.351, No.91), known as the "State Lottery Law," then the following shall apply, notwithstanding the provisions of the "State Lottery Law":

(i) The Secretary of Revenue shall permit the board to operate and maintain Pennsylvania lottery instant ticket vending machines, player-activated terminals and technologies or systems subsequently approved by the Department of Revenue for the self-service sale of lottery tickets and games in Pennsylvania Liquor Stores. The board and the Secretary of Revenue shall mutually agree upon the number and location of the stores authorized to conduct self-service sales of lottery tickets and games.

(ii) The board shall not be required to post any type of bond prior to conducting self-service sales of lottery tickets and games.

(iii) Any commissions, compensation or any type of incentive award based upon the sale of lottery tickets and games shall be deposited by the board into the State Stores Fund.

Section 5. Section 470(a) of the act, amended December 22, 2011 (P.L.530, No.113), is amended to read:

Section 470. Renewal of Licenses; Temporary Provisions for Licensees in Armed Service.—(a) All applications for renewal of licenses under the provisions of this article shall be filed with tax clearance from the Department of Revenue and the Department of Labor and Industry and requisite license and filing fees at least sixty days before the expiration date of same: Provided, however, That the

board, in its discretion, may accept nunc pro tunc a renewal application filed less than sixty days before the expiration date of the license with the required fees, upon reasonable cause shown and the payment of an additional filing fee of one hundred dollars (\$100.00) for late filing: And provided further, That except where the failure to file a renewal application on or before the expiration date has created a license quota vacancy after said expiration date which has been filled by the issuance of a new license, after such expiration date, but before the board has received a renewal application nunc pro tunc within the time prescribed herein the board, in its discretion, may, after hearing, accept a renewal application filed within two years after the expiration date of the license with the required fees upon the payment of an additional filing fee of two hundred fifty dollars (\$250.00) for late filing. In addition, the renewal application must indicate the total dollar amount of alcoholic beverages sold by the licensee during the twelve-month period immediately preceding the filing of the renewal application. Where any such renewal application is filed less than sixty days before the expiration date, or subsequent to the expiration date, no license shall issue upon the filing of the renewal application until the matter is finally determined by the board and if an appeal is taken from the board's action the courts shall not order the issuance of the renewal license until final determination of the matter by the courts. The board may enter into an agreement with the applicant concerning additional restrictions on the license in question. If the board and the applicant enter into such an agreement, such agreement shall be binding on the applicant. Failure by the applicant to adhere to the agreement will be sufficient cause to form the basis for a citation under section 471 and for the nonrenewal of the license under this section. A renewal application will not be considered filed unless accompanied by the requisite filing and license fees and any additional filing fee required by this section. Unless the board shall have given ten days' previous notice to the applicant of objections to the renewal of his license, based upon violation by the licensee or his servants, agents or employees of any of the laws of the Commonwealth or regulations of the board relating to the manufacture, transportation, use, storage, importation, possession or sale of liquors, alcohol or malt or brewed beverages, or the conduct of a licensed establishment, or unless the applicant has by his own act become a person of ill repute, or unless the premises do not meet the requirements of this act or the regulations of the board, the license of a licensee shall be renewed. Notwithstanding any other provision of this act, a noise violation shall not be the sole basis for objection by the board to the renewal of a license unless the licensee has received six prior adjudicated noise citations within a twenty-four-month period.

\* \* \*

Section 6. Section 471(b) of the act, amended July 6, 2005 (P.L.135, No.39), is amended to read:

Section 471. Revocation and Suspension of Licenses; Fines.—\* \* \*

(b) Hearing on such citations shall be held in the same manner as provided herein for hearings on applications for license. Upon such hearing, if satisfied that any such violation has occurred or for other sufficient cause, the administrative law judge shall immediately suspend or revoke the license, or impose a fine of not less than [fifty dollars (\$50)] one hundred dollars (\$100) nor more than [one thousand dollars (\$1,000),] the greater of two thousand dollars (\$2,000) or ten per centum of the average gross monthly sales of alcoholic beverages sold by the licensee during the twelve-month period immediately preceding the filing of the licensee's renewal application, or both, notifying the licensee by registered letter addressed to his licensed premises.

