

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, JUNE 22, 2015

SESSION OF 2015

199TH OF THE GENERAL ASSEMBLY

No. 48

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

THE SPEAKER (MIKE TURZAI) PRESIDING

MOMENT OF SILENCE FOR VICTIMS OF EMANUEL AFRICAN METHODIST EPISCOPAL CHURCH TRAGEDY

The SPEAKER. Before today's prayer, I would ask that each and every one of you in the hall today, members and guests – we are going to rise in the first instance for a moment of silence and prayer for the families of the nine victims of the tragedy which occurred at Emanuel African Methodist Episcopal Church in Charleston, South Carolina. May God bless those victims and their families.

(A moment of silence was observed.)

PRAYER

The SPEAKER. Members, at this time our colleague, Representative Matt Baker, will be offering today's prayer. After that prayer we will immediately turn to the Pledge of Allegiance. Matt, thank you.

HON. MATTHEW E. BAKER, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Let us pray together.

Gracious Heavenly Father, we thank You for this day and the opportunities it brings to us to be in service to You, as well as to the good citizens of Pennsylvania.

Father, thank You so much for the dedication, commitment, sacrifices of our State Representatives, for they provide great work, as does our staff, during the course of the year. So many have missed birthdays, anniversaries, special events with family and children. Lord, only You and their families know of their long hours, stress, and absence from home that can take a toll on their lives.

Lord, we lift them up to You. Sustain them; strengthen them; give them wisdom, comfort, and peace in the knowledge that You will be with them in their times of need.

Lord, we pray for all our House and Senate members and staff, and the Governor's staff and the Governor, especially this week as we embark upon, hopefully, passing the State budget

and the many other bills important to the passage of our budget and the good of our Commonwealth. Please guide, direct, and govern the affairs of our leaders as they work long hours day and night this week to accomplish the greater good of all.

We thank You for hearing our prayers. Fill us with Your wisdom. Direct our hearts and minds to do the best we can in spirit and truth, with dignity and civility. We pray in our Lord and savior's name. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Thursday, June 18, 2015, will be postponed until printed.

JOURNAL APPROVED

The SPEAKER. However, the following Journal is in print and, without objection, will be approved: Wednesday, April 1, 2015.

ACTUARIAL NOTES

The SPEAKER. The Speaker acknowledges receipt of an actuarial note for HB 727, PN 1555, and an actuarial note for HB 900, PN 1569.

(Copies of actuarial notes are on file with the Journal clerk.)

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the majority whip, Representative Cutler, indicates that Representative WATSON has requested leave for the day – Representative Watson is from Bucks County – that Representative GABLER from Clearfield and Elk Counties has requested leave for the week, Representative PYLE of Armstrong County has requested leave for the week, and Representative PETRI of Bucks County has requested leave for the day. That request for leaves of absence will be granted.

The minority whip requests a leave of absence for Representative DONATUCCI of Philadelphia County for the day. That request will be granted.

MASTER ROLL CALL

The SPEAKER. We are going to move to the master roll. The Chair asks the members to proceed to vote on the master roll.

The following roll call was recorded:

PRESENT—193

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

ADDITIONS—0**NOT VOTING—0****EXCUSED—5**

Donatucci	Petri	Pyle	Watson
Gabler			

LEAVES ADDED—1

DeLuca

LEAVES CANCELED—3

Donatucci	Petri	Watson
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The SPEAKER. One hundred and ninety-three members having voted on the master roll call, a quorum is present.

**BILLS REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 950, PN 1850 (Amended) By Rep. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions relating to operation of vehicles, further providing for traffic-control signals and for expiration of automated red light enforcement systems provisions.

TRANSPORTATION.

HB 1335, PN 1817 By Rep. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in powers of department and local authorities, further providing for emergency telephones along Pennsylvania Turnpike.

TRANSPORTATION.

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

SB 405, PN 1075 (Amended) By Rep. TAYLOR

An Act designating Exit 30 from Interstate 84 onto State Route 402, in Pike County, as the Corporal Bryon K. Dickson, II, Exit.

TRANSPORTATION.

SB 438, PN 389 By Rep. TAYLOR

An Act designating a bridge on that portion of State Route 982 over the Loyalhanna Creek, Westmoreland County, as the Lance Corporal Joseph E. Roble Memorial Bridge.

TRANSPORTATION.

The SPEAKER. Members, if you could please take your seats. We are going to turn to visitor recognition, and then we are moving forward with the presentation.

GUESTS INTRODUCED

The SPEAKER. Located to the left of the rostrum, the Chair welcomes Glenn and Robin Griffin, and they are guests of Representative Madeleine Dean. Would you please rise. Thank you for being here today.

Located to the left of the rostrum, the Chair welcomes Will Kauffman. Will is the son of Representative Rob Kauffman, and he will be entering seventh grade at the Pennsylvania Virtual Charter School in the fall. Will you please rise. Nice to see you.

Located in the rear of the House, the Chair welcomes Arrista Voorhees, a student at Bloomsburg University, who is interning in Representative Heffley's Leighton office this summer. Would you please stand. Yes, thank you, sir. Thank you very much, Arrista.

Located in the rear of the House, the Chair welcomes Brian and Cristi Hahn, and their children, Maya, Cowan, and Arden. They are the guests of Representative John Lawrence. If you will please stand. Thank you.

In the rear of the House, a guest of Representative Brett Miller, we welcome Melina Godshall, who is a recent graduate of Shippensburg University. If you will please stand. Thank you for being with us.

Located in the rear of the House are Arlene Rengert, Karen Hamilton, and Elizabeth Sweeney. They are all retired faculty from West Chester University and are guests of Representative Duane Milne. Thank you so much for being with us today.

In the rear of the House, we have Sam Izzo, who is a student at Lewisburg High School, and he is shadowing Representative Fred Keller for the day. Please stand.

In the rear of the House, we welcome a group of interns who are working with Representative Sturla this summer: Harrison Hagelgans, who attends Elizabethtown College, please stand; Christine Rickert is attending High Point University; Emily Wetz, who attends Franklin and Marshall College; and Nancy Weissberg, who attends Harrisburg Area Community College at the Lancaster campus. Thank you so much for being with us today and welcome.

RADNOR HIGH SCHOOL BOYS LACROSSE TEAM PRESENTED

The SPEAKER. Now at this time, on unanimous consent, I would recognize our chairman of the Appropriations Committee, Representative Bill Adolph.

Mr. ADOLPH. Thank you very much, Mr. Speaker, and thank you for the privilege of standing here and bragging a little bit.

I am honored to have here today with me a truly outstanding group of State champions, the Radnor Boys Lacrosse Team from Delaware County. I would ask if Representative Greg Vitali would like to come up here and share in these bragging rights, I would appreciate it. Thank you, Representative.

Led by head coach John Begier and assistant coaches Mike Busza, Larry DiSipio, Mike Friel, and John Sims, the Radnor Boys Lacrosse Team finished the regular season with an impressive 13 wins and 4 losses en route to a third place finish in the District 1 tournament.

Those that are familiar with boys lacrosse know that the District 1 is loaded, and when you finish in the top five in District 1, all five teams qualify for the State champion playoffs. They cruised through the first three rounds of the PIAA tournament by a combined score of 40 to 11, including a win over Conestoga in round two by a score of 13-4, avenging their loss in the District 1 tournament.

In the final against St. Joe Prep – as I know and Representative Vitali and some of the other members of this House are alums of St. Joe Prep – a late rally from the prep forced an overtime where with 44 seconds left, All-Delco member Drew Ryan got his sixth point of the game with an assist from fellow All-Delco member Jack Wilson, who scored

the game winner to give Radnor the first PIAA boys lacrosse title in the school's history.

Please join me in congratulating additional All-Delco members, Jack Norton, Mike Farnish, Alex Andersen, Rod Castro, Dario Falcone, Hal Marshall, Tom Meyers, Clayton Proctor, and the rest of the Radnor Boys Lacrosse Team on their first PIAA Boys Lacrosse Championship.

At this time I would like to recognize assistant coach Mike Friel – Mike, if you could please stand; Hal Marshall, one of the captains; Alex Andersen and Mike Farnish; and the rest of the Radnor Boys Lacrosse Team in the back. Would you please stand and be recognized.

I want to thank the Speaker and the team for allowing us to get together here today. You know, the seniors have graduated, they all go on senior week and everything, school is out, and when you win a spring sport, it is tough to get everybody up here to Harrisburg. But we are so proud of this team for what they have accomplished. I just wanted to make this possible. So thank you very much.

The SPEAKER. Thank you, Representative Adolph. And to the guests, congratulations.

GUEST INTRODUCED

The SPEAKER. Located in the gallery, the Chair welcomes Shannon Quinn. She is the PIAA Class AA State Champion in the girls 800-meter run. Shannon is a senior at Trinity High School, and she is the guest of Representative Bloom and Representative Delozier. Shannon, can you please stand. Congratulations.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Ms. OBERLANDER called up **HR 395, PN 1806**, entitled:

A Resolution designating the week of June 22 through 26, 2015, as "Charcot-Marie-Tooth Association Awareness Week" in Pennsylvania.

* * *

Ms. OBERLANDER called up **HR 396, PN 1807**, entitled:

A Resolution designating June 22, 2015, as "Lineworker Appreciation Day" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—193

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Donatucci	Petri	Pyle	Watson
Gabler			

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

STATEMENTS BY MS. OBERLANDER

The SPEAKER. On unanimous consent, we recognize Representative Donna Oberlander to speak on HRs 395 and 396.

Ms. OBERLANDER. Thank you, Mr. Speaker.

And thank you, distinguished colleagues, for your unanimous support of HR 396, designating June 22, 2015, as "Lineworker Appreciation Day" in Pennsylvania.

Within the past couple of weeks, lineworkers across Pennsylvania have been busy repairing damage caused by summer storms, making every effort to get the lights back on as quickly and safely as possible. HR 396 seeks to honor the thousands of Pennsylvania men and women risking their lives every day ensuring reliable delivery of the electricity throughout this State.

Lineworkers not only make personal sacrifices, but they face extreme conditions in all types of weather. They also lend a helping hand in other parts of the State and our nation when they are needed for disaster relief, making themselves available 24/7, 365 days a year.

Tragically, 2 years ago Central Electric Cooperative in my district lost one of their own, Mr. Michael Over. We want to thank him for his dedication to his job and to his people, and my heartfelt thoughts go out to both his wife, Crystal, who helped make this resolution possible, and to his daughters.

And I know that there are many in this body who have either members of their family or friends who do this very job, and I just want to thank you for your time and effort.

I also thank the members for their support of HR 395, designating the week of June 22 through 26 as "Charcot-Marie-Tooth Association Awareness Week." This funny name is a serious disease, and last year we were able to designate this week and it really drew awareness to the situation. I thank you for your support and look forward to drawing awareness even more this year.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. MATZIE called up **HR 400, PN 1844**, entitled:

A Resolution recognizing the retirement of Edwin D. Hill, Pennsylvania native and International President of the International Brotherhood of Electrical Workers.

On the question,

Will the House adopt the resolution?

The SPEAKER. On that, I recognize Representative Matzie.

Mr. MATZIE. Thank you, Mr. Speaker.

HR 400 honors Edwin Hill's retirement as the president of the International Brotherhood of Electrical Workers.

Now, this is a bittersweet moment as Ed has been an outstanding leader of and an advocate for workers across the nation, especially those here in Pennsylvania.

See, Ed was born and raised in Beaver County, and that was where he started as a second-generation journeyman wireman. I figured, based on the previous speaker's resolution of the day, dedicating a date specifically for those folks, today was the apropos day to offer this resolution.

Now, after graduating from an apprenticeship program, he became active in his local union, IBEW Local 712. He was eventually chosen by his colleagues to serve as business manager and vice president of the IBEW's third district, which covers New York, New Jersey, Delaware, and of course, Pennsylvania.

Now, as a true innovator, Ed was effective in those roles and his work can be credited with an expanding membership base and a renewed commitment to on-the-job training. More recently, Ed has served as the international secretary and secretary-treasurer of IBEW before assuming the role of president.

Now, during his tenure he helped IBEW cope with the effects of an economic crisis in North America while continuously championing the rights of workers. Ed has embraced technology, and as a result, IBEW is now better prepared to serve their members in a modern economy.

While his tenure as president has many highlights, the one that stands out to many is the adoption and expansion of the Code of Excellence program. Ed took a well-intended local project which inserted a paragraph of plain language into every contract guaranteeing quality work from IBEW members and made it a major national initiative. Ed understood that despite the perception of some, union work is quality work. The Code of Excellence program remains a valuable tool to remind the world that high standards of craftsmanship and productivity are the foundation of IBEW.

While I believe Ed to be a true pioneer, I know all he has done throughout his career has been for the benefit of the IBEW brotherhood. He truly cares about the working men and women, and he has acted in their best interest throughout the years.

Today we take stock of how far we have come and how much work there is still left to do. In saying goodbye, we look forward to our bright future and thank Ed Hill for his outstanding dedication and hard work over the years and know that our community is better for having had the pleasure of working with him.

I ask for an affirmative vote of HR 400, and I thank you, Mr. Speaker.

The SPEAKER. Thank you very much.

