

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 22, 2011

SESSION OF 2011

195TH OF THE GENERAL ASSEMBLY

No. 49

HOUSE OF REPRESENTATIVES

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

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

PRAYER

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

Gracious God, we bow our heads in praise. As we prepare to do Your work, we acknowledge You are the way, the truth, and the life. You have given us the greatest gift – freedom. Your Word teaches us that freedom is love, not just a right, but also a duty, enabling us to choose between good and evil.

Give us the courage to do our best work with Your character in our hearts. Give us strength to be humble public servants by remembering Penn, Washington, Franklin, and Lincoln, who all bent their knees to You in building this great nation. Help us to see each citizen of this great Commonwealth through Your eyes, where all are equal in Your sight.

In facing the challenges of this day, give us Your grace to be slow to anger, to never lose faith, and to know that with Your help, all things are possible.

Bless the sacrifices of our soldiers who continue to fight in foreign lands to protect our freedoms. Bless those that bear freedom's scars. In preparing this budget, help us to remember their sacrifices.

And all of God's children said amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, June 21, 2011, will be postponed until printed.

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

HB 1333, PN 2169 (Amended) By Rep. BENNINGHOFF

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for additions to tax.

FINANCE.

HB 1525, PN 2023

By Rep. GODSHALL

An Act amending the act of December 21, 1989 (P.L.672, No.87), known as the Health Club Act, further providing for employee available to administer CPR.

CONSUMER AFFAIRS.

HB 1586, PN 1952

By Rep. BENNINGHOFF

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

FINANCE.

HB 1630, PN 2079

By Rep. HESS

An Act amending the act of June 28, 1947 (P.L.1110, No.476), known as the Motor Vehicle Sales Finance Act, further providing for revocation or suspension of licenses.

COMMERCE.

HB 1670, PN 2168 (Amended)

By Rep. METCALFE

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Susquehanna Township Authority a permanent sanitary sewer easement over certain lands of the Commonwealth of Pennsylvania, situate in Susquehanna Township, Dauphin County; authorizing the Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, to grant and convey to East Norriton Township certain lands situate in East Norriton Township, Montgomery County, in exchange for East Norriton Township's granting and conveying certain lands to the Commonwealth of Pennsylvania to be added to the existing lands of the Norristown Farm Park; authorizing the Department of General Services, with the

approval of the Department of Conservation and Natural Resources and the Governor, to remove the deed restrictions on a portion of the lands previously conveyed by the Department of General Services in accordance with section 1(c) of the act of July 10, 1985 (P.L.201, No.51); and authorizing East Norriton Township to convey the property it receives from the Commonwealth of Pennsylvania pursuant to this act to Montgomery County for nominal consideration for public highway improvements.

STATE GOVERNMENT.

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

SB 3, PN 1286 By Rep. QUINN

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for compliance with Federal health care legislation.

INSURANCE.

SB 419, PN 1405 (Amended) By Rep. HARHART

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, providing for the definition of "area of responsibility"; further providing for reimbursement for all parts and service required by the manufacturer or distributor and reimbursement audits; providing for area of responsibility; further providing for grounds for disciplinary proceedings; and making a related repeal.

PROFESSIONAL LICENSURE.

SB 1096, PN 1291 By Rep. QUINN

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for purpose, for definitions, for acting for or aiding nonadmitted insurers, for requirements for eligible surplus lines insurers, for surplus lines licensee's duty to notify insured, for exempt risks, for surplus lines advisory organizations, for licensing of surplus lines licensee, for surplus lines licensees may accept business from insurance producer, for surplus lines tax, for tax on independently procured insurance and for suspension, revocation or nonrenewal of surplus lines licensee's license.

INSURANCE.

SB 1097, PN 1279 By Rep. QUINN

An Act amending the act of July 6, 1917 (P.L.723, No.262), entitled "An act imposing a tax on premiums of insurance and reinsurance in foreign insurance companies and associations not registered in this Commonwealth; providing the method of collection of such tax, and imposing penalties," further providing for tax on contracts with unauthorized companies and deductions.

INSURANCE.

SB 1131, PN 1389 By Rep. MARSICO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in general provisions relating to civil actions and proceedings, amending provisions relating to comparative negligence.

JUDICIARY.

LEAVES OF ABSENCE

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

The minority whip indicates there are no requests of leave.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—201

Adolph	Dunbar	Kirkland	Ravenstahl
Aument	Ellis	Knowles	Readshaw
Baker	Emrick	Kortz	Reed
Barbin	Evankovich	Kotik	Reese
Barrar	Evans, D.	Krieger	Reichley
Bear	Evans, J.	Kula	Roae
Benninghoff	Everett	Lawrence	Rock
Bishop	Fabrizio	Longietti	Roebuck
Bloom	Farry	Maher	Ross
Boback	Fleck	Mahoney	Sabatina
Boyd	Frankel	Major	Saccone
Boyle, B.	Freeman	Maloney	Sainato
Boyle, K.	Gabler	Mann	Samuelson
Bradford	Galloway	Markosek	Santarsiero
Brennan	Geist	Marshall	Santoni
Briggs	George	Marsico	Saylor
Brooks	Gerber	Masser	Scavello
Brown, R.	Gergely	Matzie	Schroder
Brown, V.	Gibbons	McGeehan	Shapiro
Brownlee	Gillen	Metcalfe	Simmons
Burns	Gillespie	Metzgar	Smith, K.
Buxton	Gingrich	Miccarelli	Smith, M.
Caltagirone	Godshall	Millard	Sonney
Carroll	Goodman	Miller	Staback
Causer	Grell	Milne	Stephens
Christiana	Grove	Mirabito	Stern
Clymer	Hackett	Moul	Stevenson
Cohen	Hahn	Mullery	Sturla
Conklin	Haluska	Mundy	Swanger
Costa, D.	Hanna	Murphy	Tallman
Costa, P.	Harhai	Murt	Taylor
Cox	Harhart	Mustio	Thomas
Creighton	Harkins	Myers	Tobash
Cruz	Harper	Neuman	Toepel
Culver	Harris	O'Brien, D.	Toohil
Curry	Heffley	O'Brien, M.	Truitt
Cutler	Helm	O'Neill	Turzai
Daley	Hennessey	Oberlander	Vereb
Davidson	Hess	Parker	Vitali
Davis	Hickernell	Pashinski	Vulakovich
Day	Hornaman	Payne	Wagner
Deasy	Hutchinson	Payton	Waters
DeLissio	Johnson	Peifer	Watson
Delozier	Josephs	Petrarca	Wheatley
DeLuca	Kampf	Petri	White
Denlinger	Kauffman	Pickett	Williams
DePasquale	Kavulich	Preston	Youngblood
Dermody	Keller, F.	Pyle	
DeWeese	Keller, M.K.	Quigley	Smith, S.,
DiGirolamo	Keller, W.	Quinn	Speaker
Donatucci	Killion	Rapp	

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Micozzie

Perry

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

The House will be at ease for a few minutes.

**THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING**

The SPEAKER pro tempore. The House will come to order.

Will the gentleman, Mr. Grell, please come to the podium.

Will the gentleman, Mr. Grell, Representative Delozier, and Representative Bloom please come to the rostrum.

Members, kindly take your seats. Members, please clear the aisles. The Sergeants at Arms, please clear the aisles.

**CUMBERLAND VALLEY HIGH SCHOOL
GIRLS SOCCER TEAM PRESENTED**

The SPEAKER pro tempore. At this time Representatives Grell, Delozier, and Bloom are going to be jointly presenting a citation to the Cumberland Valley Girls Soccer Team.

The gentleman, Mr. Grell, is recognized.

Mr. GRELL. Thank you, Mr. Speaker.

Today I am pleased to be joined by Representatives Delozier and Bloom, who represent with me the Cumberland Valley School District, to recognize the girls soccer team for winning the 2011 PIAA State Girls Spring Soccer Championship, and this is an especially proud day for me because these are my girls. They have had an outstanding season. They capped it off— Mr. Speaker?

The SPEAKER pro tempore. The gentleman is correct.

Members, there is entirely too much noise. We will not proceed until we can quiet down a little bit.

Thank you.

Mr. GRELL. Thank you, Mr. Speaker, and thank you, members.

This is an outstanding team. They had a fantastic season record of 27 wins and 1 loss, and they just had an outstanding playoff run. They won their conference championship, they won their District 3 championship, and then they capped it off with winning the State championship. And I can vouch for it because during the playoff run, I was able to make every one of their games except the one when we were voting on the budget that night. I had to miss that one. During that run, they had 10 wins and 0 losses, and they outscored their opponents 40 goals to 0. Every one of the 10 playoff games was a shutout. And they even added a little icing on the cake yesterday when the National Soccer Coaches Association of America came out with their final season rankings, and this team was ranked No. 1 in the country.

GUESTS INTRODUCED

Mr. GRELL. Joining us here today, we have on the rostrum two of the captains – Kelly Pizzingrilli and Emily Roquemore. We also have Steph Bartikowski, who is a key member of the team even though she was injured for the entire season, but she was as important to this championship as any member of the team. Also joining us are assistant coach Maggie Futato and head coach Seth Lehman. In the back of the chamber, we have the rest of the girls on the team, and we have a legion of rabid fans, parents, friends, and siblings. They are also joined by the superintendent of the Cumberland Valley schools, Bill Harner, and the athletic director, Mike Craig. At this time I would like to ask the members of the team in the back of the chamber to stand up and receive some additional recognition from the House members. Ladies, congratulations.

And thank you, Mr. Speaker. I am pleased to offer this citation to all the members of the team, cosponsored by myself, Representative Delozier, and Representative Bloom, and once again congratulate these girls on an absolutely outstanding season.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and congratulates the champions and the No. 1 ranked team in the country.

FORMER MEMBERS WELCOMED

The SPEAKER pro tempore. It is my understanding that former Representative Kelly Lewis is seated with the soccer team. Is that true? Please rise and be recognized.

Also with us is former Representative Mayernik. Is he with us? Please rise and be recognized, in the rear of the hall.

GUESTS INTRODUCED

The SPEAKER pro tempore. Located at the left of the rostrum, the Chair welcomes Katie Jennings. She is the guest of Representative Bloom. Katie, please rise and be recognized.

Also with us, located to the left of the rostrum, the Chair welcomes Jimmy Smith, a summer intern in Representative Mirabito's district office. Jimmy is a senior at Lock Haven University majoring in political science. Upon graduation he plans to attend Penn State Dickinson School of Law. Welcome.

Located to the left, again, of the rostrum, the Chair welcomes Gabrielle Betance. She is an intern in Representative Moul's district office and is attending Dickinson College. Welcome.

Again to the left of the rostrum, the Chair welcomes Cheyanne Cutler. She is spending the day with her father, Representative Bryan Cutler. Please rise and be recognized.

Again located to the left of the Speaker, the Chair welcomes Cody Bowersox, who is the guest of Representative Fred Keller. Welcome.

And lastly, located in the well of the House, the Chair welcomes guest page Caleb Crizer. Caleb is a 2011 graduate of Kennard Dale High School in York County. He recently attained the rank of Eagle Scout. His future plans are to attend York Institute of Art and possibly join the Air Force Reserves.

Caleb's father, Gregory, is also here today and located to the left of the Speaker. They are the guests of Representative Stan Saylor. Welcome. Please rise and be recognized.

Also located to the left of the Speaker, the Chair welcomes Ethan Demme, who is the guest of Representative Scott Boyd and the Lancaster delegation. Please rise and be recognized.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. PETRARCA called up **HR 345, PN 2147**, entitled:

A Resolution designating the month of August 2011 as "Pennsylvania Produce Month" in this Commonwealth.

* * *

Mr. WILLIAMS called up **HR 348, PN 2150**, entitled:

A Resolution honoring the career and lifetime accomplishments of Oprah Gail Winfrey.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—199

Adolph	Dunbar	Knowles	Ravenstahl
Aument	Ellis	Kortz	Readshaw
Baker	Emrick	Kotik	Reed
Barbin	Evankovich	Krieger	Reese
Barrar	Evans, D.	Kula	Reichley
Bear	Evans, J.	Lawrence	Roae
Benninghoff	Everett	Longietti	Rock
Bishop	Fabrizio	Maher	Roebuck
Bloom	Farry	Mahoney	Ross
Boback	Fleck	Major	Sabatina
Boyd	Frankel	Maloney	Saccone
Boyle, B.	Freeman	Mann	Sainato
Boyle, K.	Galloway	Markosek	Samuelson
Bradford	Geist	Marshall	Santarsiero
Brennan	George	Marsico	Santoni
Briggs	Gerber	Masser	Saylor
Brooks	Gergely	Matzie	Scavello
Brown, R.	Gibbons	McGeehan	Schroder
Brown, V.	Gillespie	Metcalfe	Shapiro
Brownlee	Gingrich	Metzgar	Simmons
Burns	Godshall	Miccarelli	Smith, K.
Buxton	Goodman	Millard	Smith, M.
Caltagirone	Grell	Miller	Sonney
Carroll	Grove	Milne	Staback
Causar	Hackett	Mirabito	Stephens
Christiana	Hahn	Moul	Stern
Clymer	Haluska	Mullery	Stevenson
Cohen	Hanna	Mundy	Sturla
Conklin	Harhai	Murphy	Swanger
Costa, D.	Harhart	Murt	Tallman
Costa, P.	Harkins	Mustio	Taylor
Cox	Harper	Myers	Thomas
Creighton	Harris	Neuman	Tobash
Cruz	Heffley	O'Brien, D.	Toepel
Culver	Helm	O'Brien, M.	Toohil
Curry	Hennessey	O'Neill	Truitt
Cutler	Hess	Oberlander	Turzai

Daley	Hickernell	Parker	Vereb
Davidson	Hornaman	Pashinski	Vitali
Davis	Hutchinson	Payne	Vulakovich
Day	Johnson	Payton	Wagner
Deasy	Josephs	Peifer	Waters
DeLissio	Kampf	Petrarca	Watson
DeLozier	Kauffman	Petri	Wheatley
DeLuca	Kavulich	Pickett	White
Denlinger	Keller, F.	Preston	Williams
DePasquale	Keller, M.K.	Pyle	Youngblood
Dermody	Keller, W.	Quigley	
DeWeese	Killion	Quinn	Smith, S., Speaker
DiGirolamo	Kirkland	Rapp	
Donatucci			

NAYS—2

Gabler Gillen

NOT VOTING—0

EXCUSED—2

Micozzie Perry

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

REPUBLICAN CAUCUS

The SPEAKER pro tempore. At this time the Chair recognizes the gentlelady, Ms. Major, for a caucus announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus immediately at the call of the recess. For the information of the members, and if I could please have your attention, I understand that there will be an Appropriations Committee meeting and also a Rules Committee meeting, and I would instruct members to please listen to the announcements. We do not have a time on those two meetings yet, but if you would, please, I want members to be aware those meetings will be held. So I would ask our caucus members, our Republicans, to please report to caucus immediately at the call of the recess. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

LOCAL GOVERNMENT COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Creighton, for an announcement.

Mr. CREIGHTON. Mr. Speaker, I call a meeting of the Local Government Committee, immediately following the recess, in room 205, Ryan Building; immediately at the call of the Chair. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Local Government Committee will meet in room 205, Ryan Building, at the call of the Chair.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Frankel, for a caucus announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

The Democrats will caucus immediately; Democrats will caucus immediately. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

RECESS

The SPEAKER pro tempore. Any other announcements?

Seeing none, this House now stands in recess until the call of the Chair.

AFTER RECESS

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

**THE SPEAKER (SAMUEL H. SMITH)
PRESIDING****RULES AND APPROPRIATIONS
COMMITTEE MEETINGS**

The SPEAKER. There will be a Rules Committee meeting at 1 p.m. and an Appropriations Committee meeting immediately following.

RECESS

The SPEAKER. The House will stand in recess until 1:30.

AFTER RECESS

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

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

HB 1290, PN 2181 (Amended) By Rep. HUTCHINSON

An Act providing for the testing of new, environmentally beneficial and energy efficient technologies within various State agencies.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1691, PN 2182 (Amended) By Rep. HUTCHINSON

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, in general provisions, defining "yard waste," and in grants, further providing for general limitations.

ENVIRONMENTAL RESOURCES AND ENERGY.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 309, PN 1969

By Rep. HUTCHINSON

A Concurrent Resolution establishing a forestry task force to study issues concerning the renewal and management of this Commonwealth's forests; providing for an advisory committee; and directing the Joint Legislative Air and Water Pollution Control and Conservation Committee to provide administrative support to the task force.

ENVIRONMENTAL RESOURCES AND ENERGY.

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

SB 151, PN 125

By Rep. HUTCHINSON

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for disposition of fees, fines and civil penalties.

ENVIRONMENTAL RESOURCES AND ENERGY.

SB 303, PN 1406 (Amended)

By Rep. HUTCHINSON

An Act amending the act of October 18, 1988 (P.L.756, No.108), known as the Hazardous Sites Cleanup Act, further providing for the fund and for civil penalties.

ENVIRONMENTAL RESOURCES AND ENERGY.

SB 304, PN 281

By Rep. HUTCHINSON

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for public review of State implementation plans.

ENVIRONMENTAL RESOURCES AND ENERGY.

SB 791, PN 821

By Rep. HUTCHINSON

An Act amending the act of May 13, 1980 (P.L.122, No.48), known as the Bluff Recession and Setback Act, further providing for definitions; and making editorial changes.

ENVIRONMENTAL RESOURCES AND ENERGY.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1699 By Representatives ROEBUCK, BISHOP, BROWNLEE, McGEEHAN, W. KELLER and WILLIAMS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for distress in school districts of the first class.

Referred to Committee on EDUCATION, June 22, 2011.

No. 1709 By Representatives ROAE, BAKER, HORNAMAN, DENLINGER, BROOKS, RAPP, ROCK, SWANGER, TAYLOR, VULAKOVICH, DALEY and MURT

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child custody, further providing for consideration of criminal conviction.

Referred to Committee on JUDICIARY, June 22, 2011.

No. 1712 By Representative NEUMAN

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as the Real Estate Appraisers Certification Act, further providing for State Board of Certified Real Estate Appraisers.

Referred to Committee on PROFESSIONAL LICENSURE, June 22, 2011.