(b.1) If the licensee has been cited and found to have violated section 493(1) insofar as it relates to sales to minors or sales to a visibly intoxicated person, section 493(10) insofar as it relates to lewd, immoral or improper entertainment or section 493(14), (16) or (21), or has been found to be a public nuisance pursuant to section 611, or if the owner or operator of the licensed premises or any authorized agent of the owner or operator has been convicted of any violation of the act of

April 14, 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," or of 18 Pa.C.S. § 5902 (relating to prostitution and related offenses) or 6301 (relating to corruption of minors), at or relating to the licensed premises, the administrative law judge shall immediately suspend or revoke the license, or impose a fine [of not less than one thousand dollars (\$1,000)] two thousand dollars (\$2,000) nor more than [five thousand dollars (\$5,000)] the greater of ten thousand dollars (\$10,000) or ten per centum of the average gross monthly sales of alcoholic beverages sold by the licensee during the twelve-month period immediately preceding the filing of the licensee's renewal application, or both. However, if a licensee has been cited and found to have violated section 493(1) as it relates to sales to minors or sales to a visibly intoxicated person but at the time of the sale the licensee was in compliance with the requirements set forth in section 471.1 and the licensee had not sold to minors or visibly intoxicated persons in the previous four years, then the administrative law judge shall immediately suspend or revoke the license, or impose a fine of not less than [fifty dollars (\$50)] one hundred dollars (\$100) nor more than [one thousand dollars (\$1,000)] the greater of two thousand dollars (\$2,000) or ten per centum of the average gross monthly sales of alcoholic beverages sold by the licensee during the twelve-month period immediately preceding the filing of the licensee's renewal application, or both.

(b.2) The administrative law judge shall notify the licensee by registered mail, addressed to the licensed premises, of such suspension, revocation or fine. In the event the fine is not paid within twenty days of the adjudication, the administrative law judge shall suspend or revoke the license, notifying the licensee by registered mail addressed to the licensed premises. Suspensions and revocations shall not go into effect until thirty days have elapsed from the date of the adjudication during which time the licensee may take an appeal as provided for in this act, except that revocations mandated in section 481(c) shall go into effect immediately. Any licensee whose license is revoked shall be ineligible to have a license under this act until the expiration of three years from the date such license was revoked. In the event a license is revoked, no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises, except in cases where the licensee or a member of his immediate family is not the owner of the premises, in which case the board may, in its discretion, issue or transfer a license within the said year. In the event the bureau or the person who was fined or whose license was suspended or revoked shall feel aggrieved by the adjudication of the administrative law judge, there shall be a right to appeal to the board. The appeal shall be based solely on the record before the administrative law judge. The board shall only reverse the decision of the administrative law judge if the administrative law judge committed an error of law, abused its discretion or if its decision is not based on substantial evidence. In the event the bureau or the person who was fined or whose license was suspended or revoked shall feel aggrieved by the decision of the board, there shall be a right to appeal to the court of common pleas in the same manner as herein provided for appeals from refusals to grant licenses. Each of the appeals shall act as a supersedeas unless, upon sufficient cause shown, the reviewing authority shall determine otherwise; however, if the licensee has been cited and found to have violated section 493(1) insofar as it relates to sales to minors or sales to a visibly intoxicated person, section 493(10) insofar as it relates to lewd, immoral or improper entertainment or section 493(14), (16) or (21), or has been found to be a public nuisance pursuant to section 611, or if the owner or operator of the licensed premises or any authorized agent of the owner or operator has been convicted of any violation of "The Controlled Substance, Drug, Device and Cosmetic Act," or of 18 Pa.C.S. § 5902 or 6301, at or relating to the licensed premises, or if the license has been revoked under section 481(c), its appeal shall not act as a supersedeas unless the reviewing authority determines otherwise upon sufficient cause shown. In any hearing on an application for a supersedeas under this section, the reviewing authority may consider, in addition to other relevant

evidence, documentary evidence, including records of the bureau, showing the prior history of citations, fines, suspensions or revocations against the licensee; and the reviewing authority may also consider, in addition to other relevant evidence, evidence of any recurrence of the unlawful activity occurring between the date of the citation which is the subject of the appeal and the date of the hearing. If the reviewing authority is the board, no hearing shall be held on the application for a supersedeas; however, a decision shall be made based on the application, answer and documentary evidence under this subsection. If the application for a supersedeas is for a license that has been revoked under section 481(c), the reviewing authority shall grant the supersedeas only if it finds that the licensee will likely prevail on the merits. No penalty provided by this section shall be imposed for any violations provided for in this act unless the bureau notifies the licensee of its nature within thirty days of the completion of the investigation.

\* \* \*

Section 7. Section 488 of the act, added February 21, 2002 (P.L.103, No.10), is amended to read:

Section 488. Shipment of Wine [into Commonwealth.—(a) The shipment of wine from out-of-State to residents of this Commonwealth is prohibited, except as otherwise provided for in this section.] to Pennsylvania Liquor Stores.—

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

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

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

(1) Not ship more than nine liters per month on the Internet order of any person in this Commonwealth.