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

The following roll call was recorded:

YEAS—193

Acosta	Evankovich	Knowles	Ravenstahl
Adolph	Evans	Kortz	Readshaw
Baker	Everett	Kotik	Reed
Barbin	Fabrizio	Krieger	Reese
Barrar	Farina	Lawrence	Regan
Benninghoff	Farry	Lewis	Roae
Bishop	Fee	Longietti	Roebuck
Bizzarro	Flynn	Mackenzie	Ross
Bloom	Frankel	Maher	Rozzi
Boback	Freeman	Mahoney	Saccone
Boyle	Gainey	Major	Sainato
Bradford	Galloway	Maloney	Samuelson
Briggs	Gergely	Markosek	Sankey
Brown, R.	Gibbons	Marshall	Santarsiero
Brown, V.	Gillen	Marsico	Santora
Burns	Gillespie	Masser	Saylor
Caltagirone	Gingrich	Matzie	Schemel
Carroll	Godshall	McCarter	Schlossberg
Causar	Goodman	McGinnis	Schreiber
Christiana	Greiner	McNeill	Schweyer
Cohen	Grove	Mentzer	Simmons
Conklin	Hahn	Metcalfe	Sims
Corbin	Hanna	Metzgar	Snyder
Costa, D.	Harhai	Miccarelli	Sonney
Costa, P.	Harhart	Millard	Staats
Cox	Harkins	Miller, B.	Stephens
Cruz	Harper	Miller, D.	Sturla
Culver	Harris, A.	Milne	Tallman
Cutler	Harris, J.	Moul	Taylor
Daley, M.	Heffley	Mullery	Thomas
Daley, P.	Helm	Murt	Tobash
Davidson	Hennessey	Mustio	Toepel

Davis	Hickernell	Nesbit	Toohil
Dawkins	Hill	Neuman	Topper
Day	Irvin	O'Brien	Truitt
Dean	James	O'Neill	Vereb
Deasy	Jozwiak	Oberlander	Vitali
DeLissio	Kampf	Ortitay	Ward
Delozier	Kaufert	Parker, C.	Warner
DeLuca	Kauffman	Parker, D.	Wentling
Dermody	Kavulich	Pashinski	Wheatley
Diamond	Keller, F.	Payne	Wheeland
DiGirolamo	Keller, M.K.	Peifer	White
Driscoll	Keller, W.	Petrarca	Youngblood
Dunbar	Killion	Pickett	Zimmerman
Dush	Kim	Quigley	
Ellis	Kinsey	Quinn	Turzai,
Emrick	Kirkland	Rader	Speaker
English	Klunk	Rapp	

NAYS—0

NOT VOTING—0

EXCUSED—5

Donatucci	Petri	Pyle	Watson
Gabler			

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

CONDOLENCE RESOLUTION

The SPEAKER. We are about to take up a condolence resolution on the death of a former member of the House. The Sergeants at Arms will close the doors of the House. Members, please take your seats.

As I indicated, members, this is a condolence resolution. The clerk will read the resolution.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

CONDOLENCE RESOLUTION

WHEREAS, The House of Representatives of Pennsylvania wishes to honor the memory of the Honorable G. Scott Dieterick III, a former member of the House of Representatives of Pennsylvania who served the 120th Legislative District and passed away at the age of seventy-four on February 22, 2015; and

WHEREAS, Born on February 10, 1941, Mr. Dieterick was the son of Gordon S. Dieterick, Jr., and Marjorie Honeywell Cummins. A graduate of Kingston High School, he served this country with honor and distinction as a member of the United States Navy aboard the USS McKean. After completing his military service, Mr. Dieterick returned to the Wyoming Valley area and began working as a licensed independent agent and adjuster. He established Wyoming Valley Insurance in 1975 and served nine years as a member of Kingston Municipal Council. Elected to the House of Representatives of Pennsylvania in 1986, Mr. Dieterick served two consecutive terms representing the 120th Legislative District. He later worked as a Community Relations Specialist for the Federal Emergency Management Agency and as an Emergency Management Specialist for the Pennsylvania Emergency Management Agency before retiring in 2008; and

WHEREAS, A fifty-year member of the Church of Christ Uniting, where he served on the Finance Ministry Team, Mr. Dietterick was a past President of the Wilkes-Barre Independent Insurance Agents and the Greater Wilkes-Barre Jaycees. A charter member of the Wyoming Valley Habitat for Humanity, he was a member of the Kingston Historical Society, American Legion Black Diamond Post 395 and Kingston Fire Company No. 1. He further served as Treasurer and past Worshipful Master of King David Lodge No. 763, Free and Accepted Masons; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania proclaim with enduring sorrow the passing of the Honorable G. Scott Dietterick III; and extend heartfelt condolences to his wife of more than forty-nine years, Nancy Learn Dietterick; daughters, Jennifer Nice and Julie Pajic; and two grandchildren; and be it further

RESOLVED, That a copy of this resolution, sponsored by the Honorable Aaron D. Kaufer on March 9, 2015, be transmitted to Nancy Learn Dietterick.

Aaron D. Kaufer, Sponsor
Mike Turzai, Speaker of the House
ATTEST:
Anthony Frank Barbush, Chief Clerk of the House

On the question,
Will the House adopt the resolution?

The SPEAKER. Before we stand in respect, at this time I would call on Representative Kaufer for remarks.

Mr. KAUFER. Thank you, Mr. Speaker.

I rise today to recognize the passing of the Honorable Scott Dietterick, a former member of this chamber and Representative of the 120th District, which I now serve. He passed away on February 22 at the age of 74.

I am humbled, humbled to have followed in the footsteps of a man like Mr. Dietterick. Those who knew Mr. Dietterick personally had the highest praises for him as a leader, a volunteer, a dedicated member of his community, and a friend. In this chamber and in his other endeavors, he worked beyond party lines, working always for the common good.

Mr. Dietterick dedicated his life to public service and that same common good. After graduating from Kingston High School, he served his country with honor as a member of the United States Navy aboard the USS *McKean*. Following his military service, he returned to the Wyoming Valley and established the Wyoming Valley Insurance in 1975, also serving as a Kingston Municipal Council member for 9 years. He was a lifelong volunteer firefighter and chaplain with the Independent Fire Company, serving our community in these capacities for over 51 years.

During the celebration for his 50th year of service, Mr. Dietterick turned to another longtime member, Bob Glowacki, and told him that he did not feel entitled to the honor because of his other commitments, such as his work in this chamber. Bob reassured him, "Scott, the books don't lie," referring to the records which the fire company keeps on membership, "You did serve 50 years."

As chaplain, Mr. Dietterick directed the spiritual life of the fire company, leading prayers at each meeting, conducting services, and I am told that he attended the funerals of each member who had passed away whenever it was within his power.

The same was true of his work as a firefighter. When there was a fire, when his services were needed, he would be there. Mr. Dietterick was a modest and faith-filled public servant.

In the public sphere, he served for 9 years as a member of the Kingston Municipal Council before being elected to the State House in 1986. He served two consecutive terms in the House, representing the people of the 120th District. From 1987 to 1990 he worked tirelessly for his constituents, sponsoring legislation to help veterans, small businesses, workers, and citizens generally.

After his time in this chamber, he worked for the Pennsylvania Emergency Management Agency before retiring in 2008.

When his funeral happened, he was taken past the central station and the station was overflowing with members.

Recently when I spoke with a member of the fire department, he said of Mr. Dietterick, "He was a damn good member. Wish we had more like him. Scott Dietterick was a good man, a model citizen," and as his friend said, "Wish we had more men like him."

FAMILY INTRODUCED

Mr. KAUFER. I want to welcome members of his family who have joined us here today: his wife, Nancy – rise, Nancy, please – his daughter, Jennifer, and her fiancé, John; daughter, Julie, and her husband, Tom; with Scott's grandchildren, Grace and Tom.

Thank you for being here with us today to honor his great work and service to the people of Luzerne County, the Commonwealth, and the United States, and may his accomplishments forever be remembered.

Thank you, Mr. Speaker.

The SPEAKER. Members, please remain standing.

Those in favor of the resolution will rise and remain standing as a mark of respect for the deceased former member. Guests, please also rise.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable G. Scott Dietterick III.)

The SPEAKER. The resolution has been unanimously adopted.

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

We are going to turn to announcements.

RULES AND APPROPRIATIONS COMMITTEE MEETINGS

REPUBLICAN CAUCUS

The SPEAKER. The majority caucus chair, Representative Sandy Major, is called upon for an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I have several announcements I wish to make, if I could have the attention of the members, please.

The SPEAKER. Yes.

Ms. MAJOR. I would like to note, Mr. Speaker, that Rules will meet immediately in the Appropriations conference room. Rules will meet immediately.

There will be an Appropriations meeting at 1:45, Mr. Speaker. That will be held in the majority caucus room.

And the Republicans will caucus, Mr. Speaker, at 2 p.m. I would ask our Republican members to please report to our caucus room at 2 p.m. We would be prepared to come back on the floor, Mr. Speaker, at 3 o'clock. Thank you.

The SPEAKER. Thank you very much, Madam Chair.

Rules will meet immediately in the Appropriations conference room.

There will be an Appropriations meeting at 1:45. That will be held in the majority caucus room.

DEMOCRATIC CAUCUS

The SPEAKER. Representative Dermody for a Democratic caucus announcement, please.

Mr. DERMODY. Thank you, Mr. Speaker.

The Democrats will also caucus at 2 p.m. The Democrats will caucus at 2 o'clock.

Thank you, Mr. Speaker.

RECESS

The SPEAKER. At this time we will stand in recess until 3 p.m. Thank you.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

LEAVES OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Petri, who will be added to the master roll; and the gentlelady, Ms. Donatucci, will be added to the master roll.

LEAVE OF ABSENCE

The SPEAKER pro tempore. And without objection, the gentleman, Mr. DeLUCA, will be added to the leave for the day.

BILLS REREPORTED FROM COMMITTEES

HB 794, PN 1842

By Rep. ADOLPH

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in fiscal affairs, repealing provisions relating to authorization of excise tax and authorization of hotel tax; and providing for hotel room rental tax in third through eighth class counties and for certification of recognized tourist promotion agencies.

APPROPRIATIONS.

HB 805, PN 1843

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 professional employees, further providing for temporary professional employees, for contracts, execution and form, for causes for suspension and for persons to be suspended and to receive tenure, for collective bargaining agreements and for timing of appeal of suspension; and making editorial changes.

APPROPRIATIONS.

HB 826, PN 1841

By Rep. REED

An Act amending Titles 45 (Legal Notices) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in general provisions, requiring executive orders to have a fiscal note; in effectiveness of documents, further providing for effective date of documents; in Independent Fiscal Office, requiring the Independent Fiscal Office to prepare fiscal notes for executive orders; and making an inconsistent repeal of certain provisions of The Administrative Code of 1929.

RULES.

HB 1070, PN 1350

By Rep. REED

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for collection of restitution, reparation, fees, costs, fines and penalties.

RULES.

HB 1110, PN 1440

By Rep. REED

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in general provisions applying to both liquor and malt and brewed beverages, further providing for limiting number of retail licenses to be issued in each county.

RULES.

HB 1164, PN 1840

By Rep. REED

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, further providing for copayments for subsidized child care.

RULES.

HB 1196, PN 1726

By Rep. REED

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses.

RULES.

HB 1198, PN 1750

By Rep. ADOLPH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in corporate net income tax, providing for amended reports.

APPROPRIATIONS.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 603, PN 677**, entitled:

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, for restriction on the use of title "Licensed Marriage and Family Therapist" and for penalties.

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

SUPPLEMENTAL CALENDAR A

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1070, PN 1350**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for collection of restitution, reparation, fees, costs, fines and penalties.

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

* * *

The House proceeded to second consideration of **HB 1164, PN 1840**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, further providing for copayments for subsidized child care; and abrogating a regulation.

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

Mr. **BLOOM** offered the following amendment No. **A02265**:

Amend Bill, page 1, line 4, by inserting after "care" ; and abrogating a regulation
Amend Bill, page 2, line 23, by striking out the bracket before "exceeds"
Amend Bill, page 2, line 23, by striking out "] is between"
Amend Bill, page 2, line 24, by striking out "and" where it occurs the first time and inserting , but is not more than
Amend Bill, page 2, line 27, by striking out "is between" and inserting exceeds
Amend Bill, page 2, line 28, by striking out "and" where it occurs the first time and inserting , but is not more than
Amend Bill, page 3, line 1, by striking out "**IS BETWEEN**" and inserting exceeds

Amend Bill, page 3, line 2, by striking out "**AND**" and inserting , but is not more than
Amend Bill, page 3, line 15, by striking out "to a family that" and inserting only to those families that, after mutually qualifying for and receiving subsidized child care,

Amend Bill, page 4, by inserting after line 30 Section 2. The eligibility limitation of 235% of the Federal Poverty Income Guideline under 55 Pa. Code § 3041.41(b) and (c) is abrogated insofar as it is inconsistent with the amendment of section 408.3 of the act.

Amend Bill, page 5, line 1, by striking out "2" and inserting 3

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

The SPEAKER pro tempore. On that question, the gentleman, Mr. Bloom, is recognized.

Mr. BLOOM. Thank you, Mr. Speaker.

Mr. Speaker, this is a technical amendment to clarify the eligibility of individuals to receive a subsidy and also clarifying the ranges in which a child-care subsidy percentage will apply and abrogates certain regulations which are inconsistent with changes in the regulation.

So I would urge the members to support this technical amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—194

Acosta	Evankovich	Knowles	Rapp
Adolph	Evans	Kortz	Ravenstahl
Baker	Everett	Kotik	Readshaw
Barbin	Fabrizio	Krieger	Reed
Barrar	Farina	Lawrence	Reese
Benninghoff	Farry	Lewis	Regan
Bishop	Fee	Longietti	Roae
Bizzarro	Flynn	Mackenzie	Roebuck
Bloom	Frankel	Maher	Ross
Boback	Freeman	Mahoney	Rozzi
Boyle	Gainey	Major	Saccone
Bradford	Galloway	Maloney	Sainato
Briggs	Gergely	Markosek	Samuelson
Brown, R.	Gibbons	Marshall	Sankey
Brown, V.	Gillen	Marsico	Santarsiero
Burns	Gillespie	Masser	Santora
Caltagirone	Gingrich	Matzie	Saylor
Carroll	Godshall	McCarter	Schemel
Causar	Goodman	McGinnis	Schlossberg
Christiana	Greiner	McNeill	Schreiber
Cohen	Grove	Mentzer	Schweyer
Conklin	Hahn	Metcalfe	Simmons
Corbin	Hanna	Metzgar	Sims
Costa, D.	Harhai	Miccarelli	Snyder
Costa, P.	Harhart	Millard	Sonney
Cox	Harkins	Miller, B.	Staats
Cruz	Harper	Miller, D.	Stephens
Culver	Harris, A.	Milne	Sturla
Cutler	Harris, J.	Moul	Tallman
Daley, M.	Heffley	Mullery	Taylor
Daley, P.	Helm	Murt	Thomas
Davidson	Hennessey	Mustio	Tobash
Davis	Hickernell	Nesbit	Toepel

Dawkins	Hill	Neuman	Toohil
Day	Irvin	O'Brien	Topper
Dean	James	O'Neill	Truitt
Deasy	Jozwiak	Oberlander	Vereb
DeLissio	Kampf	Ortitay	Vitali
Delozier	Kaufer	Parker, C.	Ward
Dermody	Kauffman	Parker, D.	Warner
Diamond	Kavulich	Pashinski	Wentling
DiGirolamo	Keller, F.	Payne	Wheatley
Donatucci	Keller, M.K.	Peifer	Wheeland
Driscoll	Keller, W.	Petrarca	White
Dunbar	Killion	Petri	Youngblood
Dush	Kim	Pickett	Zimmerman
Ellis	Kinsey	Quigley	
Emrick	Kirkland	Quinn	Turzai,
English	Klunk	Rader	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

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

On the question,

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

The SPEAKER pro tempore. Mr. Longietti, we have two of your amendments here. Are you going to be withdrawing amendment 2249?