No. 1713 By Representatives TRUITT, KILLION, CLYMER, CONKLIN, GERGELY, HACKETT, HARKINS, PARKER, WAGNER and MURT

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

Referred to Committee on LABOR AND INDUSTRY, June 22, 2011.

No. 1714 By Representatives ROAE, CARROLL, CREIGHTON, CUTLER, GIBBONS, GINGRICH, GRELL, HARRIS, KAVULICH, MASSER, MURT, RAPP, REED, SCAVELLO, SCHRODER, SWANGER and TRUITT

An Act prohibiting depictions of members of the General Assembly in certain public service announcements; and prescribing a penalty.

Referred to Committee on STATE GOVERNMENT, June 22, 2011.

No. 1716 By Representatives R. BROWN, SCAVELLO, SCHRODER, YOUNGBLOOD, D. COSTA, P. COSTA, CRUZ, FLECK, KNOWLES, MARSICO, MUSTIO, OBERLANDER, M. O'BRIEN, QUINN, STEPHENS, SWANGER, TAYLOR, VEREB and VULAKOVICH

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for Category 3 slot machine license.

Referred to Committee on GAMING OVERSIGHT, June 22, 2011.

SENATE BILLS FOR CONCURRENCE

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

SB 388, PN 1388

Referred to Committee on INSURANCE, June 22, 2011.

SB 800, PN 1324

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, June 22, 2011.

SB 1127, PN 1317

Referred to Committee on EDUCATION, June 22, 2011.

BILLS REREPORTED FROM COMMITTEE

HB 755, PN 846

By Rep. ADOLPH

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for other meeting expenses paid by counties.

APPROPRIATIONS.

HB 838, PN 1854

By Rep. ADOLPH

An Act amending the act of June 6, 1980 (P.L.197, No.57), known as the Optometric Practice and Licensure Act, defining "ophthalmic surgery"; and further defining "practice of optometry."

APPROPRIATIONS.

HB 934, PN 2166

By Rep. ADOLPH

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preliminary provisions, defining "proof of identification"; in the Secretary of the Commonwealth, providing for requirements relating to voter identification; and, in preparation for and conduct of primaries and elections, further providing for manner of applying to vote, persons entitled to vote, voter's certificates, entries to be made in district register, numbered lists of voters and challenges.

APPROPRIATIONS.

HB 1026, PN 1113

By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for oaths and acknowledgments.

APPROPRIATIONS.

HB 1269, PN 2161

By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a special license plate for recipients of the Silver Star, Bronze Star and Bronze Star for Valor and for special plates for recipients of Distinguished Service Cross, Distinguished Flying Cross, Navy Cross or Air Force Cross.

APPROPRIATIONS.

HB 1355, PN 1584

By Rep. ADOLPH

An Act designating the westbound bridge carrying Interstate 90 over Six Mile Creek in Harborcreek Township, Erie County, as the Jarrid L. King Memorial Bridge.

APPROPRIATIONS.

HB 1646, PN 2163

By Rep. ADOLPH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of aggravated assault.

APPROPRIATIONS.

SB 302, PN 279

By Rep. ADOLPH

An Act amending the act of July 2, 1993 (P.L.359, No.50), known as the Keystone Recreation, Park and Conservation Fund Act, further providing for annual reports; and making editorial changes.

APPROPRIATIONS.

SB 387, PN 373

By Rep. ADOLPH

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for resident license and fee exemptions.

APPROPRIATIONS.

SB 745, PN 744

By Rep. ADOLPH

An Act amending the act of July 5, 1984 (P.L.587, No.119), known as the Rail Freight Preservation and Improvement Act, further providing for contracts, procurement and sale of property and competition in award of contracts.

APPROPRIATIONS.

CALENDAR**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 606, PN 770**, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for the designation of the Crawford Lakelands Byway as a scenic byway.

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 1203, PN 1598**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further regulating antique, classic and collectible plates.

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

BILLS REREPORTED FROM COMMITTEE**HB 148, PN 2144**

By Rep. TURZAI

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions, for sales by liquor licensees and restrictions, for sale of malt or brewed beverages by liquor licensees, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for distributors' and importing distributors' restrictions on sales, storage, etc., for retail dispensers' restrictions on purchases and sales, for malt or brewed beverages manufactured outside this Commonwealth, for brand registration, for limiting number of retail licenses to be issued in

each county, for licenses not assignable and transfers, for revocation and suspension of licenses and fines, for local option, for unlawful acts relative to liquor, malt and brewed beverages and licensees and for limited wineries.

RULES.

HB 1548, PN 2087

By Rep. TURZAI

An Act amending the act of May 13, 1915 (P.L.286, No.177), known as the Child Labor Law, further providing for definitions, for regulated employment, for employment of children at establishments where alcoholic beverages or malt liquor is sold and for permits; imposing duties on the department; further providing for educational requirements and for prohibitions regarding work hours; providing for transfers to minor child performer trust accounts; and further providing for employment certificate.

RULES.

HB 1644, PN 2060

By Rep. TURZAI

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in contracts, further providing for sales of personal property and surplus farm products.

RULES.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 227, PN 991**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for application for registration certificate, for issuance of registration certificate and for records; providing for disclosure; and further providing for emergency closure.

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

BILL RECOMMITTED

The SPEAKER. The Speaker recognizes the majority leader, who moves that SB 227, PN 991, be recommitted to the Appropriations Committee.

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

* * *

The House proceeded to second consideration of **SB 326, PN 1387**, entitled:

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, providing for certificate of birth resulting in stillbirth.

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

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

HB 1549, PN 1900

By Rep. CREIGHTON

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in names and corporate powers and classification of counties, further providing for counties divided into nine classes.

LOCAL GOVERNMENT.

HB 1696, PN 2141

By Rep. CREIGHTON

An Act providing for a temporary moratorium of court-ordered countywide reassessments and for reforms based upon study.

LOCAL GOVERNMENT.

**RESOLUTIONS REPORTED
FROM COMMITTEE**

HR 343, PN 2145

By Rep. CREIGHTON

A Resolution establishing a task force to develop a set of uniform standards for county reassessment contracting, develop standards for disclosing the county's system of property valuation and assessment, develop a self-evaluation tool for counties to determine when a reassessment is warranted and recommend a standard to be used for a Statewide mandatory reassessment time frame.

LOCAL GOVERNMENT.

HR 344, PN 2146

By Rep. CREIGHTON

A Resolution establishing a task force to develop criteria and procedures for data submission, verification and collection to address insufficient sample data and/or to assure and disclose that the sample data relied on to develop a county's performance measure during a reassessment is representative of the bulk of the county's property inventory.

LOCAL GOVERNMENT.

GUESTS INTRODUCED

The SPEAKER. The Speaker would like to introduce some guests that are with us. To the left of the Speaker, as guests of Representative Miccarelli, we welcome Maj. Harry Gobora, Sgt. Thomas Mead, WO Eric Eberth, and they are members of the Wall Street Warfighters Foundation, providing financial services training to disabled veterans. Will our guests please rise, and welcome to the hall of the House.

The House will come to order. The members will please take their seats.

SUPPLEMENTAL CALENDAR C

RESOLUTION PURSUANT TO RULE 35

Mr. PAYTON called up **HR 350, PN 2172**, entitled:

A Resolution recognizing and honoring Bernard Hopkins for his achievements and contributions to the sport of boxing and the City of Philadelphia.

On the question,

Will the House adopt the resolution?

The SPEAKER. If we could have the members' attention; if we could clear the aisles, limit the conversations. Would the gentlemen in the well please clear out a little bit. Could we have the members' attention, please? Could we have the members' attention? The House will please come to order. The members will please take their seats. The Speaker thanks the gentlemen.

The question before the House is, will the House adopt the resolution?

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

Mr. PAYTON. Thank you, Mr. Speaker.

What a great day to have a world champion here in the House with us, the Light Heavyweight Champion of the World, Mr. Bernard Hopkins, from Philadelphia. Mr. Hopkins has amassed a record of 65 and 2, and let me tell you, those 5 were some controversial decisions, some controversial decisions. He is a story of redemption, a role model for young people of what you could do if you focus your energy on the positive, and he surpassed George Foreman as the oldest champion in boxing history, somebody who is surely destined for the Boxing Hall of Fame.

And he told me this today, that boxing is what he does, not who he is. Who he is is a great person who is community-oriented and is very focused on training and is in the best shape of his life. At 46 I would be scared to spar with him; I would be scared to spar with him.

So without further ado, let us give a round of applause to the world champion, Bernard Hopkins.

The SPEAKER. The question is, will the House adopt the resolution?

On that question, the Speaker recognizes the gentleman from Philadelphia, Mr. Jewell Williams.

Mr. WILLIAMS. Thank you, Mr. Speaker.

I get the opportunity to say a few good words about Bernard Hopkins. Some of us who were born and raised in north Philadelphia knew very much of his family, knew very much of his uncles. He is joined now by Rudy Battle, who happens to be a commissioner in boxing. He was a very instrumental person in helping Bernard Hopkins. But for many years Bernard Hopkins has given back, and the story of leadership and mentorship means so much – a man of second chances. It would be so nice if every person who may have had any kind of problem in their past would do good things like he is doing in the present.

So today I rise to support Bernard Hopkins, my friend for many years, friends of our family, friends of my family for many years. I urge everyone to support this resolution. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

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

The following roll call was recorded:

YEAS—201

Adolph	Dunbar	Kirkland	Ravenstahl
Aument	Ellis	Knowles	Readshaw
Baker	Emrick	Kortz	Reed
Barbin	Evankovich	Kotik	Reese
Barrar	Evans, D.	Krieger	Reichley
Bear	Evans, J.	Kula	Roae
Benninghoff	Everett	Lawrence	Rock
Bishop	Fabrizio	Longiatti	Roebuck
Bloom	Farry	Maher	Ross
Boback	Fleck	Mahoney	Sabatina
Boyd	Frankel	Major	Saccone
Boyle, B.	Freeman	Maloney	Sainato
Boyle, K.	Gabler	Mann	Samuelson
Bradford	Galloway	Markosek	Santarsiero
Brennan	Geist	Marshall	Santoni
Briggs	George	Marsico	Saylor
Brooks	Gerber	Masser	Scavello
Brown, R.	Gergely	Matzie	Schroder
Brown, V.	Gibbons	McGeehan	Shapiro
Brownlee	Gillen	Metcalfe	Simmons
Burns	Gillespie	Metzgar	Smith, K.
Buxton	Gingrich	Miccarelli	Smith, M.
Caltagirone	Godshall	Millard	Sonney
Carroll	Goodman	Miller	Staback
Causar	Grell	Milne	Stephens
Christiana	Grove	Mirabito	Stern
Clymer	Hackett	Moul	Stevenson
Cohen	Hahn	Mullery	Sturla
Conklin	Haluska	Mundy	Swanger
Costa, D.	Hanna	Murphy	Tallman
Costa, P.	Harhai	Murt	Taylor
Cox	Harhart	Mustio	Thomas
Creighton	Harkins	Myers	Tobash
Cruz	Harper	Neuman	Toepel
Culver	Harris	O'Brien, D.	Toohil
Curry	Heffley	O'Brien, M.	Truitt
Cutler	Helm	O'Neill	Turzai
Daley	Hennessey	Oberlander	Vereb
Davidson	Hess	Parker	Vitali
Davis	Hickernell	Pashinski	Vulakovich
Day	Hornaman	Payne	Wagner
Deasy	Hutchinson	Payton	Waters
DeLissio	Johnson	Peifer	Watson
Delozier	Josephs	Petrarca	Wheatley
DeLuca	Kampf	Petri	White
Denlinger	Kauffman	Pickett	Williams
DePasquale	Kavulich	Preston	Youngblood
Dermody	Keller, F.	Pyle	
DeWeese	Keller, M.K.	Quigley	Smith, S.,
DiGirolamo	Keller, W.	Quinn	Speaker
Donatucci	Killion	Rapp	

NAYS—0

NOT VOTING—0

EXCUSED—2

Micozzie Perry

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

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1307, PN 1543**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in intermediate units, further providing for subsidies for services and for financial reports.

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

Mr. **McGEEHAN** offered the following amendment
No. **A03284**:

Amend Bill, page 1, line 5, by inserting after "thereto," in school finances, further providing for distress in school districts of the first class;

Amend Bill, page 1, line 6, by striking out "and" and inserting a comma

Amend Bill, page 1, line 7, by inserting after "reports" and for removal of district superintendents

Amend Bill, page 1, lines 10 through 12, by striking out all of said lines and inserting

Section 1. Section 696(i)(3) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended October 30, 2001 (P.L.828, No.83), is amended to read:

Section 696. Distress in School Districts of the First Class.—* * *

(i) In addition to all powers granted to the superintendent by law and a special board of control under section 693 and notwithstanding any other law to the contrary, the School Reform Commission shall have the following powers:

* * *

(3) To suspend the requirements of this act and regulations of the State Board of Education except that the school district shall remain subject to those provisions of this act set forth in section 1080, section 1732-A(a), (b) and (c) and section 1714-B and regulations under those sections.

* * *

Section 2. Section 907-A of the act, added May 4, 1970 (P.L.311, No.102), is amended to read:

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

Amend Bill, page 3, by inserting between lines 9 and 10

Section 4. Section 1080 of the act is amended to read:

Section 1080. Removal.—(a) District superintendents and assistant district superintendents may be removed from office, after hearing, by a majority vote of the board of school directors of the district, for neglect of duty, incompetency, intemperance, or immorality, of which hearing notice of at least one week has been sent by mail to the accused, as well as to each member of the board of school directors.

(b) A district superintendent whose school district has been issued a certification declaring the school district in financial distress under section 691 may be removed from office by a majority vote of the Senate and a majority vote of the House of Representatives.

Section 5. The amendment of sections 696(i)(3) and 1080 of the act shall apply to a district superintendent at a school district operating without an elected school board who is elected or appointed on or after the effective date of this section.

Amend Bill, page 3, line 10, by striking out "3" and inserting
6

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

AMENDMENT PASSED OVER TEMPORARILY

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

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

Mr. Speaker, may I ask your indulgence to go over this for just a few minutes?

The SPEAKER. We will go over that amendment temporarily.

Would the gentleman like us to go over the other two amendments you have as well temporarily?

Mr. McGEEHAN. Yes, Mr. Speaker, if you would.

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

Mr. **BRIGGS** offered the following amendment
No. **A03405**:

Amend Bill, page 1, line 7, by inserting after "reports"
; establishing standards for managing concussions and traumatic brain injuries to student athletes; assigning duties to the Department of Health and the Department of Education; imposing penalties; and establishing civil immunity under certain circumstances

Amend Bill, page 3, by inserting between lines 9 and 10
Section 3. The act is amended by adding an article to read:

ARTICLE XVI-C SAFETY IN YOUTH SPORTS

Section 1601-C. Definitions.

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

"Appropriate medical professional." All of the following:

(1) A licensed physician who is trained in the evaluation and management of concussions.

(2) A certified athletic trainer who is trained in the evaluation and management of concussions and works under the direction of a licensed physician.

(3) A licensed psychologist neuropsychologically trained in the evaluation and management of concussions or who has postdoctoral training in neuropsychology and specific training in the evaluation and management of concussions.

"Athletic activity." All of the following:

(1) Interscholastic athletics.

(2) An athletic contest or competition, other than interscholastic athletics, that is sponsored by or associated with a school entity, including cheerleading, club-sponsored sports activities and sports activities sponsored by school-affiliated organizations.

(3) Noncompetitive cheerleading that is sponsored by or associated with a school entity.

(4) Practices, interschool practices and scrimmages for all of the activities listed under paragraphs (1), (2) and (3).

"Interscholastic athletics." As defined in section 1602-A.

"School entity." As defined in section 1602-A.

Section 1602-C. Concussions and traumatic brain injuries.

(a) Educational materials.—The Department of Health and the Department of Education shall develop and post on their Internet websites guidelines and other relevant materials to inform and educate students participating in or desiring to participate in an athletic activity, their parents and their coaches, about the nature and risk of concussion and traumatic brain injury, including the risks associated with continuing to play or practice after a concussion or traumatic brain injury. In developing the guidelines and materials, the departments shall utilize existing materials developed by the Centers for Disease Control and Prevention. A student participating in or desiring to participate in an athletic activity and the student's parent or guardian shall each school year, prior to participation by the student in an athletic activity, sign and return to the student's school an acknowledgment of receipt and review of a concussion and traumatic brain injury information sheet developed under this subsection.

(b) Informational meeting.—A school entity may hold an informational meeting prior to the start of each athletic season for all ages of competitors regarding concussions and other head injuries, the importance of proper concussion management and how preseason baseline assessments can aid in the evaluation, management and recovery process. In addition to students, parents, coaches and other school officials, informational meetings may include physicians, neuropsychologists, athletic trainers and physical therapists.

(c) Removal from play.—A student who, as determined by a game official, coach from the student's team, certified athletic trainer, licensed physician, licensed physical therapist or other official designated by the student's school entity, exhibits signs or symptoms of a concussion or traumatic brain injury while participating in an athletic activity shall be removed by the coach from participation at that time.

(d) Return to play.—

(1) The student may not return to participation until the student is evaluated and cleared for return to participation in writing by an appropriate medical professional.

(2) The governing body of a school entity may establish a policy to designate a specific person or persons, who must be an appropriate medical professional, to provide written clearance for return to participation.

(3) In order to help determine whether a student is ready to return to play, the appropriate medical professional may consult any other licensed or certified medical professionals.

Section 1603-C. Training course.

Once each school year, a coach shall complete the concussion management certification training course offered by the Centers for Disease Control and Prevention, the National Federation of State High School Associations or another provider approved by the Department of Health. A coach shall not coach an athletic activity until the coach completes the training course required under this section.

Section 1604-C. Penalties.

The governing body of a school entity shall establish the following minimum penalties for a coach found in violation of the requirements under section 1602-C(c) or (d), which penalties shall take effect two years following the effective date of this section:

(1) For a first violation, suspension from coaching any athletic activity for the remainder of the season.

(2) For a second violation, suspension from coaching any athletic activity for the remainder of the season and for the next season.

(3) For a third violation, permanent suspension from coaching any athletic activity.

Section 1605-C. Other youth athletic activities.