(2) Report to the board each year the total amount of wine shipped [into this Commonwealth] to Pennsylvania Liquor Stores in the preceding calendar year.

(3) Permit the board, the enforcement bureau or the Secretary of Revenue, or their designated representatives, to perform an audit of the [out-of-State] direct-to-store wine shipper's records upon request.

(4) Be deemed to have submitted to the jurisdiction of the board, any other State agency and the courts of this Commonwealth for purposes of enforcement of this section and any related laws, rules or regulations.

(e) A [direct] direct-to-store wine shipper may ship wine on the [Internet] order of a resident into this Commonwealth provided that the wine is shipped to a Pennsylvania Liquor Store selected by the resident. The wine will be subject to taxes in the same manner as wine sold directly by the board. The wine will not be released by the State store until all moneys due, including all taxes and fees, have been paid by the resident.

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

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

(h) The board shall submit [monthly] annual reports to the Appropriations Committee and the Law and Justice Committee of the Senate and to the Appropriations Committee and the Liquor Control Committee of the House of Representatives summarizing the number

of [direct] direct-to-store wine shipper licenses issued by the board, the quantity of wine sold and shipped by direct-to-store wine shipper licensees pursuant to this section and the total dollar value of sales under this section.

(i) The term "wine" as used in this section shall mean liquor which is fermented from [grapes and other fruits, having alcoholic content of twenty-four per centum or less. The term "wine" shall not include malt or brewed beverages nor shall wine include any products containing alcohol derived from malt, grain, cereal, molasses or cactus] an agricultural commodity as that term is defined in section 505.2(c).

Section 8. The act is amended by adding a section to read:

Section 489. Direct Shipment of Wine.—(a) Notwithstanding any other provision of law to the contrary, a person licensed by the board or another state as a producer of wine, and who obtains a license as provided for in this section, may ship up to eighteen liters per month of any wine on the order of any resident of this Commonwealth who is at least twenty-one years of age for such resident's personal use and not for resale.

(b) Prior to issuing such a license, the board shall require the person seeking the license to:

(1) File an application with the board.

(2) Pay a registration fee of one hundred dollars (\$100).

(3) Provide to the board a copy of the applicant's current alcoholic beverage license issued by the board or another state, if applicable.

(4) Provide documentation to the board which evidences that the applicant has obtained a sales tax license from the Department of Revenue.

(5) Obtain a tax bond, in the amount of one thousand dollars (\$1,000), such that if the licensee does not pay the taxes imposed under this section when due, the surety of the bond shall pay all taxes and any related penalties, and any interest that may be due or become due.

(6) Provide the board with any other information that the board deems necessary and appropriate.

(c) The licensee shall:

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

(2) Ensure that all boxes or exterior containers of wine shipped directly to a resident of this Commonwealth are conspicuously labeled with the words "CONTAINS ALCOHOL: SIGNATURE OF PERSON 21 YEARS OF AGE OR OLDER REQUIRED FOR DELIVERY."

(3) Ensure that shipments shall be delivered by an entity holding a valid transporter-for-hire license issued by the board and that such transporter-for-hire shall not deliver any wine unless it does all of the following:

(i) Obtains the signature of the recipient of the wine upon delivery.

(ii) Verifies by inspecting a valid form of photo identification, as provided for in section 495(a), that the recipient is at least twenty-one (21) years of age.

(iii) Determines that the recipient is not visibly intoxicated at the time of delivery.

(4) On a quarterly basis, remit to the Department of Revenue all taxes due on sales to residents of this Commonwealth.

(5) Permit the board, the enforcement bureau or the Secretary of Revenue, or their designated representatives, to perform an audit of the licensee's records upon request.

(6) Be deemed to have submitted to the jurisdiction of the board, any other State agency and the courts of this Commonwealth for purposes of enforcement of this section and any related laws, rules or regulations, including the collection and remission of taxes as required under this section.

(7) Annually renew its license by paying a renewal fee established by the board and report to the board, at the time of renewal, the total amount of wine shipped to residents of this Commonwealth in the preceding calendar year.

(d) Wine delivered under the authority of this section is subject

to the sales and use tax imposed by section 202 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, the sales and use tax imposed by Article XXXI-B of the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, the sales and use tax imposed by the act of February 12, 2004 (P.L.73, No.11), known as the Intergovernmental Cooperation Authority Act for Cities of the Second Class, and the emergency State tax imposed on wines sold by the board under the act of June 9, 1936 (1st Sp. Sess., P.L.13, No.4), entitled "An act imposing an emergency State tax on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board."