Mr. LONGIETTI. What I would like to do is offer my late-filed amendment, offer that first, and if that one is considered, then I would not offer the other amendment.

The SPEAKER pro tempore. We will get to that momentarily then. Thank you.

The gentleman, Mr. Krieger's and the gentleman, Mr. Neuman's amendments are out of order.

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair, at this time, recognizes the gentleman, Mr. Longietti, for a motion for suspension of the rules.

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, I request that the rules be suspended to consider amendment A02378. This is a much more confined amendment than my timely filed amendment, and I would ask the body to suspend the rules for consideration.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman, Mr. Longietti, has made a motion to suspend the rules for consideration on his amendment.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On that motion for suspension of the rules, the gentleman, Mr. Cutler, is recognized.

Mr. CUTLER. Mr. Speaker, we would urge the members to oppose the suspension of the rules. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-81

Acosta	Dean	Harhai	Parker, C.
Barbin	Deasy	Harkins	Pashinski
Bishop	DeLissio	Harris, J.	Petrarca
Bizzarro	Dermody	Kavulich	Ravenstahl
Boyle	Donatucci	Keller, W.	Readshaw
Bradford	Driscoll	Kim	Roebuck
Briggs	English	Kinsey	Rozzi
Brown, V.	Evans	Kirkland	Sainato
Burns	Fabrizio	Kortz	Samuelson
Caltagirone	Farina	Kotik	Santarsiero
Carroll	Flynn	Krieger	Schlossberg
Cohen	Frankel	Longietti	Schreiber
Conklin	Freeman	Mahoney	Schweyer
Costa, D.	Gainey	Markosek	Sims
Costa, P.	Galloway	Matzie	Snyder
Cruz	Gergely	McCarter	Sturla
Daley, M.	Gibbons	McNeill	Thomas
Daley, P.	Godshall	Miller, D.	Vitali
Davidson	Goodman	Neuman	Wheatley
Davis	Hanna	O'Brien	Youngblood
Dawkins			

NAYS-113

Adolph	Grove	Masser	Roae
Baker	Hahn	McGinnis	Ross
Barrar	Harhart	Mentzer	Saccocc
Benninghoff	Harper	Metcalfe	Sankey
Bloom	Harris, A.	Metzgar	Santora
Boback	Heffley	Miccarelli	Saylor
Brown, R.	Helm	Millard	Schemel
Causer	Hennessey	Miller, B.	Simmons
Christiana	Hickernell	Milne	Sonney
Corbin	Hill	Moul	Staats
Cox	Irvin	Mullery	Stephens
Culver	James	Murt	Tallman
Cutler	Jozwiak	Mustio	Taylor
Day	Kampf	Nesbit	Tobash
Delozier	Kaufer	O'Neill	Toepel
Diamond	Kauffman	Oberlander	Toohil
DiGirolamo	Keller, F.	Ortitay	Topper
Dunbar	Keller, M.K.	Parker, D.	Truitt
Dush	Killion	Payne	Vereb
Ellis	Klunk	Peifer	Ward
Emrick	Knowles	Petri	Warner
Evankovich	Lawrence	Pickett	Wentling
Everett	Lewis	Quigley	Wheeland
Farry	Mackenzie	Quinn	White
Fee	Maher	Rader	Zimmerman
Gillen	Major	Rapp	
Gillespie	Maloney	Reed	Turzai,
Gingrich	Marshall	Reese	Speaker
Greiner	Marsico	Regan	

NOT VOTING-0

EXCUSED-4

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

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

The SPEAKER pro tempore. Mr. Longietti, you are in order, sir.

Mr. LONGIETTI. I would like to offer amendment A02249.
The SPEAKER pro tempore. Would the gentleman kindly come to the desk, please.

(Conference held at Speaker's podium.)

The SPEAKER pro tempore. The rules of the House do not permit the visitors to be speaking from the gallery, very sorry. Thank you.

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

Mr. LONGIETTI offered the following amendment No. A02249:

Amend Bill, page 1, line 13, by inserting after "pay"
, unless exempt under subsection (c.1),
Amend Bill, page 2, line 24, by striking out "two" and inserting one
Amend Bill, page 2, line 25, by striking out "fifty" and inserting eighty-five
Amend Bill, page 2, line 27, by striking out "two" and inserting one
Amend Bill, page 2, line 27, by striking out "fifty" and inserting eighty-five
Amend Bill, page 3, line 1, by striking out "IS BETWEEN" and inserting exceeds
Amend Bill, page 3, lines 2 and 3, by striking out "AND THREE HUNDRED PERCENT OF THE FEDERAL POVERTY INCOME GUIDELINE"
Amend Bill, page 4, by inserting between lines 22 and 23
(c.1) The parent or caretaker of a child enrolled in subsidized child care shall be exempt from the copayment requirement of this section if:
(1) the family's annual income is less than one hundred and eighty-five percent of the Federal poverty income guidelines; and
(2) the family resides in a school district that contains a school in the lowest performing fifteen percent of all schools in this Commonwealth on the Pennsylvania System of School Assessment test as defined in section 102 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.
Amend Bill, page 4, line 26, by striking out "As used in this section, "wage-earning"" and inserting
As used in this section:
"Subsidized child care" means child care provided through a program that is rated as STAR 2, STAR 3 or STAR 4 under the Keystone STARS quality rating system established by the Department of Human Services.
"Wage-earning

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

PARLIAMENTARY INQUIRY

AMENDMENT DIVIDED

The SPEAKER pro tempore. It is the understanding of the Speaker that the gentleman, Mr. Longietti, asks that his amendment be divided between lines 17 and 18, and lines 19 and 20. The amendment is divisible at that point and will be so divided.

Is that correct, Mr. Longietti?

Mr. LONGIETTI. Yes. Thank you, Mr. Speaker.

The SPEAKER pro tempore. It is further the understanding of the Chair that the lines 17 and 18 will be so removed, that you are withdrawing those lines, 17 and 18, and we will be voting on the amendment between lines 1 and 17 and lines 20 to the end of the amendment.

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

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

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, amendment A02249 as divided, the purpose of it is this, that if a family was 185 percent of the Federal poverty level or less and they resided in a school district where at least one school is academically challenged – I will say below 15 percent, lowest performing schools – then they have an opportunity to have the copay waived in that case, in that limited case.

And the purpose is this: I was approached by a constituent who did her dissertation on this very subject of copays in high-quality early childhood education, and she discovered that in too many cases, the most challenged population, the low-income population that also resides in a district that is low-performing, they make a bad choice because of the copay. They choose family and friends that do not have a STAR 2, 3, or 4 rating over a program that has a STAR 2, 3, or 4 rating. So we know from all the research that by investing in high-quality early childhood education it would make a dramatic difference. So this targets the most vulnerable population where that difference can be the most marked and says that in that limited case that we would waive the copay, so they do not make that poor choice and save a few dollars at the expense of quality education.

So I would ask my colleagues, respectfully, to adopt this amendment so that we can get the most bang for our buck. We know that every dollar that we invest in these types of programs saves us \$17 on the back end. So here is a chance to take a very simple step, waive the copay. If you are very poor and you live in a district that is not succeeding, this allows that copay to be waived in that limited case. So I ask for an affirmative vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes the gentleday, Mrs. Watson, on the floor of the House and will be added to the master roll.

CONSIDERATION OF HB 1164 CONTINUED

The SPEAKER pro tempore. On the amendment, the gentleman, the majority whip, is recognized, Mr. Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, unfortunately I must urge the members to oppose this amendment. I would like to provide some of the logic as to why.

This amendment is actually counter to the underlying intent of the bill, which is to smooth out the child-care cliff that currently exists and allow a family to gradually increase their financial burden of child care. This amendment would actually create a greater cliff effect for those at 185 percent of the poverty level, which is substantially sooner than the present cliff. Also, it removes the incentives for those families who are below the 185 percent from working additional hours to reduce their child-care copayment. And finally, and truthfully, Mr. Speaker, of greater concern is the definition of "subsidized child care" itself, which is used throughout the Welfare Code and would result in families having to move their children out of their current facilities.

Additionally, when looking at this definition, Mr. Speaker, this definition is flawed. It is meant to go to STAR centers 2, 3, and 4 under the Keystone STARS (Standards, Training/Professional Development, Assistance, Resources and Support) Quality Rating System established by the Department of Human Services, and under existing law, Mr. Speaker, the Department of Human Services does not in fact create STAR 2, 3, and 4 or accredit them. It is actually a function of OCDEL (Office of Child Development and Early Learning), which is a hybrid between the Department of Education and Human Services.

Therefore, this amendment is drafted improperly, and I would urge the members to vote against it so that the bill can function as originally intended. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Longietti, on his amendment.

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, notwithstanding what was commented, I guess I have two observations.

Number one, it does not create a cliff for folks who are 185 percent of poverty or less because it waives the copay for them, so there is no cliff for them as a result of that.

Number two, although OCDEL is its own office, it is underneath both the Department of Human Services and the Department of Education, so therefore, the language referencing the Department of Human Services is not problematic, OCDEL is a subset of that department.

So I would urge my colleagues to support this amendment. It is a wise investment. It is only waiving a small copay, and yet it could have a dramatic effect for families that are in deep poverty and live in a school district that is in the bottom 15 percent. It is a small measure, but a very important measure and I would urge an affirmative vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Maher, on the amendment.

Mr. MAHER. Mr. Speaker, could you confirm for me how this amendment was divided? If I understood correctly, lines 17 and 18 were divided in the middle and then discarded. Is that correct?

The SPEAKER pro tempore. Lines 18 and 19 have been withdrawn.

Mr. MAHER. Thank you.

On the amendment?

The SPEAKER pro tempore. On the amendment, the gentleman is in order and may proceed.

Mr. MAHER. With the division that the maker of the amendment has requested and received, if we were to adopt this amendment, it would provide a higher threshold than before, because divided as the member requested, the amended language would be that the amount exceeds 250 percent of the poverty guideline and 300 percent of the poverty guideline. In essence, this raises the threshold to 300 percent of the poverty guideline, which seems to be counter to the intent expressed by the maker of the amendment.

I might encourage the maker of the amendment to reconsider his amendment in light of the division which he executed, because I think the result of the amendment will be opposite that which he is expressing a hope to accomplish.

And for that reason, Mr. Speaker, I will be voting "no."

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment as divided?

The following roll call was recorded:

YEAS—79

Acosta	Dawkins	Harkins	Pashinski
Barbin	Dean	Harris, J.	Petrarca
Bishop	Deasy	Kavulich	Ravenstahl
Bizzarro	DeLissio	Keller, W.	Readshaw
Boyle	Dermody	Kim	Roebuck
Bradford	Donatucci	Kinsey	Rozzi
Briggs	Driscoll	Kirkland	Sainato
Brown, V.	Evans	Kortz	Samuelson
Burns	Fabrizio	Kotik	Santarsiero
Caltagirone	Farina	Longietti	Schlossberg
Carroll	Flynn	Mahoney	Schreiber
Cohen	Frankel	Markosek	Schweyer
Conklin	Freeman	Matzie	Sims
Costa, D.	Gainey	McCarter	Snyder
Costa, P.	Galloway	McNeill	Sturla
Cruz	Gergely	Miller, D.	Thomas
Daley, M.	Gibbons	Mullery	Vitali
Daley, P.	Goodman	Neuman	Wheatley
Davidson	Hanna	O'Brien	Youngblood
Davis	Harhai	Parker, C.	

NAYS—116

Adolph	Greiner	Marsico	Roae
Baker	Grove	Masser	Ross
Barrar	Hahn	McGinnis	Saccone
Benninghoff	Harhart	Mentzer	Sankey
Bloom	Harper	Metcalfe	Santora

Boback	Harris, A.	Metzgar	Saylor
Brown, R.	Heffley	Miccarelli	Schemel
Causser	Helm	Millard	Simmons
Christiana	Hennessey	Miller, B.	Sonney
Corbin	Hickernell	Milne	Staats
Cox	Hill	Moul	Stephens
Culver	Irvin	Murt	Tallman
Cutler	James	Mustio	Taylor
Day	Jozwiak	Nesbit	Tobash
Delozier	Kampf	O'Neill	Toepel
Diamond	Kaufer	Oberlander	Toohil
DiGirolamo	Kauffman	Ortitay	Topper
Dunbar	Keller, F.	Parker, D.	Truitt
Dush	Keller, M.K.	Payne	Vereb
Ellis	Killion	Peifer	Ward
Emrick	Klunk	Petri	Warner
English	Knowles	Pickett	Watson
Evankovich	Krieger	Quigley	Wentling
Everett	Lawrence	Quinn	Wheeland
Farry	Lewis	Rader	White
Fee	Mackenzie	Rapp	Zimmerman
Gillen	Maher	Reed	
Gillespie	Major	Reese	Turzai,
Gingrich	Maloney	Regan	Speaker
Godshall	Marshall		

NOT VOTING—0

EXCUSED—3

DeLuca Gabler Pyle

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

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 1110, PN 1440**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in general provisions applying to both liquor and malt and brewed beverages, further providing for limiting number of retail licenses to be issued in each county.

On the question,

Will the House agree to the bill on second consideration?

Mr. **LAWRENCE** offered the following amendment No. **A02149**:

Amend Bill, page 1, line 22, by inserting after "461(b.1)(4), " (5),

Amend Bill, page 2, by inserting between lines 12 and 13

(5) In addition to renewal and license fees provided under existing law for the type of license issued, an applicant shall be required to pay an initial application surcharge as follows:

(i) [Fifty thousand dollars (\$50,000)] One hundred twenty-five thousand dollars (\$125,000) if the licensed premises is located in a county of the first through fourth class.

(ii) [Twenty-five thousand dollars (\$25,000)] Sixty-five thousand dollars (\$65,000) if the licensed premises is located in a county of the fifth through eighth class.

(iii) The initial application surcharge minus a seven hundred dollar (\$700) processing fee shall be refunded to the applicant if the board refuses to issue a provisional license under subsection (b.2). Otherwise, the initial application surcharge minus a seven hundred dollar (\$700) processing fee shall be credited to The State Stores Fund. The processing fee shall be treated as an application filing fee as prescribed in section 614-A(1)(i) of the act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929."

On the question,

Will the House agree to the amendment?

The **SPEAKER** pro tempore. On that question, the Chair recognizes the gentleman, Mr. Lawrence.

Mr. **LAWRENCE**. Thank you, Mr. Speaker.