The sponsors of youth athletic activities not specifically addressed by this article are encouraged to follow the guidance set forth in this article.

Section 1606-C. Construction.

Nothing in this article shall be construed to abridge or limit any rights provided under a collective bargaining agreement or any rights provided under the act of July 23, 1970 (P.L.563, No.195), known as

the Public Employe Relations Act.
Section 1607-C. Civil liability.

(a) Immunity.—A coach shall be immune from civil liability for acting or failing to act under section 1602-C(c) or (d) so long as the coach's action or failure to act is in compliance with section 1602-C(c) or (d).

(b) Construction.—Except as otherwise provided in subsection (a), nothing in this article shall be construed to create, establish, expand, reduce, contract or eliminate any civil liability on the part of any school entity or school employee.

Amend Bill, page 3, line 10, by striking out "3" and inserting

4

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

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

Mr. BRIGGS. Mr. Speaker, I would ask the permission to interrogate the chairman of the Education Committee.

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

Mr. BRIGGS. Mr. Speaker, we had a previous conversation, and I just wanted to confirm, regarding amendment 3405, which is the exact same as the proposed Safety in Youth Sports Act regarding concussions in youth sports, and we had a conversation regarding it being scheduled for the Education Committee meeting on Tuesday. Is that correct?

Mr. CLYMER. Mr. Speaker, that is correct. For the June 28, Tuesday, committee hearing, we are going to run SB 200.

Mr. BRIGGS. Thank you very much. That ends my interrogation.

Mr. CLYMER. And, Mr. Speaker, the gentleman and myself talked about another way that we could run the bill and we can move it more quickly through the process. And I would just encourage the gentleman, if he has influence; he knows the procedure that we talked about. I am willing to run the bill through another process if he can help me with that particular system.

Thank you, Mr. Speaker.

Mr. BRIGGS. I understand. Thank you, Mr. Speaker.

AMENDMENT WITHDRAWN

Mr. BRIGGS. I will be withdrawing amendment 3405 and the following amendments after. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. We are going to go over HB 1307 temporarily.

* * *

The House proceeded to second consideration of **HB 1416, PN 1690**, entitled:

An Act requiring the Department of Environmental Protection to submit annual reports relating to certain restricted accounts in the State Treasury.

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 1544, PN 2106**, entitled:

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, providing for certificates of death without cause of death listed.

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

Mrs. **KULA** offered the following amendment No. **A03236**:

Amend Bill, page 1, lines 13 and 14, by striking out "providing for ~~death~~ certificates OF DEATH " in line 13 and "WITHOUT CAUSE OF DEATH LISTED" in line 14 and inserting further providing for definitions; and providing for disposition of cremated remains of veterans and for certificates of death without cause of death listed

Amend Bill, page 2, lines 8 through 10, by striking out all of said lines and inserting

Section 1. Section 105 of the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, is amended by adding clauses to read:

Section 105. General Provisions: Definitions.—As used in this act—

* * *

(10) "Veteran" means a deceased person who qualifies for burial at a national cemetery under 38 U.S.C. (relating to veterans' benefits).

(11) "Veterans' service organization" means an association, corporation or other entity that qualifies under section 501(c)(3) or (19) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3) or (19)) as a tax exempt organization that has been organized for the benefit of veterans and recognized or chartered by the Congress of the United States. The term includes, but is not limited to, the Disabled American Veterans, the Veterans of Foreign Wars, the American Legion and the Vietnam Veterans of America. The term also includes a member or employee of an eligible nonprofit veterans' corporation, association or entity, such as the Missing In America Veteran Recovery Program, that specifically assists in facilitating the identification and interment or final disposition of unclaimed remains of American veterans.

(12) "National cemetery" means any cemetery under the control of the United States Department of Veterans Affairs National Cemetery Administration.

Section 2. The act is amended by adding sections to read:

Section 506.2. Death and Fetal Death Registration: Disposition of Cremated Remains of Veterans.—(a) A funeral director or funeral establishment which has held in its possession cremated remains for more than one hundred twenty (120) days from the date of cremation

may, in accordance with this section, determine if the cremated remains are those of a veteran and, if so, shall dispose of the remains as provided in this section.

(b) (1) Notwithstanding any law or regulation to the contrary, nothing in this section shall prevent a funeral director or funeral establishment from sharing information with the United States Department of Veterans Affairs, a veterans' service organization or a national cemetery for the purpose of determining whether the cremated remains are those of a veteran.

(2) A funeral director or funeral establishment shall be discharged from any legal obligations or liability with regard to releasing information to or sharing information with the United States Department of Veterans Affairs, a veterans' service organization or a national cemetery in accordance with this section.

(c) (1) If a funeral director or funeral establishment ascertains the cremated remains in its possession are those of a veteran and the funeral director or funeral establishment has not been instructed by the legally authorized person in control of the final disposition of the decedent to arrange for the final disposition of the cremated remains, the funeral director or funeral establishment shall relinquish possession of the cremated remains to a veterans' service organization.

(2) Final disposition shall be made in a national cemetery if the deceased veteran is eligible for interment in such a manner.

(d) The funeral director, funeral establishment or veterans' service organization, notwithstanding any law to the contrary, upon disposing of cremated remains in accordance with this section, shall be:

(1) Held harmless for any costs or damages, except if there is gross negligence or willful misconduct.

(2) Discharged from any legal obligation or liability concerning the cremated remains.

(e) When the estate of the decedent has been identified, the estate of the decedent shall be responsible for reimbursing a funeral director, funeral establishment or veterans' service organization for all reasonable expenses incurred in relation to the final disposition of the cremated remains.

(f) A funeral director or funeral establishment shall establish and maintain a record identifying the veterans' service organization receiving the cremated remains and the site designated for final disposition of the cremated remains.

(g) The funeral director or funeral establishment shall make a good faith effort to notify the next of kin of the identified cremated remains of the veteran.

(h) Nothing in this section shall require a funeral director or funeral establishment to:

(1) Determine or seek others to determine that an individual's cremated remains are those of a veteran if the funeral director or funeral establishment was informed by the legally authorized person in control of the final disposition of the cremated remains that the individual was not a veteran.

(2) Relinquish possession of the cremated remains to a veterans' service organization if the funeral director or funeral establishment was instructed by the legally authorized person in control of the cremated remains or had a reasonable belief that the decedent did not desire any funeral or burial-related services or ceremonies recognizing the decedent's service as a veteran.

(i) As used in this section, "final disposition" does not include the scattering of cremated remains.

Amend Bill, page 2, lines 16 and 17, by striking out all of said lines and inserting

Section 3. This act shall take effect as follows:

(1) The addition of section 508 of the act shall take effect June 30, 2012, or immediately, whichever is later.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. The lady indicates that she has withdrawn the amendment.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1026, PN 1113**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for oaths and acknowledgments.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the Speaker recognizes the gentleman from Berks County, Mr. Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I rise to ask for an affirmative vote on HB 1026.

Under my bill, any retired judge who left the bench in good standing would be authorized to administer oaths of office. Someone who is elected to public office, he or she often chooses another elected official with whom he or she has a close relationship to administer the oath of office to them. And often a retired judge will have been a member or an adviser to the newly elected official, yet under current law, retired judges may not formally administer the oath of office. By allowing retired judges to administer oaths of office, the swearing-in ceremony can be personalized and all the more meaningful to those who are new to public office.

I would ask the members to vote in the affirmative. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Dauphin County, Mr. Marsico.

Mr. MARSICO. Mr. Speaker, on the bill?

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

Mr. MARSICO. I would like to just let the members know that this bill received unanimous support in committee and is a bipartisan bill, and I appreciate the vote.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—201

Adolph	Dunbar	Kirkland	Ravenstahl
Aument	Ellis	Knowles	Readshaw
Baker	Emrick	Kortz	Reed
Barbin	Evankovich	Kotik	Reese
Barrar	Evans, D.	Krieger	Reichley
Bear	Evans, J.	Kula	Roae
Benninghoff	Everett	Lawrence	Rock
Bishop	Fabrizio	Longietti	Roebuck
Bloom	Farry	Maher	Ross
Boback	Fleck	Mahoney	Sabatina
Boyd	Frankel	Major	Saccone
Boyle, B.	Freeman	Maloney	Sainato
Boyle, K.	Gabler	Mann	Samuelson
Bradford	Galloway	Markosek	Santarsiero
Brennan	Geist	Marshall	Santoni
Briggs	George	Marsico	Saylor
Brooks	Gerber	Masser	Scavello
Brown, R.	Gergely	Matzie	Schroder
Brown, V.	Gibbons	McGeehan	Shapiro
Brownlee	Gillen	Metcalfe	Simmons
Burns	Gillespie	Metzgar	Smith, K.
Buxton	Gingrich	Miccarelli	Smith, M.
Caltagirone	Godshall	Millard	Sonney
Carroll	Goodman	Miller	Staback
Causar	Grell	Milne	Stephens
Christiana	Grove	Mirabito	Stern
Clymer	Hackett	Moul	Stevenson
Cohen	Hahn	Mullery	Sturla
Conklin	Haluska	Mundy	Swanger
Costa, D.	Hanna	Murphy	Tallman
Costa, P.	Harhai	Murt	Taylor
Cox	Harhart	Mustio	Thomas
Creighton	Harkins	Myers	Tobash
Cruz	Harper	Neuman	Toepel
Culver	Harris	O'Brien, D.	Toohil
Curry	Heffley	O'Brien, M.	Truitt
Cutler	Helm	O'Neill	Turzai
Daley	Hennessey	Oberlander	Vereb
Davidson	Hess	Parker	Vitali
Davis	Hickernell	Pashinski	Vulakovich
Day	Hornaman	Payne	Wagner
Deasy	Hutchinson	Payton	Waters
DeLissio	Johnson	Peifer	Watson
Delozier	Josephs	Petrarca	White
DeLuca	Kampf	Petri	Williams
Denlinger	Kauffman	Pickett	Youngblood
DePasquale	Kavulich	Preston	
Dermody	Keller, F.	Pyle	
DeWeese	Keller, M.K.	Quigley	Smith, S.,
DiGirolamo	Keller, W.	Quinn	Speaker
Donatucci	Killion	Rapp	

NAYS—0

NOT VOTING—0

EXCUSED—2

Micozzie	Perry
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

* * *

The House proceeded to third consideration of **HB 755, PN 846**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for other meeting expenses paid by counties.

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—201

Adolph	Dunbar	Kirkland	Ravenstahl
Aument	Ellis	Knowles	Readshaw
Baker	Emrick	Kortz	Reed
Barbin	Evankovich	Kotik	Reese
Barrar	Evans, D.	Krieger	Reichley
Bear	Evans, J.	Kula	Roae
Benninghoff	Everett	Lawrence	Rock
Bishop	Fabrizio	Longietti	Roebuck
Bloom	Farry	Maher	Ross
Boback	Fleck	Mahoney	Sabatina
Boyd	Frankel	Major	Saccone
Boyle, B.	Freeman	Maloney	Sainato
Boyle, K.	Gabler	Mann	Samuelson
Bradford	Galloway	Markosek	Santarsiero
Brennan	Geist	Marshall	Santoni
Briggs	George	Marsico	Saylor
Brooks	Gerber	Masser	Scavello
Brown, R.	Gergely	Matzie	Schroder
Brown, V.	Gibbons	McGeehan	Shapiro
Brownlee	Gillen	Metcalfe	Simmons
Burns	Gillespie	Metzgar	Smith, K.
Buxton	Gingrich	Miccarelli	Smith, M.
Caltagirone	Godshall	Millard	Sonney
Carroll	Goodman	Miller	Staback
Causar	Grell	Milne	Stephens
Christiana	Grove	Mirabito	Stern
Clymer	Hackett	Moul	Stevenson
Cohen	Hahn	Mullery	Sturla
Conklin	Haluska	Mundy	Swanger
Costa, D.	Hanna	Murphy	Tallman
Costa, P.	Harhai	Murt	Taylor
Cox	Harhart	Mustio	Thomas
Creighton	Harkins	Myers	Tobash
Cruz	Harper	Neuman	Toepel
Culver	Harris	O'Brien, D.	Toohil
Curry	Heffley	O'Brien, M.	Truitt
Cutler	Helm	O'Neill	Turzai
Daley	Hennessey	Oberlander	Vereb
Davidson	Hess	Parker	Vitali
Davis	Hickernell	Pashinski	Vulakovich
Day	Hornaman	Payne	Wagner
Deasy	Hutchinson	Payton	Waters
DeLissio	Johnson	Peifer	Watson

Delozier	Josephs	Petrarca	Wheatley
DeLuca	Kampf	Petri	White
Denlinger	Kauffman	Pickett	Williams
DePasquale	Kavulich	Preston	Youngblood
Dermody	Keller, F.	Pyle	
DeWeese	Keller, M.K.	Quigley	Smith, S.,
DiGirolamo	Keller, W.	Quinn	Speaker
Donatucci	Killion	Rapp	

NAYS-0

NOT VOTING-0

EXCUSED-2

Micozzie Perry

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

STATEMENT BY MR. GABLER

The SPEAKER. Does the gentleman, Mr. Gabler, seek recognition under unanimous consent?

Mr. GABLER. Yes. Thank you, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. GABLER. I rise under unanimous consent to thank my colleagues for their support of HB 755. This bill will have a positive impact on Pennsylvania's veterans. In each county, our directors of veterans affairs work very hard to navigate a convoluted and difficult bureaucracy in order to help veterans receive the benefits that they have rightfully earned. I have personally seen the extent to which the veterans affairs directors in both Clearfield and Elk Counties will go to serve veterans and their families.

Our VA directors are able to do their jobs because they know how to network and contact the right people at the right time to solve problems. This bill will better enable them to attend their statewide association meetings, which are a very important tool in keeping them up to date on changes in State and Federal laws and regulations affecting veterans. Empowering our VA directors to share best practices with counterparts from other counties will undoubtedly improve the quality of service provided to the veterans of Pennsylvania.

I would also like to thank the gentlelady from Warren, Forest, and McKean Counties for the work she has done on this issue. She has previously sponsored this bill, which passed unanimously through this House in each of the last three legislative sessions. I am pleased that we can pass this bill today unanimously, and I am hopeful for further action in the Senate so that we can give our county veterans affairs directors all the tools they need to serve Pennsylvania's brave men and women who have honorably given so much in the service of our great nation.

Thank you very much, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

* * *

The House proceeded to third consideration of **HB 838, PN 1854**, entitled:

An Act amending the act of June 6, 1980 (P.L.197, No.57), known as the Optometric Practice and Licensure Act, defining "ophthalmic surgery"; and further defining "practice of optometry."

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

Mr. MULLERY. On the bill, Mr. Speaker?

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

Mr. MULLERY. Mr. Speaker, I rise in opposition to HB 838.

This bill is a waste of our time and the taxpayers' money. "The Optometric Practice Act...clearly states an optometrist cannot perform surgery, including laser surgery.

"HB 838 will decrease access of care to our...constituents. An optometrist will not be able to provide the newest technology, treatment or therapies available, causing patients to travel further and wait longer for the access to care, particularly in rural communities.

"This bill locks the profession of Optometry in time.... HB 838 will prevent optometrists from applying the latest in care for Pennsylvania citizens regardless of training or continued education....

"House Bill 838 is...designed to encourage licensed professionals to not better themselves, not learn new technology, and not advance to better serve their patients. Certainly, such a law cannot be in the best interest of Pennsylvanians."

For those reasons, Mr. Speaker, I strongly urge my colleagues to vote "no" on HB 838. Thank you very much.

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

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

Mr. PETRI. Mr. Speaker, may I please interrogate the maker of the bill on this measure?

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

Mr. PETRI. Mr. Speaker, were there hearings this session on this particular bill?

Mr. BEAR. Thank you, Mr. Speaker.

No; the hearings were held in the prior session.

Mr. PETRI. Okay.

MOTION TO RECOMMIT

The SPEAKER. Mr. Speaker, on the bill?

The gentleman is in order on the bill.

Mr. PETRI. Mr. Speaker, this is a bill that originally I had understood really had no opposition. And not too recently I had a number of constituents come into my office, as we often do on

different issues, and had requested that we take up this issue as a hearing, and it is my understanding from the interrogation that there was not a hearing this session.

And therefore, I would move to recommit this to the Professional Licensure Committee for a hearing so that the members can have a better understanding of the issues and whether this bill is helpful or hurtful to the patients and to the practice of medicine with respect to ophthalmology and optometry. On its face it seems like it is a simple bill, but apparently, the practitioners believe that there is some concern, and therefore, I would ask the members to support the motion to recommit.

The SPEAKER. The gentleman, Mr. Petri, has moved that HB 838 be recommitted to the Committee on Professional Licensure for the purpose of public hearings.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Lancaster, Mr. Bear.

Mr. BEAR. Thank you, Mr. Speaker.

I oppose this motion. This bill has been vetted over a long time and it last was held in June 2009 on HB 1188.

This bill has been worked with between the two groups. We worked for the last 5 months with the ophthalmologists as well as the optometrists, who drafted this language, and both groups did draft this bill.

So I would oppose the motion. Thank you, Mr. Speaker.

The SPEAKER. The question is, shall the bill be recommitted?

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

Mr. DeLUCA. Thank you, Mr. Speaker.

I also oppose the recommitment of this legislation.

As far as having hearings, there are numerous bills coming up in this House that have not had committee hearings, and this bill should be no different. If we are going to run bills without committee meetings, then certainly the gentleman has an opportunity to run his bill.

And from what I understand, and which I will ask the gentleman when this bill comes up if it is not recommitted, the fact is that, my understanding, there is no implication this is going to affect the ophthalmology doctors out there.

So I would ask some of my members on this side to oppose the recommitment motion. Thank you.