(e) A transporter for hire shall:

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

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

(f) Any person who resells wine obtained under this section commits a misdemeanor of the second degree.

(g) Shipments of wine to persons in this Commonwealth from persons who do not possess a license from the board authorizing such shipments are prohibited. Any person who knowingly makes, participates in, transports, imports or receives such shipment commits a misdemeanor.

(h) The board shall submit annual reports to the Appropriations and the Law and Justice Committees of the Senate and to the Appropriations and the Liquor Control Committees of the House of Representatives summarizing the number of licenses issued by the board under this section, the quantity of wine sold and shipped by licensees pursuant to this section and the total dollar value of sales under this section.

(i) The board may promulgate such rules and regulations as are necessary to implement and enforce the provisions of this section.

(j) The term "wine" as used in this section shall mean liquor which is fermented from an agricultural commodity as that term is defined in section 505.2(c).

Section 9. Section 493(24) of the act, amended November 29, 2006 (P.L.1421, No.155), is amended and the section is amended by adding a paragraph to read:

Section 493. Unlawful Acts Relative to Liquor, Malt and Brewed Beverages and Licensees.—The term "licensee," when used in this section, shall mean those persons licensed under the provisions of Article IV, unless the context clearly indicates otherwise.

It shall be unlawful—

\* \* \*

(24) (i) Things of Value Offered as Inducement. Except as provided in subclause (ii), for any licensee under the provisions of this article, or the board or any manufacturer, or any employe or agent of a manufacturer, licensee or of the board, to offer to give anything of value or to solicit or receive anything of value as a premium for the return of caps, stoppers, corks, stamps or labels taken from any bottle, case, barrel or package containing liquor or malt or brewed beverage, or to offer or give or solicit or receive anything of value as a premium or present to induce directly the purchase of liquor or malt or brewed beverage, or for any licensee, manufacturer or other person to offer or give to trade or consumer buyers any prize, premium, gift or other inducement to purchase liquor or malt or brewed beverages, except advertising novelties of nominal value which the board shall define. This section shall not prevent any manufacturer or any agent of a manufacturer from offering and honoring coupons which offer monetary rebates on purchases of wines and spirits through State Liquor Stores or purchases of malt or brewed beverages through distributors and importing distributors in accordance with conditions or regulations established by the board. The board may redeem coupons offered by a manufacturer or an agent of a manufacturer at the time of purchase. Coupons offered by a manufacturer or an agent of a

manufacturer shall not be redeemed without proof of purchase. This section shall not apply to the return of any monies specifically deposited for the return of the original container to the owners thereof.

(ii) Notwithstanding subclause (i) or any other provision of law, a holder of a restaurant license that is also approved to hold a slot machine license or a conditional slot machine license under 4 Pa.C.S. Part II (relating to gaming) may give liquor and malt or brewed beverages free of charge to any person actively engaged in playing a slot machine.

(iii) Notwithstanding subclause (i) or any other provision of law, the board may establish and implement a customer relations management program for the purpose of offering incentives, such as coupons or discounts on certain products which may be conditioned upon the purchase of liquor, to unlicensed customers of the board.

\* \* \*

(35) Sale of wine received by direct-to-store or direct shipment. For any licensee to sell or offer to sell any wine purchased or acquired, directly or indirectly, from a licensee pursuant to the authority of section 488, or from a licensee pursuant to the authority of section 489.

Section 10. Section 802(c) of the act is amended to read:

Section 802. Moneys Paid Into The State Stores Fund for Use of the Commonwealth. \* \* \*

(c) [Two] Two and one-half per centum of annual profits from the sale of liquor and alcohol shall be annually transferred to the Department of Health for use by the Office of Drug and Alcohol Programs, or its successor in function, for the following purposes:

(1) Treatment and rehabilitation of persons addicted to the excessive use of alcoholic beverages.

(2) Promotion of education, prevention and early intervention programs designed to eliminate abuse and addiction to alcohol or other mood-altering substances or secure appropriate treatment for the already addicted.

(3) Study of the problem of addiction.

\* \* \*

Section 11. This act shall take effect in 60 days.

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Chair recognizes the good gentleman from Bucks County, Mr. DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

While I continue to believe that the proposals in my amendment are absolutely the right way to go for the people of Pennsylvania, for the purposes of today, Mr. Speaker, I would like to withdraw the amendment. Thank you.

The SPEAKER. The good gentleman, Representative DiGirolamo, withdraws amendment 143 from HB 466.

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

The SPEAKER. It is my understanding that all other amendments that had been filed to HB 466 have been withdrawn. Is there any other member that wishes to be called upon at this time?