This amendment increases the fees on the economic development licenses from \$50,000 to \$125,000 for counties of the first and fourth classes and from \$25,000 to \$65,000 for counties of the fifth through eighth class.

The **SPEAKER** pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Costa, on the amendment.

Mr. P. **COSTA**. Thank you, Mr. Speaker, and thank you to the macebearer for recognizing me.

Mr. Speaker, I want to make you aware of what this amendment is about.

An economic development license is not your typical license that our local taverns and bars own. An economic development license is a license that is in a new area that is building up or even an old area that is rebuilding. But in order to get one of these economic development licenses, you have to go through 70 percent of the licenses that are in safekeeping and to prove that you are not successful in obtaining one of these licenses, and if that is the case, then you can apply for one. There is only one per county per year.

Now, so far since we implemented this program, I think there are 25 licenses that are out there right now. But the difference between this license and your typical license is, if I would obtain one of these economic development licenses and I would open up a business and for some reason my business would fail and I would have to shut down, that license dissolves. It is not an asset anymore. I cannot transfer it. If somebody wants to purchase my business, I cannot even give them the license. The license dissolves with the business.

This is not your typical license where some people have them and it is an asset. So the asking price that was established several years ago at \$50,000 for first through, I believe, fourth class counties I believe is fair because this, again, is not a typical "R" license.

Now, if we were talking "R" license, I would understand that we would raise the price, but this is a license that is for a unique situation, and again, there is no value to it once your business is over.

So I would encourage members to please vote "no" on this amendment. Thank you.

The **SPEAKER** pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Schreiber, on the amendment.

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

I rise in opposition to this amendment.

Thank you to the chairman of the minority Liquor Committee for making some comments, and with deference to the maker of the amendment, I would merely add that to suggest that this license has a market rate associated with it – be it \$125,000 or \$60,000 – is a mischaracterization of this license as a whole.

This is not a market-driven license transaction. This is a one-time, fixed-cost fee. This is a perishable license. It has no asset value. It is not transferable. And the underlying intention of this license is to be an economic development incentive. It is to benefit our small business community throughout the Commonwealth.

There are a finite number of these licenses that are issued per year. If we increase the fee, as suggested in this amendment, we will add just one more barrier for small businesses to get up and running and make money in our Commonwealth.

As many of us are aware, restaurants play a very integral part of community and economic development revitalization throughout our entire State to include our small communities. To increase this fee by more than doubling it would initiate a very large barrier and an inhibitor to small businesses.

The underlying impetus and intention for the economic development liquor license is to be favorable to small businesses. So I encourage the members' opposition to this amendment, and I thank you very much.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Lawrence, on his amendment.

Mr. LAWRENCE. Thank you, Mr. Speaker, and I appreciate the comments of the gentleman from York County.

Mr. Speaker, I just want to make a couple quick points with regard to this. I hear the arguments that the intention here is favorable to small businesses, the intent perhaps behind the economic development licenses. The fact of the matter is, anybody can apply for them, and a number of the licenses that have gone through this process in the recent past have been awarded to major national chain restaurants, not what we would typically think of as small business owners. But really, to be honest with you, Mr. Speaker, from my point of view, that part of the conversation is less relevant to my real intention for introducing this amendment.

The bottom line is this: When you own a tavern license in the Commonwealth of Pennsylvania, that license is property and that license can be transferred for a fee between the individual who owns it and anybody who wants to buy it. If somebody would like to open up a new licensed establishment, there is a process in place by which that individual can apply with the State. If the quota is already met, then that opportunity is not available through the LCB (Liquor Control Board). Then you can buy a license that is already existing.

As an example in Chester County, if you wanted to buy a tavern license on the open, private market today, that license would be anywhere between two hundred and fifty and three hundred thousand dollars. Of course, it is a private transaction, so the fee would be up to the buyer and the seller, but that is the going rate these days in Chester County. For someone to come in and say, I would like to run a restaurant or a licensed establishment that is doing the same thing but to apply and get a

license from the LCB for only \$50,000 – and in Chester County, there have been six of these licenses issued in the last few years – dilutes the value of current licensees, by the way I see it. The fee increase that I have proposed in this legislation, taking it from \$50,000 to \$125,000, \$125,000 is still a far cry from \$300,000.

I want to stress again, these licenses are property just as much as your home or your automobile or anything else, so if we want to have a broader discussion about whether we should reform the liquor license system in the Commonwealth, I would welcome that conversation and I think it is probably past time to have that conversation. But to go around the current system by issuing any number of licenses, including these EDLs outside the quota system, I believe is wrong for the current license holders, many of whom are small business owners whom this amendment is purposed to favor.

Thus, I ask for an affirmative vote on amendment 2149.

Thank you, Mr. Speaker.

THE SPEAKER (MIKE TURZAI) PRESIDING

The SPEAKER. Thank you, sir.
Representative Schreiber.

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

I would just like to reiterate, this is not going around the system; this is the system. This is the system that we have created, and the current provisions of law allow for X number, a very finite number of economic development liquor licenses issued per year, per county. It falls to the local governing body to actually approve it and authorize it and ultimately grant the application to go forward.

So this is not circumventing the system. This is actually using what we have created in this body to be an economic development incentive.

We throw a lot of economic development incentives out there in package form. We talk about a lot of different qualifiers and all of the qualifications of economic development incentives. Ultimately, the best incentive that we can offer our small businesses is the ability to get up and running as quickly as possible for as affordable as possible, and to nearly triple the cost of this license would further create another inhibitor to this license, it would be a barrier for small businesses, and ultimately, it would lead to effectively rendering this economic development liquor license moot. It would not be applied.

In the nearly 11 years that we have allowed for this type of license, there have been 25 issued. This does not change the total amount of licenses. This just makes it easier for individual restaurateurs to obtain them and retain them too.

Thank you very much, Mr. Speaker.

The SPEAKER. Yes, sir.

Representative Paul Costa.

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

The SPEAKER. Sir, if you will just suspend for a second, just one second.

Members, if you could, please take your seats and if you could take any conversations to the back of the House.

At this time Representative Paul Costa has the floor.

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

I just want to go over a couple points real quick.

First off, I do not believe there are very many people in this

House that have been more favorable to the bar and tavern association and making sure that the value of their license continues to stay and becomes an asset for them, but this is a totally different process.

Again, you have to request 70 percent of the available licenses that are out there. If 70 percent of the people do not want to sell those licenses, the people that want to open up these new establishments have no other choice. So we are not devaluing a license by doing this. Again, 70 percent of the people, if they do not want to sell, then this is what we have to do.

So again, I would encourage people to vote this amendment down. Thank you.

The SPEAKER. Does any other member wish to be recognized on the amendment?

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

The following roll call was recorded:

YEAS—62

Adolph	Harper	Masser	Ross
Baker	Harris, A.	Mentzer	Saccone
Barrar	Heffley	Miccarelli	Saylor
Benninghoff	Helm	Miller, B.	Staats
Brown, R.	Hennessey	Milne	Stephens
Causar	Hickernell	Murt	Tallman
Corbin	Hill	Nesbit	Taylor
Culver	James	Parker, D.	Truitt
Cutler	Jozwiak	Payne	Vereb
Diamond	Kampf	Peifer	Ward
Dush	Keller, F.	Petri	Wentling
Farry	Killion	Pickett	White
Fee	Klunk	Rader	Zimmerman
Gillespie	Lawrence	Rapp	
Greiner	Lewis	Reed	Turzai,
Grove	Maher	Roae	Speaker

NAYS—133

Acosta	Dunbar	Kinsey	Quigley
Barbin	Ellis	Kirkland	Quinn
Bishop	Emrick	Knowles	Ravenstahl
Bizzarro	English	Kortz	Readshaw
Bloom	Evankovich	Kotik	Reese
Boback	Evans	Krieger	Regan
Boyle	Everett	Longiotti	Roebuck
Bradford	Fabrizio	Mackenzie	Rozzi
Briggs	Farina	Mahoney	Sainato
Brown, V.	Flynn	Major	Samuelson
Burns	Frankel	Maloney	Sankey
Caltagirone	Freeman	Markosek	Santarsiero
Carroll	Gainey	Marshall	Santora
Christiana	Galloway	Marsico	Schemel
Cohen	Gergely	Matzco	Schlossberg
Conklin	Gibbons	McCarter	Schreiber
Costa, D.	Gillen	McGinnis	Schweyer
Costa, P.	Gingrich	McNeill	Simmons
Cox	Godshall	Metcalfe	Sims
Cruz	Goodman	Metzgar	Snyder
Daley, M.	Hahn	Millard	Sonney
Daley, P.	Hanna	Miller, D.	Sturla
Davidson	Harhai	Moul	Thomas
Davis	Harhart	Mullery	Tobash
Dawkins	Harkins	Mustio	Toepel
Day	Harris, J.	Neuman	Toohil
Dean	Irvin	O'Brien	Topper
Deasy	Kaufner	O'Neill	Vitali
DeLissio	Kauffman	Oberlander	Warner

Delozier	Kavulich	Ortitay	Watson
Dermody	Keller, M.K.	Parker, C.	Wheatley
DiGirolamo	Keller, W.	Pashinski	Wheeland
Donatucci	Kim	Petrarca	Youngblood
Driscoll			

NOT VOTING—0

EXCUSED—3

DeLuca Gabler Pyle

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

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

Mr. **SANTARSIERO** offered the following amendment
No. **A01949**:

Amend Bill, page 1, line 19, by inserting after "county"
and for local option

Amend Bill, page 3, by inserting between lines 12 and 13

Section 2. Section 472(a) of the act, amended February 21, 2002 (P.L.103, No.10), is amended to read:

Section 472. Local Option.—(a) In any municipality or any part of a municipality where such municipality is split so that each part thereof is separated by another municipality, an election may be held, subject to subsection (c), [on the date of the primary election immediately preceding any municipal election, but] not oftener than once in four years, to determine the will of the electors with respect to the granting of liquor licenses to hotels, restaurants, resort facilities and clubs, not oftener than once in four years, to determine the will of the electors with respect to the granting of liquor licenses to public venues, to performing arts facilities, to continuing care retirement communities, to hotels located on property owned by an accredited college or university, to privately-owned private golf courses or to privately-owned public golf courses, not oftener than once in four years, to determine the will of the electors with respect to the granting of licenses to retail dispensers of malt and brewed beverages, not oftener than once in four years, to determine the will of the electors with respect to granting of licenses to wholesale distributors and importing distributors, not more than once in two years, to determine the will of the electors with respect to the granting of club liquor licenses or club retail dispenser licenses to incorporated units of national veterans' organizations, not oftener than once in two years to determine the will of the electors with respect to the granting of special occasion permits to qualified organizations, or not more than once in four years, to determine the will of the electors with respect to the establishment, operation and maintenance by the board of Pennsylvania liquor stores, within the limits of such municipality or part of a split municipality, under the provisions of this act: Provided, [however, Where an election shall have been held at the primary preceding a municipal election in any year, another election may be held under the provisions of this act at the primary occurring the fourth year after such prior election: And provided further.] That an election on the question of establishing and operating a State liquor store shall be initiated only in those municipalities, or that part of a split municipality that shall have voted against the granting of liquor licenses; and that an election on the question of granting wholesale distributor and importing distributor licenses shall be initiated only in those municipalities or parts of split municipalities that shall have at a previous election voted against the granting of dispenser's licenses. Whenever electors equal to at least twenty-five per centum of the highest vote cast for any office in the municipality or part of a split municipality at the last preceding general

election shall file a petition with the county board of elections of the county for a referendum on the question of granting any of said classes of licenses or the establishment of Pennsylvania liquor stores, the said county board of elections shall cause a question to be placed on the ballots or on the voting machine board and submitted at [the primary immediately preceding the municipal] any election. Separate petitions must be filed for each question to be voted on. Said proceedings shall be in the manner and subject to the provisions of the election laws which relate to the signing, filing and adjudication of nomination petitions, insofar as such provisions are applicable.

When the question is in respect to the granting of liquor licenses, it shall be in the following form:

Do you favor the granting of liquor licenses for the sale of liquor in..... Yes
of.....? No

When the question is in respect to the granting of liquor licenses to resort facilities in those municipalities that do not already allow the retail sale of liquor, it shall be in the following form:

Do you favor the granting of liquor licenses to resort facilities for the sale of liquor in the..... Yes
of.....? No

When the question is in respect to the granting of restaurant liquor licenses for use at public venues in those municipalities that do not already allow the retail sale of liquor, it shall be in the following form:

Do you favor the granting of liquor licenses to public venues for the sale of liquor in the..... Yes
of.....? No

When the question is in respect to the granting of restaurant liquor licenses for use at performing arts facilities in those municipalities that do not already allow the retail sale of alcohol, it shall be in the following form:

Do you favor the granting of liquor licenses to performing arts facilities for the sale of liquor in the..... Yes
of.....? No

When the question is in respect to the granting of liquor licenses for hotels located on property owned by an accredited college or university in those municipalities that do not already allow the granting of liquor licenses, it shall be in the following form:

Do you favor the granting of liquor licenses to hotels on property owned by an accredited college or university in the..... Yes
of.....? No

When the question is in respect to the granting of liquor licenses, for privately-owned private golf courses, it shall be in the following form:

Do you favor the granting of liquor licenses for privately-owned private golf courses for the sale of liquor in.....by..... Yes
of.....? No

When the question is in respect to the granting of liquor licenses, for privately-owned public golf courses, it shall be in the following form:

Do you favor the granting of liquor licenses for privately-owned public golf courses for the sale of liquor in.....by..... Yes
of.....? No

When the question is in respect to the granting of liquor licenses to continuing care retirement communities in those municipalities that have not already approved the granting of liquor licenses, it shall be in

the following form:

Do you favor the granting of liquor licenses for continuing care retirement communities in.....by..... Yes
of.....? No

When the question is in respect to the granting of licenses to retail dispensers of malt and brewed beverages, it shall be in the following form:

Do you favor the granting of malt and brewed beverage retail dispenser licenses for consumption on premises where sold in the..... Yes
of.....? No

When the question is in respect to the granting of licenses to wholesale distributors of malt or brewed beverages and importing distributors, it shall be in the following form:

Do you favor the granting of malt and brewed beverage wholesale distributor's and importing distributor's licenses not for consumption on premises where sold in the..... Yes
of.....? No

When the question is in respect to the granting of club liquor licenses to incorporated units of national veterans' organizations, it shall be in the following form:

Do you favor the granting of club liquor licenses to incorporated units of national veterans' organizations in the..... Yes
of.....? No

When the question is in respect to the granting of club retail dispenser licenses to incorporated units of national veterans' organizations, it shall be in the following form:

Do you favor the granting of club retail dispenser licenses to incorporated units of national veterans' organizations in the..... Yes
of.....? No

When the question is in respect to the granting of special occasion permits allowing the sale of liquor by qualified organizations in municipalities that do not already allow the retail sale of liquor, it shall be in the following form:

Do you favor the granting of special occasion permits to allow the sale of liquor by qualified organizations in the..... Yes
of.....? No

When the question is in respect to the granting of special occasion permits allowing the sale of malt or brewed beverages only by qualified organizations in municipalities that do not already allow the retail sale of malt or brewed beverages, it shall be in the following form:

Do you favor the granting of special occasion permits to allow the sale of malt or brewed beverages only by qualified organizations in the..... Yes
of.....? No

When the question is in respect to the establishment, operation and maintenance of Pennsylvania liquor stores it shall be in the following form:

Do you favor the establishment, operation and maintenance of Pennsylvania liquor stores in the..... Yes
of.....? No

of.....?