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

YEAS—69

Barrar	Freeman	Mirabito	Santoni
Benninghoff	Galloway	Mullery	Simmons
Boback	Geist	Mundy	Smith, K.
Bradford	George	Murphy	Stern
Brownlee	Gerber	Myers	Sturla
Caltagirone	Gillen	Neuman	Taylor
Cohen	Hahn	O'Neill	Truitt
Conklin	Harper	Payne	Vereb
Curry	Hess	Petri	Vitali
Daley	Hutchinson	Pickett	Waters
Davidson	Johnson	Preston	Watson
Davis	Josephs	Pyle	Wheatley

DiGirolamo	Kavulich	Rapp	White
Ellis	Keller, W.	Readshaw	Williams
Emrick	Maloney	Roae	
Evans, D.	Marshall	Rock	Smith, S.,
Evans, J.	Masser	Samuelson	Speaker
Fleck	Metzgar	Santarsiero	

NAYS—132

Adolph	Denlinger	Kauffman	Payton
Aument	DePasquale	Keller, F.	Peifer
Baker	Dermody	Keller, M.K.	Petrarca
Barbin	DeWeese	Killion	Quigley
Bear	Donatucci	Kirkland	Quinn
Bishop	Dunbar	Knowles	Ravenstahl
Bloom	Evankovich	Kortz	Reed
Boyd	Everett	Kotik	Reese
Boyle, B.	Fabrizio	Krieger	Reichley
Boyle, K.	Farry	Kula	Roebuck
Brennan	Frankel	Lawrence	Ross
Briggs	Gabler	Longietti	Sabatina
Brooks	Gergely	Maher	Saccone
Brown, R.	Gibbons	Mahoney	Sainato
Brown, V.	Gillespie	Major	Saylor
Burns	Gingrich	Mann	Scavello
Buxton	Godshall	Markosek	Schroder
Carroll	Goodman	Marsico	Shapiro
Causer	Grell	Matzie	Smith, M.
Christiana	Grove	McGeehan	Sonney
Clymer	Hackett	Metcalfe	Staback
Costa, D.	Haluska	Miccarelli	Stephens
Costa, P.	Hanna	Millard	Stevenson
Cox	Harhai	Miller	Swanger
Creighton	Harhart	Milne	Tallman
Cruz	Harkins	Moul	Thomas
Culver	Harris	Murt	Tobash
Cutler	Heffley	Mustio	Toepel
Day	Helm	O'Brien, D.	Toohil
Deasy	Hennessey	O'Brien, M.	Turzai
DeLissio	Hickernell	Oberlander	Vulakovich
Delozier	Hornaman	Parker	Wagner
DeLuca	Kampf	Pashinski	Youngblood

NOT VOTING—0

EXCUSED—2

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

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—133

Adolph	Dermody	Kampf	Preston
Aument	DeWeese	Keller, W.	Quinn
Barbin	DiGirolamo	Killion	Ravenstahl
Barrar	Donatucci	Kirkland	Roebuck
Bear	Evans, D.	Kortz	Ross
Bishop	Evans, J.	Kotik	Sabatina
Boyd	Fabrizio	Kula	Sainato
Boyle, B.	Farry	Lawrence	Saylor
Boyle, K.	Frankel	Longietti	Scavello
Briggs	Gabler	Maher	Schroder

Brown, R.	Galloway	Mahoney	Shapiro
Brown, V.	George	Mann	Smith, M.
Brownlee	Gerber	Markosek	Sonney
Burns	Gergely	Marsico	Staback
Buxton	Gibbons	Masser	Stephens
Caltagirone	Gillespie	Matzie	Stevenson
Carroll	Gingrich	McGeehan	Sturla
Christiana	Godshall	Miccarelli	Swanger
Clymer	Goodman	Millard	Tallman
Costa, D.	Grell	Miller	Taylor
Costa, P.	Grove	Milne	Thomas
Creighton	Hackett	Murt	Toepel
Cruz	Hahn	Mustio	Turzai
Culver	Haluska	Myers	Vereb
Curry	Harhai	Neuman	Vulakovich
Cutler	Harhart	O'Brien, D.	Wagner
Daley	Harkins	O'Brien, M.	Waters
Davidson	Heffley	O'Neill	Watson
Davis	Helm	Oberlander	Williams
Day	Hennessey	Parker	Youngblood
Deasy	Hickernell	Pashinski	
DeLissio	Hornaman	Payton	Smith, S.,
DeLuca	Johnson	Peifer	Speaker
DePasquale	Josephs	Petrarca	

NAYS-68

Baker	Everett	Maloney	Reese
Benninghoff	Fleck	Marshall	Reichley
Bloom	Freeman	Metcalf	Roae
Boback	Geist	Metzgar	Rock
Bradford	Gillen	Mirabito	Saccone
Brennan	Hanna	Moul	Samuelson
Brooks	Harper	Mullery	Santarsiero
Causar	Harris	Mundy	Santoni
Cohen	Hess	Murphy	Simmons
Conklin	Hutchinson	Payne	Smith, K.
Cox	Kauffman	Petri	Stern
Delozier	Kavulich	Pickett	Tobash
Denlinger	Keller, F.	Pyle	Toohil
Dunbar	Keller, M.K.	Quigley	Truitt
Ellis	Knowles	Rapp	Vitali
Emrick	Krieger	Readshaw	Wheatley
Evankevich	Major	Reed	White

NOT VOTING-0

EXCUSED-2

Micozzie Perry

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

* * *

The House proceeded to third consideration of **HB 1269, PN 2161**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a special license plate for recipients of the Silver Star, Bronze Star and Bronze Star for Valor and for special plates for recipients of Distinguished Service Cross, Distinguished Flying Cross, Navy Cross or Air Force Cross.

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-201

Adolph	Dunbar	Kirkland	Ravenstahl
Aument	Ellis	Knowles	Readshaw
Baker	Emrick	Kortz	Reed
Barbin	Evankevich	Kotik	Reese
Barrar	Evans, D.	Krieger	Reichley
Bear	Evans, J.	Kula	Roae
Benninghoff	Everett	Lawrence	Rock
Bishop	Fabrizio	Longietti	Roebuck
Bloom	Farry	Maher	Ross
Boback	Fleck	Mahoney	Sabatina
Boyd	Frankel	Major	Saccone
Boyle, B.	Freeman	Maloney	Sainato
Boyle, K.	Gabler	Mann	Samuelson
Bradford	Galloway	Markosek	Santarsiero
Brennan	Geist	Marshall	Santoni
Briggs	George	Marsico	Saylor
Brooks	Gerber	Masser	Scavello
Brown, R.	Gergely	Matzie	Schroder
Brown, V.	Gibbons	McGeehan	Shapiro
Brownlee	Gillen	Metcalf	Simmons
Burns	Gillespie	Metzgar	Smith, K.
Buxton	Gingrich	Miccarelli	Smith, M.
Caltagirone	Godshall	Millard	Sonney
Carroll	Goodman	Miller	Staback
Causar	Grell	Milne	Stephens
Christiana	Grove	Mirabito	Stern
Clymer	Hackett	Moul	Stevenson
Cohen	Hahn	Mullery	Sturla
Conklin	Haluska	Mundy	Swanger
Costa, D.	Hanna	Murphy	Tallman
Costa, P.	Harhai	Murt	Taylor
Cox	Harhart	Mustio	Thomas
Creighton	Harkins	Myers	Tobash
Cruz	Harper	Neuman	Toepel
Culver	Harris	O'Brien, D.	Toohil
Curry	Heffley	O'Brien, M.	Truitt
Cutler	Helm	O'Neill	Turzai
Daley	Hennessey	Oberlander	Vereb
Davidson	Hess	Parker	Vitali
Davis	Hickernell	Pashinski	Vulakovich
Day	Hornaman	Payne	Wagner
Deasy	Hutchinson	Payton	Waters
DeLissio	Johnson	Peifer	Watson
DeLozier	Josephs	Petrarca	Wheatley
DeLuca	Kampf	Petri	White
Denlinger	Kauffman	Pickett	Williams
DePasquale	Kavulich	Preston	Youngblood
Dermody	Keller, F.	Pyle	
DeWeese	Keller, M.K.	Quigley	Smith, S.,
DiGirolamo	Keller, W.	Quinn	Speaker
Donatucci	Killion	Rapp	

NAYS-0

NOT VOTING-0

EXCUSED-2

Micozzie Perry

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

STATEMENT BY MR. ADOLPH

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Under unanimous consent, the gentleman, Mr. Adolph, wanted to be recognized briefly on that last bill. The gentleman may proceed.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to thank the members for their support of that bill, and I am going to submit my remarks for the record. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

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

HB 1269 will add new honorary license plates to the list of special military license plates currently available. This legislation will create individual license plates for recipients of the very prestigious Distinguished Service Cross, Distinguished Flying Cross, Navy Cross, Air Force Cross, Silver Star, and Bronze Star military decorations. These military honors are among the most esteemed awards for members of our military, and with this legislation, we can honor these remarkable service men and women that have gone above and beyond while serving our country.

This recognition is important because these decorations represent remarkable service during one's military career. To earn these medals, one's service is characterized using descriptions like "extreme gallantry and risk of life in combat," "gallantry in action against and opposing armed force," "heroism or extraordinary achievement," and "heroic or meritorious achievement of service." Those who are awarded these medals have a distinguished military career, and we should take every opportunity to honor them and show our appreciation for their service.

Please join me today in supporting HB 1269 so we can recognize these heroes that sacrifice so much for our country.

* * *

The House proceeded to third consideration of **HB 1355, PN 1584**, entitled:

An Act designating the westbound bridge carrying Interstate 90 over Six Mile Creek in Harborcreek Township, Erie County, as the Jarrid L. King Memorial Bridge.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—201

Adolph	Dunbar	Kirkland	Ravenstahl
Aument	Ellis	Knowles	Readshaw
Baker	Emrick	Kortz	Reed
Barbin	Evankovich	Kotik	Reese
Barrar	Evans, D.	Krieger	Reichley
Bear	Evans, J.	Kula	Roae
Benninghoff	Everett	Lawrence	Rock
Bishop	Fabrizio	Longietti	Roebuck
Bloom	Farry	Maher	Ross
Boback	Fleck	Mahoney	Sabatina
Boyd	Frankel	Major	Saccone
Boyle, B.	Freeman	Maloney	Sainato
Boyle, K.	Gabler	Mann	Samuelson
Bradford	Galloway	Markosek	Santarsiero
Brennan	Geist	Marshall	Santoni
Briggs	George	Marsico	Saylor
Brooks	Gerber	Masser	Scavello
Brown, R.	Gergely	Matzie	Schroder
Brown, V.	Gibbons	McGeehan	Shapiro
Brownlee	Gillen	Metcalfe	Simmons
Burns	Gillespie	Metzgar	Smith, K.
Buxton	Gingrich	Miccarelli	Smith, M.
Caltagirone	Godshall	Millard	Sonney
Carroll	Goodman	Miller	Staback
Causar	Grell	Milne	Stephens
Christiana	Grove	Mirabito	Stern
Clymer	Hackett	Moul	Stevenson
Cohen	Hahn	Mullery	Sturla
Conklin	Haluska	Mundy	Swanger
Costa, D.	Hanna	Murphy	Tallman
Costa, P.	Harhai	Murt	Taylor
Cox	Harhart	Mustio	Thomas
Creighton	Harkins	Myers	Tobash
Cruz	Harper	Neuman	Toepel
Culver	Harris	O'Brien, D.	Toohil
Curry	Heffley	O'Brien, M.	Truitt
Cutler	Helm	O'Neill	Turzai
Daley	Hennessey	Oberlander	Vereb
Davidson	Hess	Parker	Vitali
Davis	Hickernell	Pashinski	Vulakovich
Day	Hornaman	Payne	Wagner
Deasy	Hutchinson	Payton	Waters
DeLissio	Johnson	Peifer	Watson
Delozier	Josephs	Petrarca	Wheatley
DeLuca	Kampf	Petri	White
Denlinger	Kauffman	Pickett	Williams
DePasquale	Kavulich	Preston	Youngblood
Dermody	Keller, F.	Pyle	
DeWeese	Keller, M.K.	Quigley	Smith, S., Speaker
DiGirolamo	Keller, W.	Quinn	
Donatucci	Killion	Rapp	

NAYS—0

NOT VOTING—0

EXCUSED—2

Micozzie Perry

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.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. For what purpose does the gentleman, Mr. Geist, rise?

Mr. GEIST. To call a committee meeting at the break.

The SPEAKER. The gentleman may make his announcement.

Mr. GEIST. At the next break the Transportation Committee will meet in B-31; Transportation, B-31, at the break. Thank you.

The SPEAKER. The Transportation Committee will meet in room B-31 at the break.

SUPPLEMENTAL CALENDAR B**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 148, PN 2144**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions, for sales by liquor licensees and restrictions, for sale of malt or brewed beverages by liquor licensees, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for distributors' and importing distributors' restrictions on sales, storage, etc., for retail dispensers' restrictions on purchases and sales, for malt or brewed beverages manufactured outside this Commonwealth, for brand registration, for limiting number of retail licenses to be issued in each county, for licenses not assignable and transfers, for revocation and suspension of licenses and fines, for local option, for unlawful acts relative to liquor, malt and brewed beverages and licensees and for limited wineries.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. It is moved by the gentleman, Mr. Payne, that the House concur in the amendments inserted by the Senate.

The Chair recognizes the gentleman, Mr. Payne, for a brief description of the Senate amendments.

Mr. PAYNE. Mr. Speaker, could we hold for just a minute? Thank you.

The SPEAKER. The House will be at ease for a moment.

The House will come to order.

The gentleman, Mr. Payne, is recognized for a brief description of the Senate amendments.

Mr. PAYNE. Thank you, Mr. Speaker.

HB 148, which passed the House and went to the Senate and was passed by the Senate 50 to 0, is back on concurrence. It adds several House bills in the Senate along with some other provisions that the Senate put in. All of them have been agreed to by both the House and Senate Liquor chairmen.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

BILL PASSED OVER TEMPORARILY

The SPEAKER. We need to go over the bill just temporarily. We will be back to HB 148.

CONSIDERATION OF HB 148 CONTINUED

The SPEAKER. The House will come to order.

We will return to consideration of HB 148 on page 1 of today's House calendar, supplemental B.

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. Santoni, from Berks County.

Mr. SANTONI. Thank you, Mr. Speaker.

I just want to commend the gentleman from Hershey.

HB 148 was his bill when it originated in our committee. It was voted out almost unanimously out of committee – I think there were a few "no" votes on the floor of the House – went over to the Senate, and in a bipartisan, bicameral effort, we put in the bills that we had voted, some in our committee and I know the Senate had a few, all agreed to by all the chairmen, and I would ask our members and the whole House to vote "yes" on HB 148 on concurrence.

Thank you, Mr. Speaker.

The SPEAKER. On the question of concurrence, the Speaker recognizes the gentleman from Philadelphia, Mr. John Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

As previous speakers mentioned, HB 148 represents about 6 months of work, not only in the House Liquor Control Committee but certainly the Senate as well. This is truly a compromise on a number of issues.

I know that the subject matter here today is strictly what the Senate put in this bill. For those members who are concerned about that, I just wanted to let you know what some of those changes were.

HB 148 was primarily a bill that allowed off-site catering for licensees in places other than their primary premises. The Senate put a limit of those events to 50 a year. They also added a number of special-occasion permits. We changed the hours of operation at airports on Sundays. We have a number of House bills that were put into HB 148 or the content of House bills starting with a storage facility opportunity for IDs (importing distributors) to have in their areas.

What the Senate did really took the language from HB 1479 in terms of brand registration. Many of you might remember the disputes of last session in terms of the Liquor Control enforcement folks being in bars on, really, the registration of different brands. And with our craft breweries not only doing a lot of different brands but numbers of different types of beer within one brewery, we used the compliance officer mechanism to try to get to that and a clear plan of what has to happen should a beer be unregistered. We also did some things for our limited wineries here in Pennsylvania in terms of farmer's market permits and the ability to do things in their satellite locations.

With that, again, Mr. Speaker, I would like to thank our staff and Chairman Santoni, and Chairman Pippy and Chairman Ferlo over in the Senate, for what they did with this bill, and I would ask for everyone's agreement in the concurrence of this bill.

The SPEAKER. On the question of concurrence, the gentleman from Bucks County, Mr. Petri, is recognized.

Mr. PETRI. Thank you, Mr. Speaker.

Mr. Speaker, I support the overall bill as I think it is a good bill, particularly with regard to the changes that are being made with respect to limited wineries. They are an important asset to our various communities that provide agriculture; they provide jobs, and they provide tourism.

I did want to note for the members something that I talk about frequently at committee, and that is the special-occasion permits. We, of course, are trying to help out our various nonprofits continue to expand the list of special-occasion permits, but what I think the members have to start to understand and recognize is that a nonprofit can host an event and serve alcohol without a special-occasion permit; they just cannot charge for it. They have to use a caterer or someone else. And so what is happening is our nonprofits are wanting, essentially, to make money off the sale of liquor, and yet the people that will be selling this alcohol do not have the requisite training and knowledge to ensure that they are not serving people who are visibly intoxicated. They are also, in my opinion as a practicing attorney, creating a tremendous amount of liability for their organization.

And I would just encourage the members as we move forward to consider that maybe we need to change the way and the rules regarding special-occasion permits. Maybe, in fact, they should not exist anymore for the safety and protection of both our residents, and quite frankly, those charities that we all care about.