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

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 75, PN 66**, entitled:

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, providing for nonresident pharmacies.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

Acosta	Evankovich	Kirkland	Ravenstahl
Adolph	Evans	Klunk	Readshaw
Baker	Everett	Knowles	Reed
Barbin	Fabrizio	Kortz	Reese
Barrar	Farina	Kotik	Regan
Benninghoff	Farry	Krieger	Roae
Bishop	Fee	Lawrence	Roebuck
Bizzarro	Flynn	Lewis	Ross
Bloom	Frankel	Longietti	Rozzi
Boback	Freeman	Mackenzie	Sabatina
Boyle	Gabler	Maher	Saccone
Bradford	Gainey	Mahoney	Sainato
Briggs	Galloway	Major	Samuelson
Brown, R.	Gergely	Maloney	Sankey
Brown, V.	Gibbons	Markosek	Santarsiero
Brownlee	Gillen	Marshall	Santora
Burns	Gillespie	Marsico	Saylor
Caltagirone	Gingrich	Matzie	Schemel
Carroll	Godshall	McCarter	Schlossberg
Causer	Goodman	McGinnis	Schreiber
Christiana	Greiner	McNeill	Schweyer
Cohen	Grell	Mentzer	Simmons
Conklin	Grove	Metcalfe	Sims
Corbin	Hackett	Metzgar	Snyder
Costa, D.	Hahn	Miccarelli	Sonney
Costa, P.	Hanna	Millard	Staats
Cox	Harhai	Miller, B.	Stephens
Cruz	Harhart	Milne	Sturla
Culver	Harkins	Moul	Tallman
Cutler	Harper	Mullery	Taylor
Daley, M.	Harris, A.	Murt	Thomas
Davidson	Harris, J.	Mustio	Tobash
Davis	Heffley	Nesbit	Toepel
Dawkins	Helm	Neuman	Toohil
Day	Hennessey	O'Brien	Topper
Dean	Hickernell	Oberlander	Truitt
Deasy	Hill	Ortitay	Vereb
DeLissio	Irvin	Parker, C.	Vitali
Delozier	James	Parker, D.	Ward
DeLuca	Jozwiak	Pashinski	Warner
Dermody	Kampf	Payne	Waters
Diamond	Kaufer	Peifer	Watson

DiGirolamo	Kauffman	Petrarca	Wentling
Donatucci	Kavulich	Petri	Wheatley
Driscoll	Keller, F.	Pickett	Wheeland
Dunbar	Keller, M.K.	Pyle	Youngblood
Dush	Keller, W.	Quigley	Zimmerman
Ellis	Killion	Quinn	
Emrick	Kim	Rader	Turzai,
English	Kinsey	Rapp	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Daley, P.	Masser	Miller, D.	O'Neill
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

\* \* \*

The House proceeded to third consideration of **HB 209, PN 199**, entitled:

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

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-198

Acosta	Evankovich	Kirkland	Ravenstahl
Adolph	Evans	Klunk	Readshaw
Baker	Everett	Knowles	Reed
Barbin	Fabrizio	Kortz	Reese
Barrar	Farina	Kotik	Regan
Benninghoff	Farry	Krieger	Roebuck
Bishop	Fee	Lawrence	Ross
Bizzarro	Flynn	Lewis	Rozzi
Bloom	Frankel	Longietti	Sabatina
Boback	Freeman	Mackenzie	Saccone
Boyle	Gabler	Maher	Sainato
Bradford	Gainey	Mahoney	Samuelson
Briggs	Galloway	Major	Sankey
Brown, R.	Gergely	Maloney	

Brown, V.	Gibbons	Markosek	Santarsiero
Brownlee	Gillen	Marshall	Santora
Burns	Gillespie	Marsico	Saylor
Caltagirone	Gingrich	Matzie	Schemel
Carroll	Godshall	McCarter	Schlossberg
Causer	Goodman	McGinnis	Schreiber
Christiana	Greiner	McNeill	Schweyer
Cohen	Grell	Mentzer	Simmons
Conklin	Grove	Metcalfe	Sims
Corbin	Hackett	Metzgar	Snyder
Costa, D.	Hahn	Miccarelli	Sonney
Costa, P.	Hanna	Millard	Staats
Cox	Harhai	Miller, B.	Stephens
Cruz	Harhart	Milne	Sturla
Culver	Harkins	Moul	Tallman
Cutler	Harper	Mullery	Taylor
Daley, M.	Harris, A.	Murt	Thomas
Davidson	Harris, J.	Mustio	Tobash
Davis	Heffley	Nesbit	Toepel
Dawkins	Helm	Neuman	Toohil
Day	Hennessey	O'Brien	Topper
Dean	Hickernell	Oberlander	Truitt
Deasy	Hill	Ortitay	Vereb
DeLissio	Irvin	Parker, C.	Vitali
Delozier	James	Parker, D.	Ward
DeLuca	Jozwiak	Pashinski	Warner
Dermody	Kampf	Payne	Waters
Diamond	Kaufner	Peifer	Watson
DiGirolamo	Kauffman	Petrarca	Wentling
Donatucci	Kavulich	Petri	Wheatley
Driscoll	Keller, F.	Pickett	Wheeland
Dunbar	Keller, M.K.	Pyle	Youngblood
Dush	Keller, W.	Quigley	Zimmerman
Ellis	Killion	Quinn	
Emrick	Kim	Rader	Turzai,
English	Kinsey	Rapp	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Daley, P.	Masser	Miller, D.	O'Neill
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

**MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24**

The SPEAKER. The Chair recognizes the good gentleman from Indiana County, the majority leader, Dave Reed.

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

Under rule 24, I would make the motion for the immediate consideration of HB 141 and HB 158. Thank you.

The SPEAKER. The Chair recognizes the good gentleman from Allegheny County, the minority leader, Frank Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

I would like to join and ask the members to support the gentleman's motion to proceed. Thanks, Mr. Speaker.

The SPEAKER. Members, those voting in favor of proceeding on HBs 141 and 158 will vote "aye"; those opposed will vote "nay."

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

The following roll call was recorded:

## YEAS—187

Acosta	Evankovich	Kinsey	Rapp
Adolph	Evans	Kirkland	Ravenstahl
Baker	Everett	Klunk	Readshaw
Barbin	Fabrizio	Knowles	Reed
Barrar	Farina	Kortz	Reese
Benninghoff	Farry	Kotik	Regan
Bishop	Fee	Krieger	Roebuck
Bizzarro	Flynn	Lawrence	Ross
Bloom	Frankel	Lewis	Rozzi
Boback	Freeman	Longietti	Sabatina
Boyle	Gabler	Mackenzie	Saccone
Bradford	Gainey	Maher	Sainato
Briggs	Galloway	Mahoney	Sankey
Brown, R.	Gergely	Major	Santarsiero
Brown, V.	Gibbons	Maloney	Santora
Brownlee	Gillespie	Markosek	Saylor
Burns	Gingrich	Marshall	Schemel
Caltagirone	Godshall	Marsico	Schlossberg
Carroll	Goodman	Matzie	Schreiber
Causer	Greiner	McCarter	Schweyer
Christiana	Grove	McGinnis	Simmons
Cohen	Hackett	McNeill	Sims
Conklin	Hahn	Mentzer	Snyder
Corbin	Hanna	Metcalfe	Sonney
Costa, D.	Harhai	Metzgar	Staats
Costa, P.	Harhart	Miccarelli	Stephens
Cox	Harkins	Millard	Sturla
Cruz	Harper	Miller, B.	Taylor
Culver	Harris, A.	Moul	Thomas
Cutler	Harris, J.	Murt	Tobash
Daley, M.	Heffley	Mustio	Toepel
Davidson	Helm	Nesbit	Toohil
Davis	Hennessey	O'Brien	Topper
Dawkins	Hickernell	Oberlander	Vereb
Day	Hill	Ortitay	Vitali
Dean	Irvin	Parker, C.	Ward
Deasy	James	Parker, D.	Warner
Delozier	Jozwiak	Pashinski	Waters
DeLuca	Kampf	Payne	Watson
Dermody	Kaufner	Peifer	Wentling
Diamond	Kauffman	Petrarca	Wheatley
DiGirolamo	Kavulich	Petri	Wheeland
Donatucci	Keller, F.	Pickett	Youngblood
Driscoll	Keller, M.K.	Pyle	Zimmerman
Dunbar	Keller, W.	Quigley	
Dush	Killion	Quinn	Turzai,
Ellis	Kim	Rader	Speaker
Emrick			

## NAYS—11

DeLissio	Grell	Neuman	Tallman
English	Milne	Roae	Truitt
Gillen	Mullery	Samuelson	

## NOT VOTING—0

## EXCUSED—4

Daley, P.	Masser	Miller, D.	O'Neill
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A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

## BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 141, PN 691**, 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 penalties for violations of compulsory attendance requirements.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