In case of a tie vote, the status quo shall obtain. If a majority of the voting electors on any such question vote "yes," then liquor licenses shall be granted by the board to hotels, restaurants, resort facilities and clubs, or liquor licenses shall be granted by the board to public venues, to performing arts facilities, to continuing care retirement communities, to hotels located on property owned by an accredited college or university, to privately-owned private golf courses or to privately-owned public golf courses, or malt and brewed beverage retail dispenser licenses or wholesale distributor's and importing distributor's license for the sale of malt or brewed beverages shall be granted by the board, or club liquor licenses or club retail dispenser licenses shall be granted by the board to incorporated units of national veterans' organizations, or special occasion permits may be issued to qualified organizations, or the board may establish, operate and maintain Pennsylvania liquor stores, as the case may be, in such municipality or part of a split municipality, as provided by this act; but if a majority of the electors voting on any such question vote "no," then the board shall have no power to grant or to renew upon their expiration any licenses of the class so voted upon in such municipality or part of a split municipality; or if the negative vote is on the question in respect to the establishment, operation and maintenance of Pennsylvania liquor stores, the board shall not open and operate a Pennsylvania liquor store in such municipality or part of a split municipality, nor continue to operate a then existing Pennsylvania liquor store in the municipality or part of a split municipality for more than two years thereafter or after the expiration of the term of the lease on the premises occupied by such store, whichever period is less, unless and until at a later election a majority of the voting electors vote "yes" on such question.

* * *

Amend Bill, page 3, line 13, by striking out "2" and inserting 3

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

The SPEAKER. On that question, the Chair recognizes Representative Santarsiero.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, this amendment pertains to a situation in which we have a dry municipality in the State where alcohol is not allowed to be sold. Under current law, if the dry status was the result of a public referendum, the only way to undo it would be to have another public referendum, but under current law, that public referendum has to happen, and can only happen, in a municipal election primary.

This amendment would merely strike that requirement so that the referendum could be held at any regularly scheduled election, not a special election, but a regularly scheduled primary or general election. This is, as I understand it, an agreed-to amendment, Mr. Speaker.

The SPEAKER. Does anybody else wish to be recognized on the amendment?

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

The following roll call was recorded:

YEAS-86

Table with 4 columns of names: Acosta, Barbin, Bishop, Bizzarro, Deasy, DeLissio, Dermody, DiGirolamo, Harris, J., Kampf, Kavulich, Keller, W., Petrarca, Petri, Quinn, Ravenstahl

Table with 4 columns of names: Boyle, Bradford, Briggs, Brown, V., Burns, Caltagirone, Carroll, Cohen, Conklin, Costa, D., Costa, P., Cruz, Daley, M., Daley, P., Davidson, Davis, Dawkins, Dean, Donatucci, Driscoll, Evans, Fabrizio, Farina, Farry, Flynn, Frankel, Freeman, Gainey, Galloway, Gergely, Gibbons, Godshall, Goodman, Hanna, Harhai, Harkins, Kim, Kinsey, Kirkland, Kortz, Kotik, Longietti, Mahoney, Markosek, Matzie, McCarter, McNeill, Miller, D., Mullery, Neuman, O'Brien, Parker, C., Pashinski, Readshaw, Roebuck, Ross, Rozzi, Sainato, Samuelson, Santarsiero, Schlossberg, Schreiber, Schweyer, Sims, Snyder, Sturla, Thomas, Vitali, Wheatley, Youngblood

NAYS-109

Table with 4 columns of names: Adolph, Baker, Barrar, Benninghoff, Bloom, Boback, Brown, R., Causer, Christiana, Corbin, Cox, Culver, Cutler, Day, Delozier, Diamond, Dunbar, Dush, Ellis, Emrick, English, Evankovich, Everett, Fee, Gillen, Gillespie, Gingrich, Greiner, Grove, Hahn, Harhart, Harper, Harris, A., Heffley, Helm, Hennessey, Hickernell, Hill, Irvin, James, Jozwiak, Kaufman, Keller, F., Keller, M.K., Killion, Klunk, Knowles, Krieger, Lawrence, Lewis, Mackenzie, Maher, Major, Maloney, Marshall, Marsico, Masser, McGinnis, Mentzer, Metcalfe, Metzgar, Miccarelli, Millard, Miller, B., Milne, Moul, Murt, Mustio, Nesbit, O'Neill, Oberlander, Ortitay, Parker, D., Payne, Peifer, Pickett, Quigley, Rader, Rapp, Reed, Reese, Regan, Roae, Saccone, Sankey, Santora, Saylor, Schemel, Simmons, Sonney, Staats, Stephens, Tallman, Taylor, Tobash, Toepel, Toohil, Topper, Truitt, Vereb, Ward, Warner, Watson, Wentling, Wheeland, White, Zimmerman, Turzai, Speaker

NOT VOTING-0

EXCUSED-3

Table with 3 columns of names: DeLuca, Gabler, Pyle

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

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

* * *

The House proceeded to second consideration of HB 1196, PN 1726, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for malt and

brewed beverages manufacturers', distributors' and importing distributors' licenses.

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

Mr. **SANTARSIERO** offered the following amendment No. **A01948**:

Amend Bill, page 1, line 20, by inserting after "licenses" and for local option

Amend Bill, page 2, by inserting between lines 23 and 24

Section 2. Section 472(a) of the act, amended February 21, 2002 (P.L.103, No.10), is amended to read:

Section 472. Local Option.—(a) In any municipality or any part of a municipality where such municipality is split so that each part thereof is separated by another municipality, an election may be held, subject to subsection (c), [on the date of the primary election immediately preceding any municipal election, but] not oftener than once in four years, to determine the will of the electors with respect to the granting of liquor licenses to hotels, restaurants, resort facilities and clubs, not oftener than once in four years, to determine the will of the electors with respect to the granting of liquor licenses to public venues, to performing arts facilities, to continuing care retirement communities, to hotels located on property owned by an accredited college or university, to privately-owned private golf courses or to privately-owned public golf courses, not oftener than once in four years, to determine the will of the electors with respect to the granting of licenses to retail dispensers of malt and brewed beverages, not oftener than once in four years, to determine the will of the electors with respect to granting of licenses to wholesale distributors and importing distributors, not more than once in two years, to determine the will of the electors with respect to the granting of club liquor licenses or club retail dispenser licenses to incorporated units of national veterans' organizations, not oftener than once in two years to determine the will of the electors with respect to the granting of special occasion permits to qualified organizations, or not more than once in four years, to determine the will of the electors with respect to the establishment, operation and maintenance by the board of Pennsylvania liquor stores, within the limits of such municipality or part of a split municipality, under the provisions of this act: Provided, [however, Where an election shall have been held at the primary preceding a municipal election in any year, another election may be held under the provisions of this act at the primary occurring the fourth year after such prior election: And provided further,] That an election on the question of establishing and operating a State liquor store shall be initiated only in those municipalities, or that part of a split municipality that shall have voted against the granting of liquor licenses; and that an election on the question of granting wholesale distributor and importing distributor licenses shall be initiated only in those municipalities or parts of split municipalities that shall have at a previous election voted against the granting of dispenser's licenses. Whenever electors equal to at least twenty-five per centum of the highest vote cast for any office in the municipality or part of a split municipality at the last preceding general election shall file a petition with the county board of elections of the county for a referendum on the question of granting any of said classes of licenses or the establishment of Pennsylvania liquor stores, the said county board of elections shall cause a question to be placed on the ballots or on the voting machine board and submitted at [the primary immediately preceding the municipal] any election. Separate petitions must be filed for each question to be voted on. Said proceedings shall be in the manner and subject to the provisions of the election laws which relate to the signing, filing and adjudication of nomination petitions, insofar as such provisions are applicable.

When the question is in respect to the granting of liquor licenses, it shall be in the following form:
Do you favor the granting of liquor licenses for the sale of liquor Yes

in..... No
of.....?

When the question is in respect to the granting of liquor licenses to resort facilities in those municipalities that do not already allow the retail sale of liquor, it shall be in the following form:

Do you favor the granting of liquor licenses to resort facilities for the sale of liquor in the..... Yes
of.....? No

When the question is in respect to the granting of restaurant liquor licenses for use at public venues in those municipalities that do not already allow the retail sale of liquor, it shall be in the following form:

Do you favor the granting of liquor licenses to public venues for the sale of liquor in the..... Yes
of.....? No

When the question is in respect to the granting of restaurant liquor licenses for use at performing arts facilities in those municipalities that do not already allow the retail sale of alcohol, it shall be in the following form:

Do you favor the granting of liquor licenses to performing arts facilities for the sale of liquor in the..... Yes
of.....? No

When the question is in respect to the granting of liquor licenses for hotels located on property owned by an accredited college or university in those municipalities that do not already allow the granting of liquor licenses, it shall be in the following form:

Do you favor the granting of liquor licenses to hotels on property owned by an accredited college or university in the..... Yes
of.....? No

When the question is in respect to the granting of liquor licenses, for privately-owned private golf courses, it shall be in the following form:

Do you favor the granting of liquor licenses for privately-owned private golf courses for the sale of liquor in.....by..... Yes
of.....? No

When the question is in respect to the granting of liquor licenses, for privately-owned public golf courses, it shall be in the following form:

Do you favor the granting of liquor licenses for privately-owned public golf courses for the sale of liquor in.....by..... Yes
of.....? No

When the question is in respect to the granting of liquor licenses to continuing care retirement communities in those municipalities that have not already approved the granting of liquor licenses, it shall be in the following form:

Do you favor the granting of liquor licenses for continuing care retirement communities in.....by..... Yes
of.....? No

When the question is in respect to the granting of licenses to retail dispensers of malt and brewed beverages, it shall be in the following form:

Do you favor the granting of malt and brewed beverage retail dispenser licenses for consumption on premises where sold in the..... Yes
of.....? No

of.....?

When the question is in respect to the granting of licenses to wholesale distributors of malt or brewed beverages and importing distributors, it shall be in the following form:

Do you favor the granting of malt and brewed beverage wholesale distributor's and importing distributor's licenses not for consumption on premises where sold in the.....? Yes
of.....? No

When the question is in respect to the granting of club liquor licenses to incorporated units of national veterans' organizations, it shall be in the following form:

Do you favor the granting of club liquor licenses to incorporated units of national veterans' organizations in the.....? Yes
of.....? No

When the question is in respect to the granting of club retail dispenser licenses to incorporated units of national veterans' organizations, it shall be in the following form:

Do you favor the granting of club retail dispenser licenses to incorporated units of national veterans' organizations in the.....? Yes
of.....? No

When the question is in respect to the granting of special occasion permits allowing the sale of liquor by qualified organizations in municipalities that do not already allow the retail sale of liquor, it shall be in the following form:

Do you favor the granting of special occasion permits to allow the sale of liquor by qualified organizations in the.....? Yes
of.....? No

When the question is in respect to the granting of special occasion permits allowing the sale of malt or brewed beverages only by qualified organizations in municipalities that do not already allow the retail sale of malt or brewed beverages, it shall be in the following form:

Do you favor the granting of special occasion permits to allow the sale of malt or brewed beverages only by qualified organizations in the.....? Yes
of.....? No

When the question is in respect to the establishment, operation and maintenance of Pennsylvania liquor stores it shall be in the following form:

Do you favor the establishment, operation and maintenance of Pennsylvania liquor stores in the.....? Yes
of.....? No

In case of a tie vote, the status quo shall obtain. If a majority of the voting electors on any such question vote "yes," then liquor licenses shall be granted by the board to hotels, restaurants, resort facilities and clubs, or liquor licenses shall be granted by the board to public venues, to performing arts facilities, to continuing care retirement communities, to hotels located on property owned by an accredited college or university, to privately-owned private golf courses or to privately-owned public golf courses, or malt and brewed beverage retail dispenser licenses or wholesale distributor's and importing distributor's license for the sale of malt or brewed beverages shall be granted by the board, or club liquor licenses or club retail dispenser licenses shall be granted by the board to incorporated units of national veterans' organizations, or special occasion permits may be issued to qualified

organizations, or the board may establish, operate and maintain Pennsylvania liquor stores, as the case may be, in such municipality or part of a split municipality, as provided by this act; but if a majority of the electors voting on any such question vote "no," then the board shall have no power to grant or to renew upon their expiration any licenses of the class so voted upon in such municipality or part of a split municipality; or if the negative vote is on the question in respect to the establishment, operation and maintenance of Pennsylvania liquor stores, the board shall not open and operate a Pennsylvania liquor store in such municipality or part of a split municipality, nor continue to operate a then existing Pennsylvania liquor store in the municipality or part of a split municipality for more than two years thereafter or after the expiration of the term of the lease on the premises occupied by such store, whichever period is less, unless and until at a later election a majority of the voting electors vote "yes" on such question.

Amend Bill, page 2, line 24, by striking out "2" and inserting 3

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

The SPEAKER. On that question, the Chair recognizes Representative Santarsiero.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Mr. Speaker, this is an identical amendment to the one that was offered on the previous legislation, and as I understood, that was an agreed-to amendment. My understanding, after having spoken to my colleague, my friend, the good gentleman from Bucks County, is that this is an agreed-to amendment as well.

The SPEAKER. Representative Petri, you are recognized, sir.

Mr. PETRI. This is an agreed-to amendment. Thank you.

The SPEAKER. Thank you very much.

Does any other member wish to be recognized on amendment 1948?