But I will be voting in favor, and I encourage the members to vote in favor of this bill. Thank you.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—177

Adolph	Evans, D.	Kula	Reed
Baker	Evans, J.	Longiotti	Reese
Barbin	Everett	Maher	Reichley
Barrar	Fabrizio	Mahoney	Rock
Benninghoff	Farry	Major	Roebuck
Bishop	Frankel	Maloney	Ross
Boback	Freeman	Mann	Sabatina
Boyle, B.	Gabler	Markosek	Saccone
Boyle, K.	Galloway	Marshall	Sainato
Bradford	George	Marsico	Samuelson
Brennan	Gerber	Masser	Santarsiero
Briggs	Gergely	Matzie	Santoni
Brown, R.	Gibbons	McGeehan	Saylor
Brown, V.	Gillespie	Metzgar	Scavello
Brownlee	Gingrich	Miccarelli	Schroder
Burns	Godshall	Millard	Shapiro
Buxton	Goodman	Miller	Simmons
Caltagirone	Grell	Mirabito	Smith, K.
Carroll	Grove	Moul	Smith, M.
Causar	Hackett	Mullery	Sonney
Christiana	Hahn	Mundy	Staback
Cohen	Haluska	Murphy	Stephens
Conklin	Hanna	Murt	Stevenson
Costa, D.	Harhai	Mustio	Sturla
Costa, P.	Harhart	Myers	Taylor
Cox	Harkins	Neuman	Thomas
Cruz	Harper	O'Brien, D.	Tobash
Culver	Harris	O'Brien, M.	Toepel
Curry	Heffley	O'Neill	Toohil

Daley	Helm	Oberlander	Truitt
Davidson	Hennessey	Parker	Turzai
Davis	Hornaman	Pashinski	Vereb
Day	Johnson	Payne	Vitali
Deasy	Josephs	Payton	Vulakovich
DeLissio	Kampf	Peifer	Wagner
DeLozier	Kauffman	Petrarca	Waters
DeLuca	Kavulich	Petri	Watson
DePasquale	Keller, M.K.	Pickett	Wheatley
Dermody	Keller, W.	Preston	White
DeWeese	Killion	Pyle	Williams
DiGirolamo	Kirkland	Quigley	Youngblood
Donatucci	Knowles	Quinn	
Dunbar	Kortz	Rapp	Smith, S., Speaker
Ellis	Kotik	Ravenstahl	
Evankovich	Krieger	Readshaw	

NAYS—24

Aument	Creighton	Gillen	Metcalfe
Bear	Cutler	Hess	Milne
Bloom	Denlinger	Hickernell	Roae
Boyd	Emrick	Hutchinson	Stern
Brooks	Fleck	Keller, F.	Swanger
Clymer	Geist	Lawrence	Tallman

NOT VOTING—0

EXCUSED—2

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

Ordered, That the clerk inform the Senate accordingly.

CALENDAR CONTINUED

CONSIDERATION OF HB 1307 CONTINUED

The SPEAKER. The Speaker returns to today's regular House calendar on page 1. We return to consideration of HB 1307 on page 1 of today's House calendar.

On the question recurring,

Will the House agree to the bill on second consideration?

CONSIDERATION OF AMENDMENT A03284 CONTINUED

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. McGeehan, who calls up— It is the Speaker's understanding that one of these amendments is withdrawn, but I am not clear which one. So I am just going to call them up and you can withdraw it.

On the question recurring,

Will the House agree to the bill on second consideration?

The clerk read the following amendment No. **A03284**:

Amend Bill, page 1, line 5, by inserting after "thereto," "in school finances, further providing for distress in school districts of the first class;

Amend Bill, page 1, line 6, by striking out "and" and inserting a comma

Amend Bill, page 1, line 7, by inserting after "reports" and for removal of district superintendents

Amend Bill, page 1, lines 10 through 12, by striking out all of said lines and inserting

Section 1. Section 696(i)(3) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended October 30, 2001 (P.L.828, No.83), is amended to read:

Section 696. Distress in School Districts of the First Class.—* * *

(i) In addition to all powers granted to the superintendent by law and a special board of control under section 693 and notwithstanding any other law to the contrary, the School Reform Commission shall have the following powers:

* * *

(3) To suspend the requirements of this act and regulations of the State Board of Education except that the school district shall remain subject to those provisions of this act set forth in section 1080, section 1732-A(a), (b) and (c) and section 1714-B and regulations under those sections.

* * *

Section 2. Section 907-A of the act, added May 4, 1970 (P.L.311, No.102), is amended to read:

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

Amend Bill, page 3, by inserting between lines 9 and 10

Section 4. Section 1080 of the act is amended to read:

Section 1080. Removal.—(a) District superintendents and assistant district superintendents may be removed from office, after hearing, by a majority vote of the board of school directors of the district, for neglect of duty, incompetency, intemperance, or immorality, of which hearing notice of at least one week has been sent by mail to the accused, as well as to each member of the board of school directors.

(b) A district superintendent whose school district has been issued a certification declaring the school district in financial distress under section 691 may be removed from office by a majority vote of the Senate and a majority vote of the House of Representatives.

Section 5. The amendment of sections 696(i)(3) and 1080 of the act shall apply to a district superintendent at a school district operating without an elected school board who is elected or appointed on or after the effective date of this section.

Amend Bill, page 3, line 10, by striking out "3" and inserting
6

On the question recurring,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

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

Mr. McGEEHAN. Thank you very much, Mr. Speaker, and thank you for your indulgence in going over the bill temporarily.

Mr. Speaker, I am withdrawing this amendment at this time.

The SPEAKER. The Speaker thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **McGEEHAN** offered the following amendment
No. **A03289**:

Amend Bill, page 1, line 5, by inserting after "thereto," further providing for distress in school districts of the first class;

Amend Bill, page 1, line 6, by striking out "and" and inserting a comma

Amend Bill, page 1, line 7, by inserting after "reports" and for superintendents' salaries

Amend Bill, page 1, lines 10 through 12, by striking out all of said lines and inserting

Section 1. Section 696(i)(3) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended October 30, 2001 (P.L.828, No.83), is amended to read:

Section 696. Distress in School Districts of the First Class.—* * *

(i) In addition to all powers granted to the superintendent by law and a special board of control under section 693 and notwithstanding any other law to the contrary, the School Reform Commission shall have the following powers:

* * *

(3) To suspend the requirements of this act and regulations of the State Board of Education except that the school district shall remain subject to those provisions of this act set forth in section 1075, section 1732-A(a), (b) and (c) and section 1714-B and regulations under those sections.

* * *

Section 2. Section 907-A of the act, added May 4, 1970 (P.L.311, No.102), is amended to read:

Amend Bill, page 3, by inserting between lines 9 and 10

Section 3. Section 1075 of the act, amended January 14, 1970 (1969 P.L.468, No.192), is amended to read:

Section 1075. Salary.—(a) The board of school directors at any convention electing a district superintendent or an assistant district superintendent shall determine the amount of salary to be paid such district superintendent or assistant district superintendent which compensation shall be paid out of the funds of the district. If a district superintendent or an assistant district superintendent is employed in a joint school system including kindergarten or grades 1 to 12, his salary shall be fixed by a majority vote of all the school directors in the districts operating the joint school systems, and shall be paid by the districts in the same proportions as they contribute to the support of the joint school.

(b) District superintendents and assistant district superintendents shall be entitled to the following minimum annual salaries:

(1) Assistant district superintendents having less than one hundred (100) teachers under their supervision, nine thousand dollars (\$9,000).

(2) Assistant district superintendents having one hundred (100) teachers or more but less than three hundred (300) teachers under their supervision, ten thousand dollars (\$10,000).

(3) Assistant district superintendents having three hundred (300) or more teachers under their supervision, eleven thousand dollars (\$11,000).

(4) District superintendents having less than one hundred (100) teachers under their supervision, thirteen thousand dollars (\$13,000).

(5) District superintendents having one hundred (100) teachers or more but less than three (300) teachers under their supervision, fourteen thousand dollars (\$14,000).

(6) District superintendents having three hundred (300) or more teachers under their supervision, fifteen thousand dollars (\$15,000).

(c) Except as provided under subsection (b), district superintendents and assistant district superintendents of a school district that has been issued a certification declaring the school district in financial distress under section 691 may not receive:

(1) Any form of annual compensation except for an annual salary. For the purposes of this paragraph, annual compensation shall include bonuses, incentive payments and any other type of compensation. Annual compensation shall not include a severance payment if the district superintendent or assistant district superintendent is not terminated and medical benefits.

(2) Any type of severance payment if the district superintendent or assistant district superintendent was terminated.

Section 4. The amendment of section 1075 of the act shall apply to a contract setting the compensation of a district superintendent or assistant district superintendent of a school district that has been issued a certification declaring the school district in financial distress under section 691 entered into or renewed on or after the effective date of this section.

Amend Bill, page 3, line 10, by striking out "3" and inserting
5

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

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

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

Mr. Speaker, this amendment would restrict the bonus payments and incentive payments and the awarding of severance packages to suspended or fired superintendents and assistant superintendents in distressed school districts.

Mr. Speaker, by its very nature a distressed school district is financially troubled, and I believe the awarding of bonuses in distressed school districts is wrong, wrong on a number of different levels, but by its very nature a distressed district is in financial trouble, and those districts should be spending the money on their very basics and not rewarding superintendents with bonuses and other ancillary compensation outside of their salary, and I would ask for an affirmative vote.

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

On that question, the Speaker recognizes the majority leader, Mr. Turzai.

Mr. TURZAI. Thank you, sir.

Sir, with respect to this amendment, we certainly understand the arguments that are being made by the Representative from Philadelphia County, and we understand that folks have certainly strong perspectives with respect to this, and we are open to discussion. We understand that each person has to take a look at this in detail to determine whether or not it is good for them, although we think that the arguments made by the good gentleman are compelling.

Thank you very much.

GERMANENESS QUESTIONED

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

On that question, the Speaker recognizes the lady from Delaware County, Mrs. Davidson.

Mrs. DAVIDSON. Mr. Speaker, may I be recognized to make a motion?

The SPEAKER. The lady may state her motion.

Mrs. DAVIDSON. I want to make a motion on germaneness. This particular amendment is not relevant to the underlying bill.

The SPEAKER. The lady from Delaware County, Mrs. Davidson, has raised the question of whether amendment A03289 is germane.

Under House rule 27, questions involving whether an amendment is germane to the subject shall be decided by the House.

On the question,
Will the House sustain the germaneness of the amendment?

The SPEAKER. On that question, the Speaker recognizes the lady from Delaware, Mrs. Davidson, on the question of whether it is germane.

Mrs. DAVIDSON. I understand that the motion is decided by the House on germaneness. It is just, in my opinion, Mr. Speaker, that the underlying bill deals with the issue that is dealing with the school district in contracting. The issue of the superintendent was already brought before this House and was voted down unanimously. This is an attempt to put in an amendment for an underlying bill that is inconsistent with the amendment.

So I would ask the House for a vote saying that it is not germane.

The SPEAKER. On the question of germaneness, the Speaker recognizes the gentleman, Mr. McGeehan.

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

Mr. Speaker, this is certainly a germane amendment to the underlying bill. The underlying bill obviously concerns itself with the Public School Code, and obviously the compensation for superintendents and assistant superintendents is wrapped up within the Public School Code.

Mr. Speaker, there is no finer vehicle for this type of language than HB 1307 for this amendment, and I would urge the members to vote "yes" on germaneness.

The SPEAKER. On the question of germaneness, those who believe the amendment is germane will vote "aye"; those who believe the amendment is not germane will vote "no."

On the question recurring,
Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

YEAS—188

Adolph	Dunbar	Killion	Quigley
Aument	Ellis	Kirkland	Quinn
Baker	Emrick	Knowles	Rapp
Barbin	Evans, D.	Kortz	Ravenstahl
Barrar	Evans, J.	Kotik	Readshaw
Bear	Everett	Kula	Reed
Benninghoff	Fabrizio	Lawrence	Reichley
Bishop	Farry	Longietti	Roae
Bloom	Fleck	Maher	Rock
Boback	Frankel	Mahoney	Roebuck
Boyd	Freeman	Major	Ross
Boyle, B.	Gabler	Maloney	Sabatina
Boyle, K.	Galloway	Mann	Sainato
Bradford	Geist	Markosek	Samuelson
Brennan	George	Marshall	Santarsiero

Briggs	Gerber	Marsico	Santoni
Brooks	Gergely	Masser	Saylor
Brown, R.	Gibbons	Matzie	Scavello
Brownlee	Gillen	McGeehan	Schroder
Burns	Gillespie	Metcalfe	Shapiro
Buxton	Gingrich	Metzgar	Simmons
Caltagirone	Godshall	Miccarelli	Smith, K.
Carroll	Goodman	Millard	Smith, M.
Causer	Grell	Miller	Sonney
Christiana	Grove	Milne	Staback
Clymer	Hackett	Mirabito	Stephens
Cohen	Hahn	Moul	Stern
Conklin	Haluska	Mullery	Stevenson
Costa, D.	Hanna	Mundy	Sturla
Costa, P.	Harhai	Murphy	Swanger
Cox	Harhart	Murt	Tallman
Creighton	Harkins	Mustio	Taylor
Cruz	Harper	Myers	Toepel
Culver	Harris	Neuman	Toohil
Curry	Helm	O'Brien, D.	Turzai
Daley	Hennessey	O'Brien, M.	Vereb
Davis	Hess	O'Neill	Vitali
Day	Hickernell	Oberlander	Vulakovich
Deasy	Hornaman	Pashinski	Wagner
DeLissio	Hutchinson	Payne	Waters
DeLozier	Johnson	Payton	Watson
DeLuca	Josephs	Peifer	Wheatley
Denlinger	Kampf	Petrarca	White
DePasquale	Kauffman	Petri	Youngblood
Dermody	Kavulich	Pickett	
DeWeese	Keller, F.	Preston	Smith, S.,
DiGirolamo	Keller, M.K.	Pyle	Speaker
Donatucci	Keller, W.		

NAYS—13

Brown, V.	Heffley	Reese	Tobash
Cutler	Krieger	Saccone	Truitt
Davidson	Parker	Thomas	Williams
Evankovich			

NOT VOTING—0

EXCUSED—2

Micozzie	Perry
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was declared germane.

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

The following roll call was recorded:

YEAS—188

Adolph	Emrick	Kirkland	Quinn
Aument	Evankovich	Knowles	Rapp
Baker	Evans, D.	Kortz	Ravenstahl
Barbin	Evans, J.	Kotik	Readshaw
Barrar	Everett	Krieger	Reed
Bear	Fabrizio	Kula	Reese
Benninghoff	Farry	Lawrence	Reichley
Bishop	Fleck	Longiatti	Roae
Bloom	Frankel	Maher	Rock
Boback	Freeman	Mahoney	Roebuck
Boyd	Gabler	Major	Sabatina
Boyle, B.	Galloway	Maloney	Saccone
Boyle, K.	Geist	Mann	Sainato
Bradford	George	Markosek	Samuelson

Brennan	Gerber	Marshall	Santarsiero
Briggs	Gergely	Marsico	Santoni
Brooks	Gibbons	Masser	Saylor
Brown, R.	Gillen	Matzie	Scavello
Brownlee	Gillespie	McGeehan	Schroder
Burns	Gingrich	Metcalfe	Shapiro
Buxton	Godshall	Metzgar	Simmons
Caltagirone	Goodman	Miccarelli	Smith, K.
Carroll	Grell	Millard	Smith, M.
Causer	Grove	Miller	Sonney
Christiana	Hackett	Milne	Staback
Conklin	Hahn	Mirabito	Stephens
Costa, D.	Haluska	Moul	Stern
Costa, P.	Hanna	Mullery	Stevenson
Cox	Harhai	Mundy	Sturla
Creighton	Harhart	Murphy	Swanger
Cruz	Harkins	Murt	Tallman
Culver	Harper	Mustio	Taylor
Curry	Harris	Neuman	Tobash
Cutler	Heffley	O'Brien, D.	Toepel
Daley	Helm	O'Brien, M.	Toohil
Davis	Hennessey	O'Neill	Turzai
Day	Hess	Oberlander	Vereb
Deasy	Hickernell	Pashinski	Vulakovich
DeLozier	Hornaman	Payne	Wagner
DeLuca	Hutchinson	Payton	Waters
Denlinger	Josephs	Peifer	Watson
DePasquale	Kampf	Petrarca	Wheatley
Dermody	Kauffman	Petri	White
DeWeese	Kavulich	Pickett	Youngblood
DiGirolamo	Keller, F.	Preston	
Donatucci	Keller, M.K.	Pyle	Smith, S.,
Dunbar	Keller, W.	Quigley	Speaker
Ellis	Killion		

NAYS—13

Brown, V.	DeLissio	Parker	Truitt
Clymer	Johnson	Ross	Vitali
Cohen	Myers	Thomas	Williams
Davidson			

NOT VOTING—0

EXCUSED—2

Micozzie	Perry
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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?

Mr. **McGEEHAN** offered the following amendment
No. **A03295**:

Amend Bill, page 1, line 7, by inserting after "reports"
; and providing for audits of school districts
Amend Bill, page 3, by inserting between lines 9 and 10
Section 3. The act is amended by adding a section to read:
Section 2411. Audits of School Districts.—The Department of the Auditor General shall, every four years, have the power, and its duty shall be, to audit the financial accounts and records of each school district that has been issued a certification declaring the school district in financial distress under section 691 that receives an appropriation of money, payable out of any fund in the State Treasury, or entitled to receive any portion of any State tax for any purpose whatsoever, as far

as may be necessary to satisfy the Department of the Auditor General that the money received was expended or is being expended for no purpose other than that for which it was paid.

If at any time the Department of the Auditor General shall find that any money received by a school district that has been issued a certification declaring the school district in financial distress under section 691 has been expended for any purpose other than that for which it was paid, it shall notify the Department of Education within ninety days of the finding, and shall decline to approve any further requisition for the payment of any appropriation, or any further portion of any State tax, to the school district, until an amount equal to that improperly expended shall have been expended for the purpose for which the money improperly expended was received from the State Treasury.

The Treasury Department shall submit, at least annually, to the Department of the Auditor General, its listing of appropriations made to each school district and the fund or account from which the appropriation was released.

Amend Bill, page 3, line 10, by striking out "3" and inserting 4

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

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

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

Mr. Speaker, this amendment would require the Auditor General to annually audit the accounts and records of each school district that is deemed financially distressed. Mr. Speaker, I think it is certainly prudent that the Auditor General look at the books of financially distressed districts. I think it is incumbent upon us as a House to support the Auditor General's efforts. My office has worked with the Auditor General in crafting this amendment, and I believe it will result in more efficient, more responsible school districts in the future, and I urge an affirmative vote.

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

On that question, the Speaker recognizes the gentleman, Mr. Milne.