## YEAS—198

Acosta	Evankovich	Kirkland	Ravenstahl
Adolph	Evans	Klunk	Readshaw
Baker	Everett	Knowles	Reed
Barbin	Fabrizio	Kortz	Reese
Barrar	Farina	Kotik	Regan
Benninghoff	Farry	Krieger	Roae
Bishop	Fee	Lawrence	Roebuck
Bizzarro	Flynn	Lewis	Ross
Bloom	Frankel	Longietti	Rozzi
Boback	Freeman	Mackenzie	Sabatina
Boyle	Gabler	Maher	Saccone
Bradford	Gainey	Mahoney	Sainato
Briggs	Galloway	Major	Samuelson
Brown, R.	Gergely	Maloney	Sankey
Brown, V.	Gibbons	Markosek	Santarsiero
Brownlee	Gillen	Marshall	Santora
Burns	Gillespie	Marsico	Saylor
Caltagirone	Gingrich	Matzie	Schemel
Carroll	Godshall	McCarter	Schlossberg
Causer	Goodman	McGinnis	Schreiber
Christiana	Greiner	McNeill	Schweyer
Cohen	Grell	Mentzer	Simmons
Conklin	Grove	Metcalfe	Sims
Corbin	Hackett	Metzgar	Snyder
Costa, D.	Hahn	Miccarelli	Sonney
Costa, P.	Hanna	Millard	Staats
Cox	Harhai	Miller, B.	Stephens
Cruz	Harhart	Milne	Sturla
Culver	Harkins	Moul	Tallman
Cutler	Harper	Mullery	Taylor
Daley, M.	Harris, A.	Murt	Thomas
Davidson	Harris, J.	Mustio	Tobash
Davis	Heffley	Nesbit	Toepel
Dawkins	Helm	Neuman	Toohil
Day	Hennessey	O'Brien	Topper
Dean	Hickernell	Oberlander	Truitt
Deasy	Hill	Ortitay	Vereb
DeLissio	Irvin	Parker, C.	Vitali
Delozier	James	Parker, D.	Ward
DeLuca	Jozwiak	Pashinski	Warner
Dermody	Kampf	Payne	Waters
Diamond	Kaufner	Peifer	Watson
DiGirolamo	Kauffman	Petrarca	Wentling
Donatucci	Kavulich	Petri	Wheatley
Driscoll	Keller, F.	Pickett	Wheeland

Dunbar	Keller, M.K.	Pyle	Youngblood
Dush	Keller, W.	Quigley	Zimmerman
Ellis	Killion	Quinn	
Emrick	Kim	Rader	Turzai,
English	Kinsey	Rapp	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Daley, P.	Masser	Miller, D.	O'Neill
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

### STATEMENT BY MR. GILLEN

The SPEAKER. On unanimous consent, the Speaker recognizes Representative Gillen and Representative Rozzi. Representative Gillen, you have the floor first.

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

I appreciate the affirmative vote on HB 141, which is also known as Eileen's Law.

On June 7, 2014, we lost a member of our community, Eileen—

The SPEAKER. Members, please, if we could, Representative Gillen has the floor and then Representative Rozzi.

Mr. GILLEN. We lost a grandmother, a mother of eight children, including four teenage boys. She was incarcerated in the Berks County Prison as a consequence of the truancy of her teenage sons.

This bill does not address all that went on in Berks County – which, incidentally, we had over the course of the last 15 or 20 years, we have had over 2,000 episodes where guardians, parents, grandmothers, grandfathers, have been committed to the Berks County Prison as a consequence of the truancy of those that were under their charge.

I assert to you that we can do better. And removing the most responsible person in the lives of these children and grandchildren and taking them out of that home only exacerbates the problem of truancy, and this extends to littering or other summary offenses where somebody ends up in prison.

On September 22 of this past year we had a hearing on this issue, and our own district attorney, John Adams, from Berks County, testified in adult criminal court that if somebody could not pay a fine – unless there were other extenuating circumstances – they would not be put in jail. But magisterial district justices are committing parents and grandparents to jail as a consequence of truancy. This is not the end; this is the beginning.

I have worked with my two colleagues from Berks County, who have part of the urban core with me, on this issue, and the Joint State Government Commission, the truancy advisory committee will be working on this issue of truancy and consequences for truancy. This is a statewide problem.

We may be more in the news. We have been in the Washington Post, the Huffington Post, and the New York Daily News as a consequence of the death of Eileen DiNino. That work is going to be ongoing through October. There will be a conclusion, and hopefully we can come back here and do more legislative business.

They will be meeting next Friday, March 6. If any of you are interested in intersecting with that meeting or need more information, I would be pleased to provide it. We need a more holistic approach in the Commonwealth of Pennsylvania when it comes to truancy, and I hope fruit is borne of that effort.