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

The following roll call was recorded:

YEAS-108

Table with 4 columns of names: Acosta, Adolph, Barbin, Bishop, Bizzarro, Boyle, Bradford, Briggs, Brown, V., Burns, Caltagirone, Carroll, Cohen, Conklin, Corbin, Costa, D., Costa, P., Cruz, Daley, M., Daley, P., Davidson, Davis, Dawkins, Dean, Deasy, Donatucci, Driscoll, Ellis, Evans, Fabrizio, Farina, Farry, Flynn, Frankel, Freeman, Gainey, Galloway, Gergely, Gibbons, Godshall, Goodman, Hanna, Harhai, Harkins, Harris, J., Helm, Irvin, James, Kampf, Kavulich, Kinsey, Kirkland, Kortz, Kotik, Lewis, Longietti, Maher, Mahoney, Markosek, Matzie, McCarter, McNeill, Miccarelli, Miller, D., Milne, Mullery, Mustio, Neuman, O'Brien, O'Neill, Parker, C., Parker, D., Pashinski, Payne, Petarca, Ravenstahl, Readshaw, Reed, Roebuck, Ross, Rozzi, Sainato, Samuelson, Santarsiero, Schlossberg, Schreiber, Schweyer, Sims, Snyder, Sonney, Staats, Sturla, Taylor, Thomas, Vitali, Watson, Wheatley, White, Youngblood

DeLissio	Keller, W.	Petri	Turzai,
Dermody	Killion	Quinn	Speaker
DiGiroloamo	Kim		

NAYS—87

Baker	Gillespie	Major	Regan
Barrar	Gingrich	Maloney	Roae
Benninghoff	Greiner	Marshall	Saccone
Bloom	Grove	Marsico	Sankey
Boback	Hahn	Masser	Santora
Brown, R.	Harhart	McGinnis	Saylor
Causer	Harper	Mentzer	Schemel
Christiana	Harris, A.	Metcalfe	Simmons
Cox	Heffley	Metzgar	Stephens
Culver	Hennessey	Millard	Tallman
Cutler	Hickernell	Miller, B.	Tobash
Day	Hill	Moul	Toepel
Delozier	Jozwiak	Murt	Toohil
Diamond	Kaufner	Nesbit	Topper
Dunbar	Kauffman	Oberlander	Truitt
Dush	Keller, F.	Ortitay	Vereb
Emrick	Keller, M.K.	Peifer	Ward
English	Klunk	Pickett	Warner
Evankovich	Knowles	Quigley	Wentling
Everett	Krieger	Rader	Wheeland
Fee	Lawrence	Rapp	Zimmerman
Gillen	Mackenzie	Reese	

NOT VOTING—0

EXCUSED—3

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

On the question,

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

Ms. ACOSTA offered the following amendment No. **A02195**:

Amend Bill, page 1, line 16, by inserting after "laws," in preliminary provisions, further providing for definitions; and,

Amend Bill, page 1, line 20, by inserting after "licenses" and for unlawful acts relative to liquor, alcohol and liquor licensees

Amend Bill, page 1, lines 23 through 26, by striking out all of said lines and inserting

Section 1. The definitions of "alcohol," "denatured alcohol" and "liquor" in section 102 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14), are amended and the section is amended by adding a definition to read:

Section 102. Definitions.—The following words or phrases, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

"Alcohol" shall mean ethyl alcohol of any degree of proof originally produced by the distillation of any fermented liquid, whether rectified or diluted with or without water, whatever may be the origin thereof, and shall include powdered or crystalline alcohol and synthetic ethyl alcohol, but shall not mean or include ethyl alcohol, whether or not diluted, that has been denatured or otherwise rendered unfit for beverage purposes.

"Denatured alcohol" shall mean and include all alcohol or any

compound thereof which by the admixture of such denaturing material or materials is rendered unfit for use as a beverage. The term shall not include powdered or crystalline alcohol.

"Liquor" shall mean and include any alcoholic, spirituous, vinous, fermented or other alcoholic beverage, powdered or crystalline alcohol, or combination of liquors and mixed liquor a part of which is spirituous, vinous, fermented or otherwise alcoholic, including all drinks or drinkable liquids, preparations or mixtures, and reused, recovered or redistilled denatured alcohol usable or taxable for beverage purposes which contain more than one-half of one per cent of alcohol by volume, except pure ethyl alcohol and malt or brewed beverages.

"Powdered or crystalline alcohol" shall mean a powdered or crystalline product prepared or sold for either direct use or reconstitution for human consumption that contains any amount of alcohol when hydrolyzed.

Section 2. Section 431(d)(2) of the act, amended December 20, 1996 (P.L.1513, No.196), is amended to read:

Amend Bill, page 2, by inserting between lines 23 and 24

Section 3. Section 491 of the act is amended by adding a paragraph to read:

Section 491. Unlawful Acts Relative to Liquor, Alcohol and Liquor Licensees.—

It shall be unlawful—

(15) Possession, purchase, sale or use of powdered or crystalline alcohol. For any person to possess, purchase, sell, offer to sell or use powdered or crystalline alcohol. This paragraph shall not apply to commercial or industrial use specifically approved by State law, a hospital that operates primarily for the purpose of conducting scientific research, a State institution conducting bona fide research, a private college or university conducting bona fide research or a pharmaceutical company conducting bona fide research.

Amend Bill, page 2, line 24, by striking out "2" and inserting 4

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes Representative Acosta.

Ms. ACOSTA. Thank you, Mr. Speaker.

This is also an agreed-to amendment. Basically this amendment is to ban or expand – or to create a definition for "powdered alcohol," while also banning the possession, purchase, sale, or use of powdered alcohol in the State of Pennsylvania.

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

Mr. PETRI. Mr. Speaker, this is an agreed-to amendment. The ban of powdered alcohol, I think, is an important issue to be considered by the members. Thank you.

The SPEAKER. Does anybody else wish to be recognized?

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

On the question recurring,

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

The SPEAKER. It is my understanding that there are no other amendments, that all other amendments have been withdrawn. My understanding is that all other amendments have been withdrawn.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 826, PN 1841**, entitled:

An Act amending Titles 45 (Legal Notices) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in general provisions, requiring executive orders to have a fiscal note; in effectiveness of documents, further providing for effective date of documents; in Independent Fiscal Office, requiring the Independent Fiscal Office to prepare fiscal notes for executive orders; and making an inconsistent repeal of certain provisions of The Administrative Code of 1929.

On the question,

Will the House agree to the bill on second consideration?

Mr. **NEUMAN** offered the following amendment No. **A02262**:

Amend Bill, page 1, line 14, by striking out all of said line and inserting

(1) Notwithstanding any other provision of law, each executive

Amend Bill, page 1, by inserting between lines 16 and 17

(2) Notwithstanding any other provision of law, regulation or rule to the contrary, any proposed order of court establishing a State or local rule of court which projects or proposes an increase or decrease in Commonwealth revenue or expenditures for the unified judicial system shall require a fiscal analysis prior to its adoption by the Supreme Court.

Amend Bill, page 2, line 17, by striking out "a paragraph" and inserting

paragraphs

Amend Bill, page 3, by inserting between lines 20 and 21

(9) Notwithstanding any provision of law, regulation or rule to the contrary, beginning January 1, 2016, and if requested by a member of the Judiciary Committee of the Senate or a member of the Judiciary Committee of the House of Representatives, prepare a fiscal analysis for each proposed State or local rule of court as proposed by the Supreme Court of the Commonwealth which projects or proposes an increase or decrease in Commonwealth expenditures for operations of the unified judicial system. The fiscal analysis shall be published in the Pennsylvania Bulletin and shall include, but not be limited to, an analysis of the following:

(i) Whether the proposed court rule would increase or decrease the cost of administration of justice for the unified judicial system.

(ii) The effect the proposed rule would have on the administration of justice.

(iii) Any other financial data or information the office deems appropriate to determine the impact of the proposed rule on Commonwealth revenue and expenditures of the unified judicial system.

(iv) Any projected cost savings or increases that may result from adoption and implementation of the proposed rule, if any.

(v) Projected return on investment that may result from adoption and implementation of the proposed rule.

(vi) An estimate of the fiscal impact of the proposed rule on Commonwealth revenue.

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

The SPEAKER. Representative Driscoll, on the question, sir.
Mr. DRISCOLL. Mr. Speaker, I believe that is Representative Neuman's amendment.

The SPEAKER. Okay. Amendment 2262, I have listed under Representative Driscoll, but we will move to Representative Neuman.

Representative Neuman, you will be offering amendment 2262, sir?

Mr. NEUMAN. Yes, Mr. Speaker.

The SPEAKER. Representative Neuman, the floor is yours, sir.

Mr. NEUMAN. Thank you, Mr. Speaker.

This amendment would require the IFO, the Independent Fiscal Office, to prepare a fiscal note upon request of any Senator or Representative when a proposed State or local rule of court is proposed by the Supreme Court of this Commonwealth. Similar to doing it to the executive branch, this would require an IFO report statement for the judicial branch.

Thank you, Mr. Speaker.

The SPEAKER. Thank you.

Representative Gingrich, on amendment 2262. Thank you.

Mrs. GINGRICH. Thank you, Mr. Speaker.

And while I very much appreciate my colleague's interest in sharing transparency for the Pennsylvania taxpayers, I do want to have people focus on the fact that this bill is specifically written to address Executive orders exclusively, rather than in this case, the courts or in statute or legislation.

Therefore, I would ask for a "no" vote on this amendment.

The SPEAKER. Anybody else wish to be recognized?

Representative Neuman, for the second time.

Mr. NEUMAN. Thank you, Mr. Speaker.

Like the previous speaker said, we do want to have transparency, no matter what branch of government that this is. There is no motion on the floor for germaneness or anything of that nature, so I assume that this amendment is in order. And this amendment is clearly a transparency and good-government amendment that will allow the General Assembly to get a report from the IFO when it deals with the judicial branch. If we are going to do it for the executive branch, we should also do it for the judicial branch. It is something I encourage the members to vote "yes" on. Thank you.

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

The following roll call was recorded:

YEAS—79

Acosta	Dawkins	Harkins	Pashinski
Barbin	Dean	Harris, J.	Petrarca
Bishop	Deasy	Kavulich	Ravenstahl
Bizzarro	DeLissio	Keller, W.	Readshaw
Boyle	Dermody	Kim	Roebuck
Bradford	Donatucci	Kinsey	Rozzi
Briggs	Driscoll	Kirkland	Sainato
Brown, V.	Evans	Kortz	Samuelson
Burns	Fabrizio	Kotik	Santarsiero
Caltagirone	Farina	Longietti	Schlossberg
Carroll	Flynn	Mahoney	Schreiber
Cohen	Frankel	Markosek	Schweyer
Conklin	Freeman	Matzie	Sims
Costa, D.	Gainey	McCarter	Snyder
Costa, P.	Galloway	McNeill	Sturla
Cruz	Gergely	Miller, D.	Thomas
Daley, M.	Gibbons	Mullery	Vitali
Daley, P.	Goodman	Neuman	Wheatley
Davidson	Hanna	O'Brian	Youngblood
Davis	Harhai	Parker, C.	

NAYS—116

Adolph	Greiner	Marsico	Roae
Baker	Grove	Masser	Ross
Barrar	Hahn	McGinnis	Saccone
Benninghoff	Harhart	Mentzer	Sankey
Bloom	Harper	Metcalfe	Santora
Boback	Harris, A.	Metzgar	Saylor
Brown, R.	Heffley	Miccarelli	Schemel
Causar	Helm	Millard	Simmons
Christiana	Hennessey	Miller, B.	Sonney
Corbin	Hickernell	Milne	Staats
Cox	Hill	Moul	Stephens
Culver	Irvin	Murt	Tallman
Cutler	James	Mustio	Taylor
Day	Jozwiak	Nesbit	Tobash
Delozier	Kampf	O'Neill	Toepel
Diamond	Kaufner	Oberlander	Toohil
DiGirolamo	Kauffman	Ortitay	Topper
Dunbar	Keller, F.	Parker, D.	Truitt
Dush	Keller, M.K.	Payne	Vereb
Ellis	Killion	Peifer	Ward
Emrick	Klunk	Petri	Warner
English	Knowles	Pickett	Watson
Evankovich	Krieger	Quigley	Wentling
Everett	Lawrence	Quinn	Wheeland
Farry	Lewis	Rader	White
Fee	Mackenzie	Rapp	Zimmerman
Gillen	Maher	Reed	
Gillespie	Major	Reese	Turzai,
Gingrich	Maloney	Regan	Speaker
Godshall	Marshall		

NOT VOTING—0

EXCUSED—3

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

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

Mr. O'BRIEN offered the following amendment No. A02263:

Amend Bill, page 1, line 14, by striking out all of said line and inserting

(1) Notwithstanding any other provision of law, each executive

Amend Bill, page 1, by inserting between lines 16 and 17

(2) Notwithstanding any rule of the Senate or the House of Representatives to the contrary, each bill or resolution which projects or proposes an increase or decrease in Commonwealth revenue or expenditures for corrections and public safety shall require a fiscal analysis prior to consideration by the appropriate standing committee of the chamber in which the bill or resolution was initially introduced.

Amend Bill, page 2, line 17, by striking out "a paragraph" and inserting

paragraphs

Amend Bill, page 3, by inserting between lines 20 and 21

(9) Notwithstanding any rule of the Senate or the House of Representatives to the contrary, beginning January 1, 2016, and if requested by a member of the Appropriations Committee of the chamber in which the bill or resolution was introduced, prepare a fiscal analysis for each bill or resolution which projects or proposes an increase or decrease in Commonwealth expenditures exceeding \$5,000,000 for corrections and public safety. The fiscal analysis shall be published in the Pennsylvania Bulletin and shall provide, but not be limited to, the following:

(i) An indication of whether the proposed bill or resolution would increase the cost of other State and local programs concerned with corrections and public safety for the Commonwealth or its political subdivisions.

(ii) A description of the effect of the projected or proposed increase or decrease in Commonwealth expenditures on corrections and public safety.

(iii) A designation of the fund, if applicable, out of which the appropriation providing for expenditures under the bill or resolution will be made.

(vi) A description of the long-term impact of the projected or proposed decreases in Commonwealth expenditures for corrections and public safety.

(vii) The projected cost savings.

(vii) The projected return on investment that results from increase in expenditures for corrections and public safety.

(viii) An estimate of the fiscal impact of expenditure reductions or increases on other Commonwealth or local program expenditures concerned with corrections and public safety.

On the question,

Will the House agree to the amendment?

The SPEAKER. Representative O'Brien is recognized on that question.

Mr. O'BRIEN. Thank you, Mr. Speaker.

I would like to begin by making crystal clear that the House Republican Appropriations staff and the House Democratic Appropriations staff are second to none. They are the brightest, hardest working people in this building. But sometimes mommy and daddy disagree. Sometimes you have two sets of good and decent people who come up with a different number on an issue.