Mr. MILNE. Mr. Speaker, in a time of tight budgets and many educational challenges, the Representative from Philadelphia and I share a common goal of making sure every dollar invested is done in the best interest of the children of this Commonwealth, and I would concur with this amendment.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—200

Table with 4 columns of names: Adolph, Aument, Baker, Barbin, Barrar, Bear, Benninghoff, Bishop, Bloom, Boback, Boyd, Dunbar, Ellis, Emrick, Evankovich, Evans, D., Evans, J., Everett, Fabrizio, Farry, Fleck, Frankel, Kirkland, Knowles, Kortz, Kotik, Krieger, Kula, Lawrence, Longietti, Maher, Mahoney, Major, Rapp, Ravenstahl, Readshaw, Reed, Reese, Reichley, Roae, Rock, Roebuck, Ross, Sabatina

Table with 4 columns of names: Boyle, B., Boyle, K., Bradford, Brennan, Briggs, Brooks, Brown, R., Brown, V., Brownlee, Burns, Buxton, Caltagirone, Carroll, Causer, Christiana, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Creighton, Cruz, Culver, Curry, Cutler, Daley, Davidson, Davis, Day, Deasy, DeLissio, Delozier, DeLuca, Denlinger, DePasquale, Dermody, DeWeese, DiGirolamo, Donatucci, Freeman, Gabler, Galloway, Geist, George, Gerber, Gergely, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Goodman, Grell, Grove, Hackett, Hahn, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Heffley, Helm, Hennessey, Hess, Hickernell, Hornaman, Hutchinson, Johnson, Josephs, Kampf, Kauffman, Kavulich, Keller, F., Keller, M.K., Keller, W., Killion, Maloney, Mann, Markosek, Marshall, Marsico, Masser, Matzie, McGeehan, Metcalfe, Metzgar, Miccarelli, Millard, Miller, Milne, Mirabito, Moul, Mullery, Mundy, Murphy, Murt, Mustio, Myers, Neuman, O'Brien, D., O'Brien, M., O'Neill, Oberlander, Parker, Pashinski, Payne, Payton, Peifer, Petrarca, Petri, Pickett, Preston, Pyle, Quigley, Quinn, Saccone, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schroder, Shapiro, Simmons, Smith, K., Smith, M., Sonney, Staback, Stephens, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, Tobash, Toepel, Toohil, Truitt, Turzai, Vereb, Vitali, Vulakovich, Wagner, Waters, Watson, Wheatley, White, Williams, Youngblood, Smith, S., Speaker

NAYS—1

Thomas

NOT VOTING—0

EXCUSED—2

Micozzie Perry

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

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

Mr. WHITE offered the following amendment No. A03484:

Amend Bill, page 1, line 5, by inserting after "thereto," providing for enforcement of property tax limits on reassessment; and

Amend Bill, page 1, lines 10 through 12, by striking out all of said lines and inserting

Section 1. The act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended by adding a section to read:

Section 626. Enforcement of Property Tax Limits on Reassessment.—(a) If a board of directors of a school district fails to

comply with the property tax limits on reassessment under section 327 of the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the "Taxpayer Relief Act," the Attorney General of the Commonwealth shall have standing to initiate an action against the board of school directors in a court of competent jurisdiction to obtain compliance with the provisions of section 327 of the "Taxpayer Relief Act." The relief sought shall include a finding of the total dollar amount of the noncompliance.

(b) If a court of competent jurisdiction finds in an action initiated under subsection (a) that a board of school directors has failed to comply with any provision of section 327 of the "Taxpayer Relief Act," the court shall issue an order for compliance, which order shall include the finding required under subsection (a).

(c) The Attorney General shall file a certified copy of an order issued under subsection (b) with the Secretary of Revenue.

(d) Upon receipt of the certified copy of an order under subsection (c), the Secretary of Revenue shall multiply the dollar amount specified in the finding by two hundred percent and the product thereof shall represent a penalty against the school district.

(e) The Secretary of Revenue shall submit a notice in writing to the State Treasurer that includes the amount of the penalty under subsection (d), and the State Treasurer shall withhold the amount of the penalty from any disbursement or disbursements due the school district from the State Treasury until the amount of the penalty is satisfied.

(f) The State Treasurer shall submit a notice to the Secretary of Revenue when the amount of the penalty is satisfied and the Secretary of Revenue shall so inform the board of school directors of the school district.

Section 2. Section 907-A of the act, added May 4, 1970 (P.L.311, No.102), is amended to read:

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

3

Amend Bill, page 3, line 10, by striking out "3" and inserting

4

On the question,

Will the House agree to the amendment?

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

Mr. WHITE. Thank you, Mr. Speaker.

What this amendment does – very simply, this is an amendment designed to restrict school boards from abusing the reassessment system to raise property taxes beyond what is allowed by law. Currently by law a school board may not raise taxes any more than 5 percent as the result of a reassessment. The problem is that that provisional law really does not have any teeth. What this amendment says is if a school district raises taxes beyond that limit, they lose 200 percent of their windfall in State funding the following year.

So this is an amendment to protect business owners and property taxpayers in Pennsylvania.

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

On that question, the Speaker recognizes the gentleman, Mr. Milne.

Mr. MILNE. Mr. Speaker, whatever the substantive contents of this amendment may be, whether the merits may be right or wrong, I would just raise the observation it seems to be related to Act 1. I would suggest it would be a better vehicle for either Act 1 legislation or a stand-alone bill. In that spirit, I would ask the members to oppose this amendment. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the previous speaker really articulated the reasons as under Act 1 where this amendment should be placed as it deals with property taxes. And I, too, therefore ask for a "no" vote on this amendment. Thank you, Mr. Speaker.

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

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

Mr. WHITE. Thank you, Mr. Speaker.

While I appreciate the sentiments of the previous speakers, in my home county of Washington County and other places around the Commonwealth, there are court-ordered reassessments taking place right now that will result in higher property taxes if we do not act now.

This is a school issue. This is a School Code bill. It is absolutely the right place to address this, and this is one of those areas where, if you seriously care about the issue, you should vote for the amendment. Thank you.

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

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

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

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

Mr. VITALI. I just want to be clear of the penalty if there is a finding of noncompliance. In other words, if a school board raises taxes above what that index allows, tell me what the penalty is again.

Mr. WHITE. Mr. Speaker, the penalty is whatever the windfall is above what they are allowed to receive. So say they receive a windfall of \$1 million that they should not, then they would lose \$2 million in State funding the following year. And the reason that that is is because what they are supposed to do after reassessment is lower the millage rate to balance out the new value of a mill, but as we have seen in Allegheny County and a lot of other places, they are not doing that because there is no real teeth to enforce the current provisions of the law. It is a way to backdoor get around Act 1. So this is designed to be a strong disincentive, to force school boards to follow the law.

Mr. VITALI. Now, have you considered maybe penalizing the school board members themselves, because I am sort of thinking here, would this cause the taxpayers of the district to have to pay even more in school taxes here? I mean, are you punishing the right people here is kind of my question?

Mr. WHITE. Well, that is a good point, Mr. Speaker. And the whole point was to make it a disincentive so that they do not go down this road to begin with, because the problem is, if we do not stop this practice, what will happen is school boards will raise the taxes. The only remedy would be for a taxpayer to file a lawsuit to try to recoup, to get back to where they need to be, and the only person that could pay damages would be the school

board, and the only way they could do that would be to raise taxes even more. So what we are trying to do is stop a problem before it starts.

Mr. VITALI. So this involves, they are raising the millage.

Mr. WHITE. What it means is, as a result of a reassessment, the value of a mill always goes up. School boards are required by law to lower the rate so it becomes basically revenue-neutral with a little bit of variance. School boards, however, we have seen in Allegheny County and other places, have not lowered the rate, which has caused widespread property tax increases. They found a loophole to Act 1, and they are exploiting it.

Mr. VITALI. Okay. Has the School Boards Association weighed in on this one?

Mr. WHITE. They have not, not to my knowledge. I know they are not thrilled about the concept, but they acknowledge that the loophole exists.

Mr. VITALI. Okay. Those are all the questions I have.

I would like to speak on the amendment.

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

Mr. VITALI. I am going to oppose the amendment because I think Act 1 was an absolutely terrible idea. It hurts my school districts, forces them to really dumb down, and because of this, my classroom sizes are increasing, my libraries' staffing is being cut, my extracurriculars are being cut. I think it is an absolutely terrible idea, and any amendments that may cause that bad idea to be more strictly enforced, I am going to oppose.

I think that if school districts choose to fund their curriculum and extracurriculars and all of that at a certain level, it should be the choice of the duly-elected school directors of that district. They are elected there. They are there to sit in place of the people they represent and make these decisions, and it is their call, not ours. And if the people do not like the call they are making, they have an election every couple of years to elect them out of office.

So I think the most important issue to the people in my district is the quality of their schools, and I think that this by – and I think Act 1 is deteriorating the quality of our schools, and I think that this amendment, perhaps causing that to be more strictly enforced, is going to hurt kids, hurt the quality of education, hurt property values, and I ask for a "no" vote.

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

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

Mr. MAHER. It is a rare day but a happy one when the gentleman from Delaware County and I share a position on an amendment that involves some controversy. So I am happy, I am happy that he and I are in agreement. It does not happen often enough, but bipartisanship does live.

At first blush the amendment sounds like a disincentive, a punishment, for some rogue school directors, but as the gentleman from Delaware just observed, the real punishment would be on the backs of the real estate taxpayers that are in that school district. This would add further misery to those taxpayers as a punishment for the misery that had already been inflicted on them.

While I understand the sponsor's goal, I am thinking about this as an accountant, and at the end of the day, somebody must pay, and this will ensure that the local school district actually

has less support from the State and will need to look to more support from their local real estate taxpayers' pockets.

So I will be opposing this amendment and am happy for the bipartisanship with my friend from Delaware County.

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

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

Mr. KOTIK. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the White amendment. There is no sense in us passing laws if they are not enforced.

We talk about being fair to the taxpayers, we talk about making sure that we abide by the laws that we pass, and then the local school boards do not do that. If they have programs they think are desiring where they need extra revenue, there is a simple approach. You raise the school district millage and you justify it to the taxpayers of that school district that that is why you are raising the millage.

Mr. White is trying to rectify a problem that has existed for many years, and I think he is on the right track. Support the White amendment. Thank you, Mr. Speaker.

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

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

Mr. SACCONI. Thank you, Mr. Speaker.

It is time that we take some action, put some teeth in the law. We have not had that for awhile. That is what this bill does. I ask my colleagues to support the amendment. Thank you very much.

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

On that question, the Speaker recognizes the gentleman from Washington County, Mr. Neuman.

Mr. NEUMAN. Thank you, Mr. Speaker.

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

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

Mr. NEUMAN. Thank you.

Mr. Speaker, currently are there school districts that are raising or getting a windfall of greater than 5 percent in the State of Pennsylvania?

Mr. WHITE. Yes, Mr. Speaker. That has historically been happening as a result of reassessment, which is the purpose of the amendment.

Mr. NEUMAN. Just so I get this right, a county reassesses, the millage rate is redefined or reassessed, and the school districts are reaping a benefit greater than the law allows. Is that correct?

Mr. WHITE. That is correct.

Mr. NEUMAN. And what happens to the school districts currently if they are breaking the law by receiving a windfall of greater than 5 percent?

Mr. WHITE. Under current law, Mr. Speaker, there is no substantive penalty. The only recourse would be for a taxpayer to file a lawsuit, during which time everybody in the district would be paying significantly higher property taxes, and the only possible outcome would be that the district would have to raise taxes even more to offset the cost of the suit. This is trying to avoid that problem.

Mr. NEUMAN. And just one last question, Mr. Speaker. If your amendment is adopted, is it a difficult process for the school board to be able to appreciate what a 5-percent windfall is so that they do not get in trouble?

Mr. WHITE. I would hope that, Mr. Speaker, I would hope that the school boards and the school directors would be aware of and respect the law enough to know that they should not be exceeding the 5-percent windfall they are allowed currently. So that this to me would just serve as a commonsense disincentive to make sure that school districts cannot subvert the intent of this legislature when they pass property tax reform by exploiting a loophole big enough to drive a school bus through.

Mr. NEUMAN. Thank you, Mr. Speaker.

On the amendment, please?

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

Mr. NEUMAN. Mr. Speaker, if the school boards had difficulty realizing what a 5-percent windfall was, I would be in opposition of this amendment, because then we would be opening the door for grand punishment, but the accountants, the solicitors, and the school board are able to easily realize what 5 percent is. The law states that they are not allowed to receive more than 5 percent, but there is nothing in the law to – or a disincentive in the law for them to take 6, 7, 8, or even 10 percent.

Mr. Speaker, I am going to support the White amendment because it is not a punishment; it is a way for school districts to check their books and make sure they are only receiving a 5-percent windfall. Thank you, Mr. Speaker.

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

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

Mr. MUSTIO. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment?

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

Mr. MUSTIO. Thank you.

Mr. Speaker, the 5-percent windfall that has been discussed, that is not necessarily applicable in all parts of the State. In Allegheny County several years ago we passed a zero-windfall piece of legislation in the event of a reassessment. Would your provisions of the amendment still apply to enforcing that 0-percent windfall?

Mr. WHITE. Yes, Mr. Speaker, to answer your question. The 5 percent is the most common number, but there are various parts of the State where it is different.

What my amendment says is, if a school board raises taxes as a result of a reassessment over what is allowable by law to that specific school district, then this penalty provision would apply. So the answer is yes.

Mr. MUSTIO. Thank you.

Mr. Speaker, on the amendment?

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

Mr. MUSTIO. Mr. Speaker, I would like to encourage my colleagues to vote in favor of the amendment. When we passed the legislation capping the windfall at 0 percent in Allegheny County several years ago, there was concern over the applicability or enforcing of that provision at that time as far as

what department of State or whatever would be able to enforce it. And I want to thank the member for the amendment and will vote in favor of it. Thank you.

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

On that question, the Speaker recognizes the lady from Luzerne, Ms. Boback.

Ms. BOBACK. Thank you, Mr. Speaker.

May I interrogate the maker of the amendment?

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

Ms. BOBACK. Does this have any retroactivity? In other words, school districts that went through reassessment in 2008 countywide, does this go retro, or how would it affect them?

Mr. WHITE. Mr. Speaker, there is no retroactivity written into the bill, because I think if that were the case, you could have a situation where a school district could be put into a scenario where they would never be able to dig themselves out.

What this is designed to do is to serve notice to school directors that the law was put into place for a reason. There is a mechanism for raising property taxes under Act 1. If you want to raise taxes, do it the right way and be accountable to the voters instead of sneaking it in through the back door.

Ms. BOBACK. And no retroactivity?

Mr. WHITE. That is correct, Mr. Speaker.

Ms. BOBACK. Thank you. Thank you.

BILL PASSED OVER TEMPORARILY

The SPEAKER. Without objection, the bill will be over temporarily.

* * *

The House proceeded to second consideration of **SB 1062, PN 1325**, entitled:

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2011, to June 30, 2012, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2011.

On the question,

Will the House agree to the bill on second consideration?

Mr. **VEREB** offered the following amendment No. **A03339**:

Amend Bill, page 2, lines 5 through 30; page 3, lines 1 through 7, by striking out all of said lines on said pages and inserting

Section 302. Attorney General.—The following amounts are appropriated to the Attorney General:

For salaries, wages and all necessary expenses of the Attorney General related to 4 Pa.C.S. Pt. II (relating to gaming).

State appropriation	976,000
For salaries, wages and all necessary expenses associated with the Bureau of Investigations and Enforcement. This amount includes \$1,500,000 for the	

costs associated with the development of computer systems necessary for the investigation and enforcement duties.

State appropriation..... 12,940,000

Section 303. Department of Revenue.—The following amounts are appropriated to the Department of Revenue:

For the salaries, wages and all necessary expenses of the Department of Revenue related to 4 Pa.C.S. Pt. II (relating to gaming).

State appropriation..... 9,501,000

Section 304. Pennsylvania State Police.—The following amounts are appropriated to the Pennsylvania State Police:

For the salaries, wages and all necessary expenses of the Pennsylvania State Police related to 4 Pa.C.S. Pt. II (relating to gaming).

State appropriation..... 19,268,000

Section 305. Pennsylvania Gaming Control Board.—The following amounts are appropriated to the Pennsylvania Gaming Control Board:

For the salaries, wages and all necessary expenses for the proper operation and administration of the Pennsylvania Gaming Control Board. This appropriation includes \$8,113,000 from the restricted revenue account established in the State Gaming Fund for fees and other revenues collected by the board.

State appropriation..... 23,504,000

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Vereb.

Mr. VEREB. Mr. Speaker, I only intend to offer amendment A03499. So I would withdraw this amendment, Mr. Speaker.

The SPEAKER. The gentleman withdraws the amendment.

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

Mr. VEREB offered the following amendment No. **A03499**:

Amend Bill, page 2, lines 5 through 30; page 3, lines 1 through 7, by striking out all of said lines and inserting

Section 302. Attorney General.—The following amounts are appropriated to the Attorney General:

For salaries, wages and all necessary expenses of the Attorney General related to 4 Pa.C.S. Pt. II (relating to gaming).

State appropriation..... 976,000

For salaries, wages and all necessary expenses associated with the Bureau of Investigations and Enforcement. This amount includes \$1,500,000 for the

costs associated with the development of computer systems necessary for the investigation and enforcement duties.

State appropriation 12,940,000

Section 303. Department of Revenue.—The following amounts are appropriated to the Department of Revenue:

For the salaries, wages and all necessary expenses of the Department of Revenue related to 4 Pa.C.S. Pt. II (relating to gaming).

State appropriation 9,501,000

Section 304. Pennsylvania State Police.—The following amounts are appropriated to the Pennsylvania State Police:

For the salaries, wages and all necessary expenses of the Pennsylvania State Police related to 4 Pa.C.S. Pt. II (relating to gaming).

State appropriation 16,845,000

Section 305. Pennsylvania Gaming Control Board.—The following amounts are appropriated to the Pennsylvania Gaming Control Board:

For the salaries, wages and all necessary expenses for the proper operation and administration of the Pennsylvania Gaming Control Board. This appropriation includes \$8,113,000 from the restricted revenue account established in the State Gaming Fund for fees and other revenues collected by the board.

State appropriation 22,561,000

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

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

Mr. VEREB. Thank you, Mr. Speaker.

My amendment transfers money within the Gaming budget to the Attorney General for operations of BIE (Bureau of Investigations and Enforcement.)

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

On that question, the Speaker recognizes the gentleman from Erie, Mr. Fabrizio.

Mr. FABRIZIO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A03499. With all due respect to our esteemed colleague from Montgomery County, and knowing his passion on this issue to transfer the Bureau of Investigations and Enforcement to the Attorney General's Office, this is not the vehicle that can accomplish that goal. We cannot transfer the Bureau of Investigations and Enforcement through an appropriation of funding.