And I want to thank my distinguished colleague, Representative Rozzi, for joining me here today.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, gentlemen.

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 158, PN 692**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

Acosta	Evankovich	Kirkland	Ravenstahl
Adolph	Evans	Klunk	Readshaw
Baker	Everett	Knowles	Reed
Barbin	Fabrizio	Kortz	Reese
Barrar	Farina	Kotik	Regan
Benninghoff	Farry	Krieger	Roae
Bishop	Fee	Lawrence	Roebuck
Bizzarro	Flynn	Lewis	Ross
Bloom	Frankel	Longietti	Rozzi
Boback	Freeman	Mackenzie	Sabatina
Boyle	Gabler	Maher	Saccone
Bradford	Gainey	Mahoney	Sainato
Briggs	Galloway	Major	Samuelson
Brown, R.	Gergely	Maloney	Sankey
Brown, V.	Gibbons	Markosek	Santarsiero
Brownlee	Gillen	Marshall	Santora
Burns	Gillespie	Marsico	Saylor
Caltagirone	Gingrich	Matzie	Schemel
Carroll	Godshall	McCarter	Schlossberg
Causer	Goodman	McGinnis	Schreiber
Christiana	Greiner	McNeill	Schweyer
Cohen	Grell	Mentzer	Simmons
Conklin	Grove	Metcalfe	Sims
Corbin	Hackett	Metzgar	Snyder
Costa, D.	Hahn	Miccarelli	Sonney

Costa, P.	Hanna	Millard	Staats
Cox	Harhai	Miller, B.	Stephens
Cruz	Harhart	Milne	Sturla
Culver	Harkins	Moul	Tallman
Cutler	Harper	Mullery	Taylor
Daley, M.	Harris, A.	Murt	Thomas
Davidson	Harris, J.	Mustio	Tobash
Davis	Heffley	Nesbit	Toepel
Dawkins	Helm	Neuman	Toohil
Day	Hennessey	O'Brien	Topper
Dean	Hickernell	Oberlander	Truitt
Deasy	Hill	Ortitay	Vereb
DeLissio	Irvin	Parker, C.	Vitali
DeLozier	James	Parker, D.	Ward
DeLuca	Jozwiak	Pashinski	Warner
Dermody	Kampf	Payne	Waters
Diamond	Kaufer	Peifer	Watson
DiGirolamo	Kauffman	Petrarca	Wentling
Donatucci	Kavulich	Petri	Wheatley
Driscoll	Keller, F.	Pickett	Wheeland
Dunbar	Keller, M.K.	Pyle	Youngblood
Dush	Keller, W.	Quigley	Zimmerman
Ellis	Killion	Quinn	
Emrick	Kim	Rader	Turzai,
English	Kinsey	Rapp	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Daley, P.	Masser	Miller, D.	O'Neill
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The good gentleman, Representative Adolph, will be recognized to call an Appropriations Committee meeting for tomorrow morning.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, there will be an Appropriations voting meeting tomorrow at 9 a.m., Thursday, February 26, in the majority caucus room. The purpose of the meeting will be to vote on HB 466. Thank you very much.

The SPEAKER. There will be an Appropriations voting meeting tomorrow at 9 a.m. in the majority caucus room.

### REPUBLICAN CAUCUS

The SPEAKER. The chair of the majority caucus, Representative Major, is called upon for a notice.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to notify our Republican members that we will caucus immediately at the call of adjournment today. I would ask our Republican members to please report to our caucus room immediately upon adjournment.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Madam Chair.

### DEMOCRATIC CAUCUS

The SPEAKER. The good gentleman from Allegheny County, Mr. Frankel, the minority caucus chair.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 1:30. Democrats will caucus at 1:30.

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. Members, you are invited to a luncheon in the rotunda with respect to the guests from Azerbaijan. Representative Readshaw and the members of Parliament of Azerbaijan will be hosting a luncheon in the rotunda, and all members are invited.

### BILL RECOMMENDED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 466 be recommitted to the Committee on Appropriations.

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

### BILLS REMOVED FROM TABLE

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

HB 73;  
HB 164;  
HB 186; and  
HB 446.

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

### BILLS AND RESOLUTIONS PASSED OVER

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

### ADJOURNMENT

The SPEAKER. The gentlelady, Representative Margo Davidson, moves that this House now be adjourned until Thursday, February 26, 2015, at 10 a.m., e.s.t. — members, it is at 10 a.m. — unless sooner recalled by the Speaker. Session begins tomorrow at 10 a.m. Thank you.

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

Motion was agreed to, and at 12:07 p.m., e.s.t., the House adjourned.