Now, what this amendment does is allow a member of the Appropriations Committee to go to the Independent Fiscal Office and ask for a ruling on an issue specifically dealing with

corrections, specifically over or under \$5 million. As we are all aware, corrections is a major issue in the budget. It is not a budget item to be taken lightly. And sometimes, sometimes you just need a third voice in this.

Therefore, I offer this amendment, and I would ask the members' support.

The SPEAKER. Representative Gingrich, on the amendment.

Mrs. GINGRICH. Thank you. Mr. Speaker.

And I am happy to join with my colleague in recognizing the great staff we have in Appropriations, both sides, and in the Senate. It gives me an opportunity to remind everyone that on every piece of legislation, before it comes before the House, it is run with a fiscal note through both the House and the Senate.

So once again, I would ask you to vote "no" on this amendment not being necessary in conjunction with this bill. Thank you.

The SPEAKER. Representative O'Brien, for the second time.

Mr. O'BRIEN. Thank you, Mr. Speaker.

I agree with the gentelady that each bill has a fiscal note attached to it. I am still going to go back to my original premise that sometimes there is an honest disagreement, an honest disagreement, between two groups of decent, hardworking people. Simply asking with this that the Independent Fiscal Office, again, independent, be the arbitrator of this issue and put guidance down on this issue.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-80

Acosta	Dawkins	Harkins	Pashinski
Barbin	Dean	Harris, J.	Petrarca
Bishop	Deasy	Kavulich	Ravenstahl
Bizzarro	DeLissio	Keller, W.	Readshaw
Boyle	Dermody	Kim	Roebuck
Bradford	Donatucci	Kinsey	Rozzi
Briggs	Driscoll	Kirkland	Sainato
Brown, V.	Evans	Kortz	Samuelson
Burns	Fabrizio	Kotik	Santarsiero
Caltagirone	Farina	Longietti	Schlossberg
Carroll	Flynn	Mahoney	Schreiber
Cohen	Frankel	Markosek	Schweyer
Conklin	Freeman	Matzie	Sims
Costa, D.	Gainey	McCarter	Snyder
Costa, P.	Galloway	McNeill	Sturla
Cruz	Gergely	Miller, D.	Taylor
Daley, M.	Gibbons	Mullery	Thomas
Daley, P.	Goodman	Neuman	Vitali
Davidson	Hanna	O'Brien	Wheatley
Davis	Harhai	Parker, C.	Youngblood

NAYS-114

Adolph	Godshall	Maloney	Regan
Baker	Greiner	Marshall	Roae
Barrar	Grove	Marsico	Ross
Benninghoff	Hahn	Masser	Saccone
Bloom	Harhart	McGinnis	Sankey
Boback	Harper	Mentzer	Santora
Brown, R.	Harris, A.	Metcalfe	Saylor
Causar	Heffley	Metzgar	Schemel
Christiana	Helm	Miccarelli	Simmons
Corbin	Hennessey	Millard	Sonney

Cox	Hickernell	Miller, B.	Staats
Culver	Hill	Milne	Stephens
Cutler	Irvin	Moul	Tallman
Day	James	Murt	Tobash
Delozier	Jozwiak	Mustio	Toepel
Diamond	Kampf	Nesbit	Toohil
DiGirolo	Kaufman	O'Neill	Topper
Dunbar	Kauffman	Oberlander	Truitt
Dush	Keller, F.	Ortitay	Vereb
Ellis	Keller, M.K.	Payne	Ward
Emrick	Killion	Peifer	Warner
English	Clunk	Petri	Watson
Evankovich	Knowles	Pickett	Wentling
Everett	Krieger	Quigley	Wheeland
Farry	Lawrence	Quinn	White
Fee	Lewis	Rader	Zimmerman
Gillen	Mackenzie	Rapp	
Gillespie	Maher	Reed	Turzai,
Gingrich	Major	Reese	Speaker

NOT VOTING—1

Parker, D.

EXCUSED—3

DeLuca Gabler Pyle

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

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

Mr. **SIMS** offered the following amendment No. **A02264**:

Amend Bill, page 1, line 14, by striking out all of said line and inserting

- (1) Notwithstanding any other provision of law, each executive Amend Bill, page 1, by inserting between lines 16 and 17
- (2) Notwithstanding any other provision of law or regulation to the contrary, selected legislation, including a joint or concurrent resolution, referred to either the Judiciary Committee of the Senate or the Judiciary Committee of the House of Representatives may include a judicial impact statement as a means of assessing the effects of the selected legislation on the courts and the Department of Corrections. All judicial impact statements prepared in accordance with this paragraph shall be published in the Pennsylvania Bulletin. A judicial impact statement, when requested by a Senator or Representative, shall be prepared by the Independent Fiscal Office established under 71 Pa.C.S. § 4103 (relating to office established) in consultation with the Administrative Office of the Supreme Court and, if determined appropriate by the Independent Fiscal Office, the Secretary of Corrections. A judicial impact statement shall include, but not be limited to, an estimate, in dollars, of the amount by which the selected legislation would increase or decrease revenues or expenditures of the unified judicial system and the Department of Corrections, and any other information which explains the fiscal effect of the selected legislation on manpower and costs to the unified judicial system and the Department of Corrections.

Amend Bill, page 2, line 17, by striking out "a paragraph" and inserting

- paragraphs
- Amend Bill, page 3, by inserting between lines 20 and 21
- (9) Prepare a judicial impact statement on selected

legislation, including any joint or concurrent resolution, referred to the Judiciary Committee of the Senate and the Judiciary Committee of the House of Representatives, when requested by a Senator or Representative. Other legislation, including a joint or concurrent resolution, concerned with the administration of justice or the Department of Corrections may be analyzed as staff resources permit. Each judicial impact statement prepared in accordance with this paragraph shall:

- (i) Include a fiscal analysis of the legislation or joint or concurrent resolution.
- (ii) Include a description of the potential impact on manpower and costs to the unified judicial system and the Department of Corrections, if applicable.
- (ii) Be presented to the respective committee members prior to the date on which the legislation, including a joint or concurrent resolution, will be considered by the appropriate standing committee.

Judicial impact statements authorized under this paragraph shall be prepared on a 12-month trial basis. Thereafter, the cost and effectiveness of judicial impact statements shall be evaluated by the office, in consultation with the chairman and minority chairman of the Judiciary Committee of the Senate, or their designees, and the chairman and minority chairman of the Judiciary Committee of the House of Representatives, or their designees.

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

The SPEAKER. The good gentleman, Representative Sims, is recognized to speak on the amendment, sir.

Mr. SIMS. Thank you, Mr. Speaker.

Mr. Speaker, amendment 2264 requires the IFO to prepare judicial impact statements upon the request of a Senator or Representative on selected legislation, including any joint or concurrent resolution referred to the Judiciary Committee of the Senate and the Judiciary Committee of the House of Representatives.

Unlike a fiscal note, Mr. Speaker, a judicial impact statement shall include, but is not limited to, an estimate, in actual dollars, of the amount by which the selected legislation would increase or decrease revenues or expenditures of the unified judicial system and the Department of Corrections and any other information which explains the fiscal effect of the selected legislation on manpower and cost of the unified judicial system of the Department of Corrections – again, Mr. Speaker, unlike a fiscal note.

The SPEAKER. Thank you, sir.
Representative Gingrich, on the amendment.

Mrs. GINGRICH. Thank you, Mr. Speaker.

A judicial impact statement is not a fiscal note, and on that basis, I would ask a "no" vote on this amendment.

The SPEAKER. Does anybody else wish to be recognized?

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

The following roll call was recorded:

YEAS—80

Acosta	Dawkins	Harkins	Pashinski
Barbin	Dean	Harris, J.	Petrarca
Bishop	Deasy	Kavulich	Ravenstahl
Bizzarro	DeLissio	Keller, W.	Readshaw

Boyle	Dermody	Kim	Roebuck
Bradford	Donatucci	Kinsey	Rozzi
Briggs	Driscoll	Kirkland	Sainato
Brown, V.	Evans	Kortz	Samuelson
Burns	Fabrizio	Kotik	Santarsiero
Caltagirone	Farina	Longietti	Schlossberg
Carroll	Flynn	Mahoney	Schreiber
Cohen	Frankel	Markosek	Schweyer
Conklin	Freeman	Matzie	Sims
Costa, D.	Gainey	McCarter	Snyder
Costa, P.	Galloway	McNeill	Sturla
Cruz	Gergely	Miller, D.	Taylor
Daley, M.	Gibbons	Mullery	Thomas
Daley, P.	Goodman	Neuman	Vitali
Davidson	Hanna	O'Brien	Wheatley
Davis	Harhai	Parker, C.	Youngblood

NAYS—115

Adolph	Greiner	Marshall	Regan
Baker	Grove	Marsico	Roae
Barrar	Hahn	Masser	Ross
Benninghoff	Harhart	McGinnis	Saccone
Bloom	Harper	Mentzer	Sankey
Boback	Harris, A.	Metcalfe	Santora
Brown, R.	Heffley	Metzgar	Saylor
Causar	Helm	Miccarelli	Schemel
Christiana	Hennessey	Millard	Simmons
Corbin	Hickernell	Miller, B.	Sonney
Cox	Hill	Milne	Staats
Culver	Irvin	Moul	Stephens
Cutler	James	Murt	Tallman
Day	Jozwiak	Mustio	Tobash
DeLozier	Kampf	Nesbit	Toepel
Diamond	Kaufert	O'Neill	Toohil
DiGirolamo	Kauffman	Oberlander	Topper
Dunbar	Keller, F.	Ortitay	Truitt
Dush	Keller, M.K.	Parker, D.	Vereb
Ellis	Killion	Payne	Ward
Emrick	Klunk	Peifer	Warner
English	Knowles	Petri	Watson
Evankovich	Krieger	Pickett	Wentling
Everett	Lawrence	Quigley	Whealand
Farry	Lewis	Quinn	White
Fee	Mackenzie	Rader	Zimmerman
Gillen	Maher	Rapp	
Gillespie	Major	Reed	Turzai,
Gingrich	Maloney	Reese	Speaker
Godshall			

NOT VOTING—0

EXCUSED—3

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

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

Mr. **DRISCOLL** offered the following amendment No. **A02266**:

Amend Bill, page 1, line 14, by striking out all of said line and inserting

- (1) Notwithstanding any other provision of law, each executive
- Amend Bill, page 1, by inserting between lines 16 and 17
- (2) Notwithstanding any rule of the Senate or the House

of Representatives to the contrary, each bill or resolution which projects or proposes an increase or decrease in Commonwealth revenue or expenditures for human services programs, including child welfare, subsidized child care, addiction treatment and prevention, mental health, domestic violence, developmental disabilities, homelessness prevention and senior citizens home care and transportation services, shall require a fiscal analysis prior to consideration by the appropriate standing committee of the chamber in which the bill or resolution was initially introduced.

Amend Bill, page 2, line 17, by striking out "a paragraph" and inserting

paragraphs
Amend Bill, page 3, by inserting between lines 20 and 21
(9) Notwithstanding any rule of either the Senate or the House of Representatives to the contrary, beginning January 1, 2016, and if requested by a member of the Appropriations Committee of the chamber in which the bill or resolution was introduced, prepare a fiscal analysis for each bill or resolution which projects or proposes an increase or decrease in Commonwealth expenditures exceeding \$5,000,000 for human services programs, including child welfare, subsidized child care, addiction treatment and prevention, mental health, domestic violence, developmental disabilities, homelessness prevention and senior citizens home care and transportation services. The fiscal analysis shall be published in the Pennsylvania Bulletin and shall include, but not be limited to, the following:

- (i) Whether the proposed bill or resolution would increase the cost of other State and local programs, including other human services programs, for the Commonwealth or its political subdivisions.
- (ii) A description of the effect of the projected or proposed increase or decrease in Commonwealth expenditures for the human services programs enumerated in this paragraph.
- (iii) A designation of the fund, if applicable, out of which the appropriation providing for expenditures under the bill or resolution will be made.
- (iv) A forecast of the number of and demographic information on Commonwealth residents that will be impacted by the proposed bill or resolution.
- (v) A description of the effect the proposed bill or resolution will have on the Commonwealth's economy, including on businesses. Such description shall be evidenced-based and calculated from available data, including economic forecasts, United States Census Bureau information and labor statistics.
- (vi) If applicable, the long-term impact of the projected or proposed decreases in Commonwealth expenditures for the human services programs enumerated in this paragraph.
- (vii) The projected cost savings, if any.
- (viii) The projected return on investment that results from increase in expenditures for the human services programs enumerated in this paragraph.
- (ix) An estimate of the fiscal impact of expenditure reductions or increases on other Commonwealth or local human services programs.

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

The SPEAKER. On that question, we recognize— That has been changed. It will be Representative Driscoll's amendment. And it is amendment 2266, Representative Driscoll's amendment.

Mr. DRISCOLL. Thank you, Mr. Speaker.

This amendment requires the IFO to prepare a fiscal note, if requested by a member of the Appropriations Committee of the chamber in which the bill or resolution was introduced, for each bill or resolution which projects or proposes, Mr. Speaker, an increase or decrease in the Commonwealth expenditures exceeding \$5 million for human services programs.

Thank you, Mr. Speaker.

The SPEAKER. Representative Gingrich, on the amendment.

Mrs. GINGRICH. Thank you again, Mr. Speaker.

And once again, I want to say that I do appreciate so many of us looking, especially during this challenging budget time that we face, and in this case, the extraordinary money that we spend in human services for a protective net for those most in need. However, the fiscal notes are run on the floor and in the Senate on every bill that affects that spending as well as the budget. So I ask for a "no" vote on this amendment.

The SPEAKER. Does anybody else wish to be recognized on this amendment?