Currently as the law stands, the BIE is not part of the Attorney General's Office. So this amendment would provide funding for BIE in a location that does not statutorily exist. The law is clear: Title 4 vests the BIE with various duties and responsibilities. Transferring the BIE's funding will not transfer those responsibilities and duties to the A.G.'s Office. In other

words, you are going to have an agency with funding and no office, and you are going to have another agency with an office and no funding. And the worst thing is, there may not be any enforcement of our gaming industry at all.

If the Vereb amendment is adopted, it could set the stage for a prolonged stalemate within the Senate. If you will recall, SB 1062 passed the Senate unanimously. A stalemate would not only affect the Gaming Control Board budget but also the gaming budgets of the Attorney General, the Department of Revenue, and that of the State Police. A prolonged stalemate could jeopardize casino operations and gaming in Pennsylvania, because the board's funding currently would expire at the end of July, and it would be forced to shut down all casinos currently operating across the Commonwealth due to the mandatory furlough of casino compliance representatives as required by the Fair Labor Standards Act.

Now, Mr. Speaker, I know that some of our colleagues here in this chamber would like nothing better than to shut down the casino industry, our gaming industry, but I am certain that those recipients and those beneficiaries of the billions of dollars that have been generated – the 14,000 casino workers, the 5,000 dealers, the millions of dollars that have gone to economic development, and the \$825 million that has gone to the racing industry; all those and the ancillary businesses that have been supported by the gaming industry to the tune of \$340 million in our various communities – would be very upset if the casino industry came to a grinding halt. I know that this is probably not the intended consequences of the maker of the amendment, but I am afraid that this in reality would be the consequence.

Even if this august body, this General Assembly, believed that the transfer could be made or should be made, the proposed amended cuts in this particular amendment to effectuate the transfer are too much. If you will recall, we adopted HB 262, and the fiscal note attached to HB 262 said that it would approximately cost about \$10 million for the operation of the BIE. This transfer of \$12,940,000 is significantly higher than what the fiscal note required in HB 262.

And let me remind you that even if this were to be transferred, there is no agreement in place anywhere that I am aware of that moving the BIE to the A.G.'s Office is the right way to proceed. I know that there has been resistance on the part of the Senate in this particular case. I do not know how they would react to the amended budget as it goes back to them.

In fact, and I understand that the report of the grand jury had some effect on the germination of this bill, I should say, or this amendment, but this bill does not do what the report actually suggested. The report actually suggested that the BIE should become independent. By transferring it to the Attorney General's Office, it certainly does not provide any independence at all. It goes from one, you know, actually an independent agency to an agency run by an elected official. I do not see that as being independent.

But again, if the General Assembly is inclined to do so, the amount transferred would jeopardize, A, the opening of the Valley Forge Casino. Valley Forge, right now, is scheduled to open up I believe the third or fourth quarter of fiscal year 2011-2012. Even though the Senate has reduced the Gaming Board's budget by a million dollars, the Gaming Board said that they probably could well operate within the budget as adopted by the Senate and continue its course in opening up Valley Forge.

If this amendment is adopted, the reduction to the Gaming Board's budget would preclude their opening up the Valley Forge operation. Now, that expenses out to 500 jobs that are lost, millions of dollars in ancillary business that would be conducted in the area, and all those attendant benefits that come from the casino operations. I think, once again, this is not the intended consequence of the maker of this amendment, but in fact this is in reality what would occur.

We have been the beneficiary, this Commonwealth, of funds that— We receive more funding from gaming than any other State in the country, our government does, okay? We rank No. 1. It has been a proven success. For those of you that have casinos in your district, I am sure that you can attest to the fact that they have been successful. They have been successful not only to your communities – they are community-minded – they have contributed to regional projects all over this Commonwealth, and to see the casino come to a grinding halt would be a detriment to the entire Commonwealth.

In these times of economic crisis in many ways and our search of looking for revenues, to turn our backs on billions of dollars, billions of dollars over an issue of investigations and over the matter of passion, a passion for a particular issue, I think probably should be rethought. So, Mr. Speaker, I thank you for the opportunity to address this body, and I am urging every one of my colleagues: Please, for the sake of this Commonwealth, for the sake of the economy of this Commonwealth, for the continuation of a growing industry, for the creation of more jobs, and for all those attendant factors that really have proved beneficial to the 13 million people in this Commonwealth, please vote against this amendment. Thank you.

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

On that question, the Speaker recognizes the gentleman from Philadelphia, Mr. Mike O'Brien.

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

Wink wink, nod nod; spin; suppress; grease the skids; get it done; do not ask questions – and that is the legacy of the Bureau of Investigations and Enforcement. That is a legacy that I have suspected. It is a legacy that has been confirmed by a grand jury. No innuendo, no speculation: the findings of a grand jury.

Now, the gentleman from Montgomery has provided a vehicle to begin taking the legacy of wink wink, nod nod and placing it under legitimate law enforcement. Certainly the gentleman from Erie raises some questions, but this begins a process. Certainly in the budget process the gentleman from Montgomery can finish his task under the Fiscal Code, as we have done in the past, but quite simply, the gentleman from Montgomery – I would be tempted to say "restore," but sadly there has never been integrity to restore – the gentleman from Montgomery will bring integrity to this process.

Certainly I will be an affirmative vote, and I am honored that I will be standing with the majority in this affirmative vote. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Greene County, Mr. DeWeese.

Mr. DeWEESE. Every Attorney General since the commencement of the statute which guaranteed an elected Attorney General, which I supported at the dawn of my political

career, has launched a gubernatorial enterprise within days of being sworn in on the Bible. The gentleman from Montgomery County offers an amendment which will allow future men or women who don the mantle of the Attorney General's assignment to come full freighted to the job, full freighted to the job, with potential political chicanery.

I do not think there is anything, and notwithstanding the words of the previous speaker, my good friend from Philadelphia, there is anything sacrosanct about the pronouncements of a grand jury. In fact, I think just the opposite, but that is for another speech for another day. This amendment, this amendment will allow politicians within the Attorney General's Office to run the show. I will vote in the negative.

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

On that question, the Speaker recognizes the gentleman from Berks County, Mr. Santoni.

Mr. SANTONI. Thank you, Mr. Speaker.

Mr. Speaker, as many of you know, I chaired the Gaming Oversight Committee last session when we did the historic legislation to put table games in our casinos, and I worked very closely with the gentleman from Montgomery. And I like him and I think he is concerned about the gaming industry, but quite frankly, this is not the way to do what he wants to do.

I certainly can go point by point in agreeing with the gentleman from Erie in all the good things that gaming has done, all the jobs it has created, the tourism, the economic development. In a staggeringly bad economy, we have created jobs in Pennsylvania.

And I know that the gentleman that has offered the amendment is concerned about where the Bureau of Investigations and Enforcement should be, whether it should be in the Attorney General, where he believes, or the Gaming Control Board, where I believe. But no matter who believes what on this issue, the bottom line is, this is just not the way to do it. What the gentleman from Montgomery is doing is he is giving money to operate an agency to the Attorney General's Office, and they have no jurisdiction. They cannot do it by law. We are giving them money to do a job they simply cannot do.

The Pennsylvania Gaming Control Board has the responsibility, and the gentleman from Montgomery is taking their funding away. I know the gentleman from Erie mentioned it, but I want to make that point clear. If he wants to do what he wants to do by moving the BIE over to the Attorney General, then work on getting his House bill that passed this House voted on over in the Senate and on to the Governor for his signature. That is how he gets what he wants to get done done. By doing what he is doing under this amendment is just not the way you do it. He is going through the appropriations process. It is wrong. If I was a cynic, I would believe that he and some of the other antigaming people are trying to put more hurdles up in front of our gaming industry; again, an industry that is doing well in Pennsylvania.

So because of the reasons stated, I think this is the wrong way to go. I think the gentleman is wrong in what he is doing by taking away the appropriations to an agency that still has jurisdiction over the Bureau of Investigations and Enforcement, and I would ask all the members of the House to vote against the Vereb amendment.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Lawrence County, Mr. Sainato.

Mr. SAINATO. Thank you, Mr. Speaker.

I, too, rise to oppose this amendment. I want to back up what my colleague from Erie said. And my good friend from Montgomery, I am sure he has his reasons and I know why he wants it, and that is really for another day to discuss it. Like Chairman Santoni said, we need to vet that out as legislation.

My concern over this is the potential delay in the casinos that are not operating within Pennsylvania right now. We need to move and expedite the process. You have got Valley Forge, you have got Nemaquin, and you also have a potential casino in Lawrence County, which hopefully will come to fruition sometime next year. But the most important thing at this point for the Gaming Board and their facility is to do the background checks, give them the resources they need, and get the background done so we can get these operations moving and operating in Pennsylvania.

With this amendment, if it would defund them and take the money there, the consequences could be devastating, not just for the future casinos that need to be done but for the existing facilities which we have now. It is very important to us because of the revenue that is coming into this State that we vitally need for property tax reduction and economic development and for all those thousands of people that work in that industry.

So that is my reasoning behind this amendment, and I would urge my colleagues to vote "no."

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

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

The House will be at ease for a second.

The House will come to order.

Is the gentleman, Mr. Vereb, not seeking recognition at this time?

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I cannot help but note the irony that the one industry in Pennsylvania that is not polluting our waters and is returning tax dollars to the people of Pennsylvania, that one apparently needs much more regulation, but the one that is polluting our waters and not producing any tax dollars for the State of Pennsylvania, that is the one that needs less regulation.

I encourage a "no" vote on the Vereb amendment. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I rise with concern about this amendment. I was one of the ones who voted "yes" on the bill back in February which would transfer the enforcement from the Gaming Board over to the Attorney General. So I support the concept.

Now, I read the fiscal note. Back in February, the fiscal note said that bureau costs \$10,381,000. Today the gentleman from Montgomery is saying that if we switch that bureau over to the Attorney General, it costs \$12,940,000. That is a 24-percent increase in 3 months or 4 months. We have a very tight State budget, and we should not be endorsing a 24-percent increase in an agency such as this. We should make the transfer ultimately, but we should find a way to make sure that it costs the same with the Attorney General as it does currently with the Gaming Board, not endorse such a large increase.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, having been involved in this issue for many years, I can support the Vereb amendment. It makes sense. It provides the kind of protection that we need in this very important industry called gambling, casino gambling in particular. And we have read many remarks in the news media about some of the enormous problems that they have encountered, and this amendment will help to resolve some of those law enforcement problems. Thank you.

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

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

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

I completely respect the gentleman from Montgomery County in his intent to make sure that the integrity of the gaming industry is indeed upheld. And there is no doubt when the gaming industry first began, there were certainly some bumps in the road. Over time, however, the Gaming Board has done an outstanding job of rectifying those problems.

I agree also with the former Gaming chairman in the fact that if this amendment were to indeed pass, it would create complete havoc within the system that we presently have right now. Over \$4.7 billion has been contributed in property tax and rent rebate. You are looking at 40,000 jobs that were saved in the equine industry that is worth hundreds of millions of dollars every year, not just in those jobs but I am talking about the purchasing of agricultural supplies for the equine industry – property, farms, barns, trucks, trailers. This is a huge economic portion of our economy here in Pennsylvania. In addition to that, over 16,000 jobs have been created throughout the industry. Those jobs definitely would be in jeopardy if there was no oversight within the system itself.

In addition to that, you are talking about an incredible amount of economic development in the local areas, and I can speak to this personally. In northeastern Pennsylvania, we have an outstanding casino that has done incredible community outreach, has helped with our United Way, created over \$40 million in economic grants. These things have helped the people of northeastern Pennsylvania, and I would ask that this amendment be defeated.

Thank you, Mr. Speaker.

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

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

Mr. VEREB. Mr. Speaker, I urge a "yes" vote. This is not taxpayer money; this is existing gaming revenue.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—110

Adolph	Fleck	Maher	Reichley
Aument	Gabler	Major	Roae
Baker	Geist	Maloney	Rock
Barrar	Gillen	Marshall	Ross
Bear	Gillespie	Marsico	Saccone
Benninghoff	Gingrich	Masser	Saylor
Bloom	Godshall	Metcalfe	Scavello
Boback	Grell	Metzgar	Schroder
Boyd	Grove	Miccarelli	Shapiro
Brooks	Hackett	Millard	Simmons
Brown, R.	Hahn	Miller	Sonney
Causer	Harhart	Milne	Stephens
Christiana	Harper	Moul	Stern
Clymer	Harris	Murt	Stevenson
Cox	Heffley	Mustio	Swanger
Creighton	Helm	O'Brien, M.	Tallman
Culver	Hennessey	O'Neill	Taylor
Cutler	Hess	Oberlander	Tobash
Day	Hickernell	Payne	Toepel
Delozier	Hutchinson	Payton	Toohil
Denlinger	Kampf	Peifer	Truitt
Dunbar	Kauffman	Pickett	Turzai
Ellis	Keller, F.	Pyle	Vereb
Emrick	Keller, M.K.	Quigley	Vulakovich
Evankovich	Killion	Quinn	Watson
Evans, J.	Knowles	Rapp	
Everett	Krieger	Reed	Smith, S.,
Farry	Lawrence	Reese	Speaker

NAYS—91

Barbin	DeLissio	Josephs	Petri
Bishop	DeLuca	Kavulich	Preston
Boyle, B.	DePasquale	Keller, W.	Ravenstahl
Boyle, K.	Dermody	Kirkland	Readshaw
Bradford	DeWeese	Kortz	Roebuck
Brennan	DiGirolamo	Kotik	Sabatina
Briggs	Donatucci	Kula	Sainato
Brown, V.	Evans, D.	Longietti	Samuelson
Brownlee	Fabrizio	Mahoney	Santarsiero
Burns	Frankel	Mann	Santoni
Buxton	Freeman	Markosek	Smith, K.
Caltagirone	Galloway	Matzie	Smith, M.
Carroll	George	McGeehan	Staback
Cohen	Gerber	Mirabito	Sturla
Conklin	Gergely	Mullery	Thomas
Costa, D.	Gibbons	Mundy	Vitali
Costa, P.	Goodman	Murphy	Wagner
Cruz	Haluska	Myers	Waters
Curry	Hanna	Neuman	Wheatley
Daley	Harhai	O'Brien, D.	White
Davidson	Harkins	Parker	Williams
Davis	Hornaman	Pashinski	Youngblood
Deasy	Johnson	Petrarca	

NOT VOTING—0

EXCUSED—2

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

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

The SPEAKER. The bill will be reprinted as amended.

* * *

The House proceeded to second consideration of **HB 61, PN 29**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for collection of court costs, restitution and fines by private collection agency.

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

The SPEAKER. It is the Speaker's understanding that the two amendments that have been filed to this bill have been withdrawn.

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 **SB 369, PN 1294**, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in scenic highways, providing for the designation of a portion of U.S. 219, U.S. 322, State Route 969, State Route 879, State Route 153, State Route 453, State Route 1001, State Route 729, State Route 4005 and the Greenville Pike and Bilger's Rocks Road in Clearfield County as scenic byways.

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

The SPEAKER. On that question, the gentleman, Mr. Pyle, has two amendments. Is he seeking to consider both amendments or just one?

Mr. PYLE. Thank you, Mr. Speaker.
I will be withdrawing the first amendment and offering the second.

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

Mr. PYLE offered the following amendment No. **A03548**:

Amend Bill, page 3, line 3, by striking out "AND" where it occurs the first time and inserting a comma
Amend Bill, page 3, line 9, by striking out "U.S. 219 IN BELL TOWNSHIP AND CONTINUING ON U.S. 219 ON MAHAFFEY" and inserting

(1) U.S. 219 in Bell Township and continuing on U.S. 219 in Mahaffey

Amend Bill, page 3, line 15, by inserting a comma after "BOROUGH"

Amend Bill, page 3, line 20, by inserting a comma after "BOROUGH"

Amend Bill, page 3, line 22, by inserting a comma after "TOWNSHIP"

Amend Bill, page 3, line 25, by striking out all of said line and inserting Township to county line.

(2) Bigler's Rock Loop, State Route 729,

Amend Bill, page 3, line 26, by inserting after "420/490,"
to

Amend Bill, page 3, line 27, by inserting after "540/600,"
to

Amend Bill, page 4, line 1, by inserting after "040/010"
to

Amend Bill, page 4, line 2, by inserting after "90/120,"
to

Amend Bill, page 4, line 3, by striking out all of said line and inserting

Curwensville Borough.

(3) Penfield Loop, U.S. 322, Segment No.

Amend Bill, page 4, line 4, by inserting after "414/301,"
to

Amend Bill, page 4, line 6, by inserting after "410/470,"
to

Amend Bill, page 4, by inserting between lines 6 and 7

(a.1) Exception.—Segment No. 290/360 of State Route 879 shall not be included as a part of the scenic byway designated under subsection (a).

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

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

Mr. PYLE. Thank you, Mr. Speaker.