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

The following roll call was recorded:

YEAS—80

Acosta	Dawkins	Harkins	Pashinski
Barbin	Dean	Harris, J.	Petrarca
Bishop	Deasy	Kavulich	Ravenstahl
Bizzarro	DeLissio	Keller, W.	Readshaw
Boyle	Dermody	Kim	Roebuck
Bradford	Donatucci	Kinsey	Rozzi
Briggs	Driscoll	Kirkland	Sainato
Brown, V.	Evans	Kortz	Samuelson
Burns	Fabrizio	Kotik	Santarsiero
Caltagirone	Farina	Longietti	Schlossberg
Carroll	Flynn	Mahoney	Schreiber
Cohen	Frankel	Markosek	Schweyer
Conklin	Freeman	Matzie	Sims
Costa, D.	Gainey	McCarter	Snyder
Costa, P.	Galloway	McNeill	Sturla
Cruz	Gergely	Miller, D.	Taylor
Daley, M.	Gibbons	Mullery	Thomas
Daley, P.	Goodman	Neuman	Vitali
Davidson	Hanna	O'Brien	Wheatley
Davis	Harhai	Parker, C.	Youngblood

NAYS—115

Adolph	Greiner	Marshall	Regan
Baker	Grove	Marsico	Roae
Barrar	Hahn	Masser	Ross
Benninghoff	Harhart	McGinnis	Saccone
Bloom	Harper	Mentzer	Sankey
Boback	Harris, A.	Metcalfe	Santora
Brown, R.	Heffley	Metzgar	Saylor
Causar	Helm	Miccarelli	Schemel
Christiana	Hennessey	Millard	Simmons
Corbin	Hickernell	Miller, B.	Sonney
Cox	Hill	Milne	Staats
Culver	Irvin	Moul	Stephens
Cutler	James	Murt	Tallman
Day	Jozwiak	Mustio	Tobash
Delozier	Kampf	Nesbit	Toepel
Diamond	Kaufner	O'Neill	Toohil
DiGirolamo	Kauffman	Oberlander	Topper
Dunbar	Keller, F.	Ortitay	Truitt
Dush	Keller, M.K.	Parker, D.	Vereb

Ellis	Killion	Payne	Ward
Emrick	Klunk	Peifer	Warner
English	Knowles	Petri	Watson
Evankovich	Krieger	Pickett	Wentling
Everett	Lawrence	Quigley	Wheeland
Farry	Lewis	Quinn	White
Fee	Mackenzie	Rader	Zimmerman
Gillen	Maher	Rapp	
Gillespie	Major	Reed	Turzai,
Gingrich	Maloney	Reese	Speaker
Godshall			

NOT VOTING—0

EXCUSED—3

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

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

Mr. PASHINSKI offered the following amendment
No. A02267:

Amend Bill, page 1, line 14, by striking out all of said line and inserting

(1) Notwithstanding any other provision of law, each executive

Amend Bill, page 1, by inserting between lines 16 and 17

(2) Notwithstanding any provision of law, regulation or rule of the Senate or any rule of the House of Representatives to the contrary, any contract for professional or technical services, including legal services, exceeding \$50,000 proposed to be entered into by the Senate or the House of Representatives shall require a fiscal analysis prepared by the Independent Fiscal Office established under 71 Pa.C.S. (relating to State Government).

Amend Bill, page 2, line 17, by striking out "a paragraph" and inserting

paragraphs

Amend Bill, page 3, by inserting between lines 20 and 21

(9) Notwithstanding any rule of the Senate or any rule of the House of Representatives to the contrary, beginning January 1, 2016, prepare a fiscal analysis of each contract for professional or technical services, including legal services, exceeding \$50,000 proposed to be entered into by the Senate or the House of Representatives. The fiscal analysis shall be published in the Pennsylvania Bulletin and shall include and show that:

(i) No current legislative employee is able and available to perform the services called for by the contract.

(ii) Reasonable efforts were made to publicize the availability of the contract to the public.

(iii) The Senate or House of Representatives, as the case may be, has received, reviewed and accepted a detailed work plan from the contractor for performance under the contract.

(iv) The Senate or House of Representatives, as the case may be, has developed and fully intends to implement a written plan providing for:

(A) The assignment of appropriate staff to a monitoring and liaison function during the performance of the contract.

(B) The periodic review of interim

reports or other indications of past performance.
(C) The ultimate utilization of the final
product of the services contracted.
(v) The contract will not establish an
employment relationship between the Senate or House of
Representatives and the persons performing under the
contract.
(vi) The work to be performed under the
contract is necessary and essential to the achievement of
legislative responsibilities.
(vii) The combined contract and any amendment
will not extend for more than three years.

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

The SPEAKER. On that question, Representative Pashinski.
 Mr. PASHINSKI. Thank you, Mr. Speaker.

I, too, very much appreciate the efforts by the Representative presenting HB 826 today, keeping the interest of our taxpayers fully informed as to the proceedings throughout the legislative process. HB 826, of course, deals directly with the executive branch of the government, and although we have the Office of the Budget, which presents their financial findings, the maker of the bill feels as though the public must be informed and make sure that they are aware of exactly what the Executive order will cost. I think that is a good thing. I think that is good that we make sure that the people of Pennsylvania understand exactly how we are spending their dollars. But I think also that it is important that if we are going to suggest that the executive branch remain under scrutiny, I think it is important that both the Senate and the House also have the same kind of scrutiny. So for that reason, I present amendment A02267 in an effort for fairness and balance within the legislative system.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, sir.

Representative Gingrich, on the amendment.

Mrs. GINGRICH. Thank you, Mr. Speaker.

And once again, I want to say I appreciate all the interest in this bill and the good discussion, and I do want to point out for one last time here that it is designed to specifically address that which is an Executive order rather than statute, legislation, or contracts. Even though there may be merit in those, they need to be handled in a different capacity. So I ask for a "no" vote on this amendment.

The SPEAKER. Do any other members wish to speak on this amendment?

Representative Pashinski, for the second time.

Mr. PASHINSKI. Thank you, Mr. Speaker, and I appreciate the gentlelady's comments.

Again, to make sure that everything is balanced, to make sure that the people of Pennsylvania know exactly how we are spending their dollars, I would recommend that you consider seriously voting "yes" for this amendment. It holds us accountable, just like it does the Governor. Thank you.

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

The following roll call was recorded:

YEAS—80

Acosta	Dawkins	Harkins	Parker, C.
Barbin	Dean	Harris, J.	Pashinski
Bishop	Deasy	Kaufert	Petrarca
Bizzarro	DeLissio	Kavulich	Ravenstahl
Boyle	Dermody	Keller, W.	Readshaw
Bradford	Donatucci	Kim	Roebuck
Briggs	Driscoll	Kinsey	Rozzi
Brown, V.	Evans	Kirkland	Sainato
Burns	Fabrizio	Kortz	Samuelson
Caltagirone	Farina	Kotik	Santarsiero
Carroll	Flynn	Longietti	Schlossberg
Cohen	Frankel	Mahoney	Schreiber
Conklin	Freeman	Markosek	Schweyer
Costa, D.	Gainey	Matzie	Sims
Costa, P.	Galloway	McCarter	Snyder
Cruz	Gergely	McNeill	Sturla
Daley, M.	Gibbons	Miller, D.	Thomas
Daley, P.	Goodman	Mullery	Vitali
Davidson	Hanna	Neuman	Whettley
Davis	Harhai	O'Brien	Youngblood

NAYS—115

Adolph	Greiner	Marsico	Roae
Baker	Grove	Masser	Ross
Barrar	Hahn	McGinnis	Saccone
Benninghoff	Harhart	Mentzer	Sankey
Bloom	Harper	Metcalfe	Santora
Boback	Harris, A.	Metzgar	Saylor
Brown, R.	Heffley	Miccarelli	Schemel
Causar	Helm	Millard	Simmons
Christiana	Hennessey	Miller, B.	Sonney
Corbin	Hickernell	Milne	Staats
Cox	Hill	Moul	Stephens
Culver	Irvin	Murt	Tallman
Cutler	James	Mustio	Taylor
Day	Jozwiak	Nesbit	Tobash
Delozier	Kampf	O'Neill	Toepel
Diamond	Kauffman	Oberlander	Toohil
DiGirolamo	Keller, F.	Ortitay	Topper
Dunbar	Keller, M.K.	Parker, D.	Truitt
Dush	Killion	Payne	Vereb
Ellis	Klunk	Peifer	Ward
Emrick	Knowles	Petri	Warner
English	Krieger	Pickett	Watson
Evankovich	Lawrence	Quigley	Wentling
Everett	Lewis	Quinn	Wheeland
Farry	Mackenzie	Rader	White
Fee	Maher	Rapp	Zimmerman
Gillen	Major	Reed	
Gillespie	Maloney	Reese	Turzai,
Gingrich	Marshall	Regan	Speaker
Godshall			

NOT VOTING—0

EXCUSED—3

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

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

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1198, PN 1750**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in corporate net income tax, providing for amended reports.

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—195

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

Dunbar	Kim	Pickett	Youngblood
Dush	Kinsey	Quigley	Zimmerman
Ellis	Kirkland	Quinn	
Emrick	Klunk	Rader	Turzai,
English	Knowles	Rapp	Speaker
Evankovich			

NAYS—0

NOT VOTING—0

EXCUSED—3

DeLuca	Gabler	Pyle
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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.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Representative Dunbar is recognized on unanimous consent.

Mr. DUNBAR. Thank you, Mr. Speaker.

I just want to thank the members for their affirmative vote and submit my written comments for the record.

The SPEAKER. Thank you, sir. They will be accepted.

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

HB 1198 would remove an existing anomaly and make Pennsylvania law consistent with other States, while providing our corporations with certainty in our tax policy in the filing of amended corporate tax returns in Pennsylvania.

Currently there is no statutory basis for the filing of an amended report to correct an error otherwise not required to be filed on a report of change (RCT-101). The filing of an amended report is provided for in the regulations (61 Pa. Code § 151.14). An example of this would be a multistate corporation files their Federal and all State tax returns. After filing, they realize an error in how income is apportioned to the various States. This would not necessitate a change to their Federal return but would change their Pennsylvania return. In most States, an amended return would be filed for the corporation to obtain a potential refund. Under current procedure, the Department of Revenue has unbridled discretion in acting on an amended report. In addition, there is no requirement that the department communicate whether it will accept an amended report. There are no appeal rights if a taxpayer does not obtain the requested relief.

In other words, the Department of Revenue's current policy is a trap for the unwary, especially out-of-State corporations doing business in Pennsylvania. In many instances, corporate taxpayers file amended reports as a means to correct a problem like the aforementioned one. Corporate taxpayers are unaware that the Department of Revenue will not grant relief on certain issues, such as business/nonbusiness income or equitable apportionment. In many instances, the Department of Revenue's inaction results in a loss of appeal and refund rights.

The confusion results from the fact that the IRS (Internal Revenue Service) and many States have formal procedures for filing amended returns, and in many instances, appeal rights if relief is not granted. The Pennsylvania amended report process is an anomaly. The codification of an amended report process would constitute good tax policy and alleviate this trap for the unwary and provide a more economical way of resolving tax issues without having to use the

formal administrative appeal/refund process.

I thank all the members for their affirmative vote on HB 1198.

VOTE CORRECTION

The SPEAKER. Representative Parker is recognized on unanimous consent.

Mr. PARKER. Mr. Speaker?

The SPEAKER. Yes, sir.

Mr. PARKER. On previous amendment A02263, which was on HB 826, my vote was not recorded, and it was my intention to be recorded in the negative.

The SPEAKER. Yes, sir. Thank you. That will be reflected in the record.

Mr. PARKER. Thank you.

BILLS SIGNED BY SPEAKER

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

SB 622, PN 644

An Act providing for elimination of certain reporting duties of the Legislative Budget and Finance Committee.

SB 699, PN 683

An Act authorizing the disposition of certain lands situate in Plymouth Township, Luzerne County, subject to Project 70 restrictions.

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

STATEMENT BY MR. BENNINGHOFF

The SPEAKER. Representative Kerry Benninghoff is recognized on unanimous consent.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Mr. Speaker, this Sunday was Father's Day, and I hope everybody had a good holiday with their families and friends. I wanted to take a moment, Mr. Speaker, just to say thank you out to our members. This time of the year we can have a tendency to not always be in agreement on everything, and sometimes our constituents do not always think that we get along, but the outpouring of kindness and concern for my family at the recent loss of my father, both by Democrats and Republicans, was really tremendous. I took many of your well wishes and cards and blessings from your churches to my mother, who happens to be in the hospital right now. From our family to yours, we say thank you very much.

We are a good chamber, we try to do good things, and our difference in opinions is often set aside when it comes down to our families, and I just want to say a wholehearted thank you on behalf of my family on the recent loss of my father.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Representative.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. Chairman Daryl Metcalfe of the State Government Committee is recognized for an announcement.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, the State Government Committee will have a voting meeting tomorrow, Tuesday, June 23, and it was scheduled for 8 a.m. in G-50 of the Irvis Office Building. This is to alert the members that that is being moved to 7:30 a.m., Mr. Speaker.

We have a number of amendments, Mr. Speaker, that have been filed, so to accommodate the members who wanted to file amendments, to make sure we have enough time to debate those, we have changed our meeting time to 7:30 a.m., and that will be in G-50 of the Irvis Office Building, and we will be considering HB 941, SB 640, SB 644, SB 645, as well as any other business that is brought before the committee, Mr. Speaker.

So that is 7:30 for State Government Committee members, tomorrow morning, 7:30 a.m., G-50 of the Irvis Office Building, and I will look forward to seeing all of our smiling members at that time, Mr. Speaker. Thank you.

The SPEAKER. For those members of the State Government Committee, it is 7:30 a.m. tomorrow.

STATEMENT BY MR. SIMMONS

The SPEAKER. Representative Justin Simmons on unanimous consent.

Mr. SIMMONS. Thank you, Mr. Speaker.

On a more positive note, I just wanted to announce that my wife and I are going to be expecting a baby in January. Thank you.

The SPEAKER. Congratulations, Representative, and to your lovely wife.

BILLS RECOMMITTED

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

HB 603;
HB 826;
HB 1070;
HB 1110;
HB 1164; and
HB 1196.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 810 be removed from the tabled calendar and placed on the active calendar.

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

HOUSE BILLS INTRODUCED AND REFERRED

No. 1385 By Representative ADOLPH

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure; and making an appropriation from a restricted account within the Agricultural College Land Scrip Fund.

Referred to Committee on APPROPRIATIONS, June 22, 2015.

No. 1386 By Representative ADOLPH

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the chancellor to make an annual report of the operations of the University of Pittsburgh," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Referred to Committee on APPROPRIATIONS, June 22, 2015.

No. 1387 By Representative ADOLPH

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making an appropriation for carrying the same into effect; providing for a basis for payments of such appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Referred to Committee on APPROPRIATIONS, June 22, 2015.

No. 1388 By Representative ADOLPH

A Supplement to the act of July 7, 1972 (P.L.743, No.176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University," making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Referred to Committee on APPROPRIATIONS, June 22, 2015.

No. 1389 By Representative ADOLPH

An Act making appropriations to the Trustees of the University of Pennsylvania.

Referred to Committee on APPROPRIATIONS, June 22, 2015.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Representative Justin Simmons moves that this House be adjourned until Tuesday, June 23, 2015, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:14 p.m., e.d.t., the House adjourned.