What A03548 does is it cleans up the bill to delineate and identify the sections of the road that would be the scenic bypass. Under the original language, the bill did not identify exactly where the scenic byway started and where the scenic byway ended. This is an amendment that is agreed to by the maker, Senator White, over in the Senate.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—201

Adolph	Dunbar	Kirkland	Ravenstahl
Aument	Ellis	Knowles	Readshaw
Baker	Emrick	Kortz	Reed
Barbin	Evankovich	Kotik	Reese
Barrar	Evans, D.	Krieger	Reichley
Bear	Evans, J.	Kula	Roae
Benninghoff	Everett	Lawrence	Rock
Bishop	Fabrizio	Longietti	Roebuck
Bloom	Farry	Maher	Ross
Boback	Fleck	Mahoney	Sabatina
Boyd	Frankel	Major	Saccone
Boyle, B.	Freeman	Maloney	Sainato

Boyle, K.	Gabler	Mann	Samuelson
Bradford	Galloway	Markosek	Santarsiero
Brennan	Geist	Marshall	Santoni
Briggs	George	Marsico	Saylor
Brooks	Gerber	Masser	Scavello
Brown, R.	Gergely	Matzie	Schroder
Brown, V.	Gibbons	McGeehan	Shapiro
Brownlee	Gillen	Metcalfe	Simmons
Burns	Gillespie	Metzgar	Smith, K.
Buxton	Gingrich	Miccarelli	Smith, M.
Caltagirone	Godshall	Millard	Sonney
Carroll	Goodman	Miller	Staback
Causar	Grell	Milne	Stephens
Christiana	Grove	Mirabito	Stern
Clymer	Hackett	Moul	Stevenson
Cohen	Hahn	Mullery	Sturla
Conklin	Haluska	Mundy	Swanger
Costa, D.	Hanna	Murphy	Tallman
Costa, P.	Harhai	Murt	Taylor
Cox	Harhart	Mustio	Thomas
Creighton	Harkins	Myers	Tobash
Cruz	Harper	Neuman	Toepel
Culver	Harris	O'Brien, D.	Toohil
Curry	Heffley	O'Brien, M.	Truitt
Cutler	Helm	O'Neill	Turzai
Daley	Hennessey	Oberlander	Verbe
Davidson	Hess	Parker	Vitali
Davis	Hickernell	Pashinski	Vulakovich
Day	Hornaman	Payne	Wagner
Deasy	Hutchinson	Payton	Waters
DeLissio	Johnson	Peifer	Watson
Delozier	Josephs	Petrarca	Wheatley
DeLuca	Kampf	Petri	White
Denlinger	Kauffman	Pickett	Williams
DePasquale	Kavulich	Preston	Youngblood
Dermody	Keller, F.	Pyle	
DeWeese	Keller, M.K.	Quigley	Smith, S.,
DiGirolamo	Keller, W.	Quinn	Speaker
Donatucci	Killion	Rapp	

NAYS-0

NOT VOTING-0

EXCUSED-2

Micozzie Perry

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

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

The SPEAKER. The bill will be reprinted as amended.

* * *

The House proceeded to second consideration of **SB 858, PN 1360**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in district and assistant superintendents, further providing for eligibility; and making editorial changes.

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

The SPEAKER. The Speaker has been informed that the McGeehan amendments, the Briggs amendment, the Matt Smith amendment, the White amendment, and the Hanna amendments have been withdrawn.

The gentleman from Philadelphia, Mr. Cruz, had three late-filed amendments, which have also been withdrawn. The Speaker thanks the gentleman.

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

SUPPLEMENTAL CALENDAR D

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1548, PN 2087**, entitled:

An Act amending the act of May 13, 1915 (P.L.286, No.177), known as the Child Labor Law, further providing for definitions, for regulated employment, for employment of children at establishments where alcoholic beverages or malt liquor is sold and for permits; imposing duties on the department; further providing for educational requirements and for prohibitions regarding work hours; providing for transfers to minor child performer trust accounts; and further providing for employment certificate.

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

Mr. **MURT** offered the following amendment No. **A03505**:

Amend Bill, page 3, by inserting between lines 8 and 9
The term "minor" when used in sections 7.1 and 7.5 of this act shall mean a person under the age of 18 who is required to attend school under the act of March 10, 1949 (P.L.30, No.14), known as the "Public School Code of 1949," or the education code of the person's state of residence.

Amend Bill, page 7, lines 29 and 30; page 8, line 1, by striking out "in a" in line 29, all of line 30 on page 7 and "facility" in line 1 on page 8

Amend Bill, page 13, line 12, by striking out "renewal" and inserting

subsequent registration

Amend Bill, page 14, line 13, by striking out "Pennsylvania School Code," and inserting

act of March 10, 1949 (P.L.30, No.14), known as the "Public School Code of 1949,"

Amend Bill, page 14, line 18, by striking out "two" and inserting three

Amend Bill, page 14, line 24, by striking out "school" and inserting

the school of the minor's place of business

Amend Bill, page 15, line 28, by inserting after "Act"

or an account previously established under a similar law in another state

Amend Bill, page 16, line 17, by inserting after "established"

in this Commonwealth or under a similar law in another state

Amend Bill, page 17, lines 21 and 22, by striking out "either in monetary or non-monetary" in line 21 and "form, for" in line 22 and inserting

that expressly depends upon

Amend Bill, page 17, line 29, by inserting after "shall"

include one or more monetary payments, but shall

Amend Bill, page 17, line 30, by inserting after "family"

, any prize or goods or services received in connection with the program with a value less than \$2,500

Amend Bill, page 19, line 24, by striking out "Satisfy" and inserting

If applicable, satisfy

Amend Bill, page 19, line 30, by striking out "(xi) Additional requirements determined by the department."

Amend Bill, page 20, line 5, by striking out "work"

Amend Bill, page 20, line 7, by striking out "shall" and inserting may

Amend Bill, page 20, line 15, by striking out "work"

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

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

Mr. MURT. Mr. Speaker, it is my intention to withdraw this amendment and instead offer amendment 3564 instead.

The SPEAKER. The Speaker is not in receipt of that amendment. Would the gentleman come up to the dais?

Mr. MURT. Yes, Mr. Speaker.

(Conference held at Speaker's podium.)

The SPEAKER. The gentleman, Mr. Murt, withdrew amendment A03505 and is recognized to call up amendment A03564, which is a corrective reprint; 03564, which is a corrective reprint of the previous amendment.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. MURT offered the following amendment No. **A03564**:

Amend Bill, page 3, by inserting between lines 8 and 9

The term "minor" when used in sections 7.1 and 7.5 of this act shall mean a person under the age of 18 who is required to attend school under the act of March 10, 1949 (P.L.30, No.14), known as the "Public School Code of 1949," or the education code of the person's state of residence.

Amend Bill, page 7, lines 29 and 30; page 8, line 1, by striking out ", in a" in line 29, all of line 30, page 7 and "facility" in line 1, page 8

Amend Bill, page 13, line 12, by striking out "renewal" and inserting

subsequent registration

Amend Bill, page 14, line 13, by striking out "Pennsylvania School Code," and inserting

act of March 10, 1949 (P.L.30, No.14), known as the "Public School Code of 1949."

Amend Bill, page 14, line 18, by striking out "two" and inserting three

Amend Bill, page 14, line 24, by striking out "school" and inserting

the school of the minor's place of residence

Amend Bill, page 15, line 28, by inserting after "Act"

or an account previously established under a similar law in another state

Amend Bill, page 16, line 17, by inserting after "established" in this Commonwealth or under a similar law in another state

Amend Bill, page 17, lines 21 and 22, by striking out "either in monetary or non-monetary" in line 21 and "form, for" in line 22 and inserting

that expressly depends upon

Amend Bill, page 17, line 29, by inserting after "shall"

include one or more monetary payments, but shall

Amend Bill, page 17, line 30, by inserting after "family"

, any prize or goods or services received in connection with the program with a value less than \$2,500

Amend Bill, page 19, line 24, by striking out "Satisfy" and inserting

If applicable, satisfy

Amend Bill, page 19, line 30, by striking out "(xi) Additional requirements determined by the department."

Amend Bill, page 20, line 5, by striking out "work"

Amend Bill, page 20, line 7, by striking out "shall" and inserting may

Amend Bill, page 20, line 15, by striking out "work"

On the question,

Will the House agree to the amendment?

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

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, this is a technical amendment which tightens up the text of the bill, also addressing the minor but very legitimate concerns which have been expressed to us by professionals in the industry, and I would respectfully request an affirmative vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—201

Adolph	Dunbar	Kirkland	Ravenstahl
Aument	Ellis	Knowles	Readshaw
Baker	Emrick	Kortz	Reed
Barbin	Evankovich	Kotik	Reese
Barrar	Evans, D.	Krieger	Reichley
Bear	Evans, J.	Kula	Roae
Benninghoff	Everett	Lawrence	Rock
Bishop	Fabrizio	Longietti	Roebuck
Bloom	Farry	Maher	Ross
Boback	Fleck	Mahoney	Sabatina
Boyd	Frankel	Major	Saccone
Boyle, B.	Freeman	Maloney	Sainato
Boyle, K.	Gabler	Mann	Samuelson
Bradford	Galloway	Markosek	Santarsiero
Brennan	Geist	Marshall	Santoni
Briggs	George	Marsico	Saylor
Brooks	Gerber	Masser	Scavello
Brown, R.	Gergely	Matzie	Schroder
Brown, V.	Gibbons	McGeehan	Shapiro
Brownlee	Gillen	Metcalfe	Simmons
Burns	Gillespie	Metzgar	Smith, K.
Buxton	Gingrich	Miccarelli	Smith, M.
Caltagirone	Godshall	Millard	Sonney
Carroll	Goodman	Miller	Staback
Causar	Grell	Milne	Stephens
Christiana	Grove	Mirabito	Stern

Clymer	Hackett	Moul	Stevenson
Cohen	Hahn	Mullery	Sturla
Conklin	Haluska	Mundy	Swanger
Costa, D.	Hanna	Murphy	Tallman
Costa, P.	Harhai	Murt	Taylor
Cox	Harhart	Mustio	Thomas
Creighton	Harkins	Myers	Tobash
Cruz	Harper	Neuman	Toepel
Culver	Harris	O'Brien, D.	Toohil
Curry	Heffley	O'Brien, M.	Truitt
Cutler	Helm	O'Neill	Turzai
Daley	Hennessey	Oberlander	Vereb
Davidson	Hess	Parker	Vitali
Davis	Hickernell	Pashinski	Vulakovich
Day	Hornaman	Payne	Wagner
Deasy	Hutchinson	Payton	Waters
DeLissio	Johnson	Peifer	Watson
DeLozier	Josephs	Petrarca	Wheatley
DeLuca	Kampf	Petri	White
Denlinger	Kauffman	Pickett	Williams
DePasquale	Kavulich	Preston	Youngblood
Dermody	Keller, F.	Pyle	
DeWeese	Keller, M.K.	Quigley	Smith, S.,
DiGiroloamo	Keller, W.	Quinn	Speaker
Donatucci	Killion	Rapp	

NAYS—0

NOT VOTING—0

EXCUSED—2

Micozzie Perry

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. On that question, the Speaker recognizes the gentleman from Lawrence County, Mr. Gibbons. It is the Speaker's understanding that you are withdrawing one amendment? Which amendment is it that you seek the consideration of?

Mr. GIBBONS. We seek consideration of 3502.

The SPEAKER. The Speaker thanks the gentleman.

On the question recurring,

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

Mr. GIBBONS offered the following amendment No. **A03502**:

Amend Bill, page 2, line 19, by inserting after "accounts" and for revocation of permit

Amend Bill, page 17, line 11, by striking out "a section" and inserting

sections

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

Section 7.6. (a) The following shall apply:

- (1) The department may revoke a special permit if:
 - (i) there has been a violation of this act related to the employment of the minor in the performance;
 - (ii) the permit application contained false, misleading and substantially incorrect information or the applicant or minor is no longer performing in accordance with the information provided on the application;
 - (iii) a condition of issuance of the permit is not being met; or
 - (iv) there is danger to the minor's health, safety or welfare.
- (b) The department may revoke a special permit under this section without a hearing. Revocation may be appealed to the Secretary of Labor and Industry, who shall conduct a hearing subject to 2 Pa.C.S. Chs. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and 7 Subch. A (relating to judicial review of Commonwealth agency action). The revocation may remain in effect until the Secretary of Labor and Industry issues a decision.

On the question,

Will the House agree to the amendment?

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

Mr. GIBBONS. Thank you, Mr. Speaker.

This amendment adds language that would allow the Secretary of the Department of Labor and Industry to revoke a special permit issued for the employment of minors in performances. If the department finds that there are violations of the act or conditions of the permit, an application containing false information, or if there is danger to a minor's health, safety, or welfare, appeals would be permitted, but the revocation remains in effect until the decision of the Secretary.

This bill, this language, is not currently contained in current law or in the language in HB 1548, but we feel it is important to add this to protect these children who are acting. This language actually comes from a comprehensive bill to rewrite the Child Labor Law that I had introduced last session with the support of the Department of Labor and Industry. Certainly I look forward to continuing working to do a comprehensive bill with the committee, with the Labor and Industry Committee, but I think it is important that we add this language in now as we are doing the rewrite.

I want to thank the prime sponsor of this bill for all of his work and for working with me last session. We held our joint hearing, and I appreciate his support of my amendment. Thank you.

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

On that question, the Speaker recognizes the gentleman, Mr. Murt.

Mr. MURT. Mr. Speaker, this is an agreed-to amendment. I thank my friend from Ellwood City for making our bill better. It certainly embellishes the legislation, and it invigorates the articulated permitting process for children who are working in the entertainment industry in the Commonwealth of Pennsylvania.

I urge an affirmative vote on this amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—201

Adolph	Dunbar	Kirkland	Ravenstahl
Aument	Ellis	Knowles	Readshaw
Baker	Emrick	Kortz	Reed
Barbin	Evankovich	Kotik	Reese
Barrar	Evans, D.	Krieger	Reichley
Bear	Evans, J.	Kula	Roae
Benninghoff	Everett	Lawrence	Rock
Bishop	Fabrizio	Longiatti	Roebuck
Bloom	Farry	Maher	Ross
Boback	Fleck	Mahoney	Sabatina
Boyd	Frankel	Major	Saccone
Boyle, B.	Freeman	Maloney	Sainato
Boyle, K.	Gabler	Mann	Samuelson
Bradford	Galloway	Markosek	Santarsiero
Brennan	Geist	Marshall	Santoni
Briggs	George	Marsico	Saylor
Brooks	Gerber	Masser	Scavello
Brown, R.	Gergely	Matzie	Schroder
Brown, V.	Gibbons	McGeehan	Shapiro
Brownlee	Gillen	Metcalfe	Simmons
Burns	Gillespie	Metzgar	Smith, K.
Buxton	Gingrich	Miccarelli	Smith, M.
Caltagirone	Godshall	Millard	Sonney
Carroll	Goodman	Miller	Staback
Causer	Grell	Milne	Stephens
Christiana	Grove	Mirabito	Stern
Clymer	Hackett	Moul	Stevenson
Cohen	Hahn	Mullery	Sturla
Conklin	Haluska	Mundy	Swanger
Costa, D.	Hanna	Murphy	Tallman
Costa, P.	Harhai	Murt	Taylor
Cox	Harhart	Mustio	Thomas
Creighton	Harkins	Myers	Tobash
Cruz	Harper	Neuman	Toepel
Culver	Harris	O'Brien, D.	Toohil
Curry	Heffley	O'Brien, M.	Truitt
Cutler	Helm	O'Neill	Turzai
Daley	Hennessey	Oberlander	Vereb
Davidson	Hess	Parker	Vitali
Davis	Hickernell	Pashinski	Vulakovich
Day	Hornaman	Payne	Wagner
Deasy	Hutchinson	Payton	Waters
DeLissio	Johnson	Peifer	Watson
Delozier	Josephs	Petrarca	Wheatley
DeLuca	Kampf	Petri	White
Denlinger	Kauffman	Pickett	Williams
DePasquale	Kavulich	Preston	Youngblood
Dermody	Keller, F.	Pyle	
DeWeese	Keller, M.K.	Quigley	Smith, S.,
DiGirolamo	Keller, W.	Quinn	Speaker
Donatucci	Killion	Rapp	

NAYS—0

NOT VOTING—0

EXCUSED—2

Micozzie Perry

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?
 Bill as amended was agreed to.

The SPEAKER. The bill will be reprinted as amended.

* * *

The House proceeded to second consideration of **HB 1644, PN 2060**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in contracts, further providing for sales of personal property and surplus farm products.

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

The SPEAKER. There will be no more votes this afternoon.

BILLS RECOMMITTED

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

- HB 61;
- HB 1203;
- HB 1416;
- HB 1544;
- HB 1548;
- HB 1644;
- SB 326;
- SB 369;
- SB 606;
- SB 858; and
- SB 1062.

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

BILLS REMOVED FROM TABLE

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

- HB 973;
- SB 101;
- SB 260;
- SB 263;
- SB 419;
- SB 828;
- SB 829; and
- SB 830.

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

BILLS REMOVED FROM TABLE

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

HB 298;
 HB 468;
 HB 774;
 HB 1439;
 HB 1440;
 HB 1442;
 HB 1443;
 SB 357; and
 SB 359.

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

BILLS TABLED

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

HB 298;
 HB 468;
 HB 774;
 HB 1439;
 HB 1440;
 HB 1442;
 HB 1443;
 SB 357; and
 SB 359.

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

SENATE BILL FOR CONCURRENCE

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

SB 200, PN 1403

Referred to Committee on EDUCATION, June 22, 2011.

**LABOR AND INDUSTRY
COMMITTEE MEETING**

The SPEAKER. The Speaker recognizes the gentleman, Mr. Miller, for the purpose of making an announcement.

Mr. MILLER. Thank you, Mr. Speaker.

For the members of the House Labor and Industry Committee, there will be a voting meeting tomorrow morning at 10 in room B-31, Main Capitol, on HB 1683 and any other business that comes before the committee.

Again, there will be a Labor and Industry Committee meeting tomorrow morning. It is a voting meeting. It will be held at 10 a.m. in B-31 Main Capitol.

Thank you, Mr. Speaker.

The SPEAKER. The Labor and Industry Committee will be meeting tomorrow at 10 a.m. in room B-31, Main Capitol.

BILL SIGNED BY SPEAKER

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

HB 148, PN 2144

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions, for sales by liquor licensees and restrictions, for sale of malt or brewed beverages by liquor licensees, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for distributors' and importing distributors' restrictions on sales, storage, etc., for retail dispensers' restrictions on purchases and sales, for malt or brewed beverages manufactured outside this Commonwealth, for brand registration, for limiting number of retail licenses to be issued in each county, for licenses not assignable and transfers, for revocation and suspension of licenses and fines, for local option, for unlawful acts relative to liquor, malt and brewed beverages and licensees and for limited wineries.

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

ANNOUNCEMENT BY MR. DIGIROLAMO

The SPEAKER. The gentleman, Mr. DiGirolamo, is recognized for the purpose of making an announcement.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Just a reminder for the members of the Human Services Committee that there will be a hearing – not a voting meeting, a hearing – tomorrow morning at 9 in G-50 in the Irvis Office Building. Tomorrow, 9 a.m., Human Services Committee hearing. Thank you.

The SPEAKER. The House will come to order.

For the information of the members, the desk is going to remain open for a little while to receive a committee report. So this House will be in recess until 4:45, unless sooner recalled by the Speaker.

Additionally, when we do adjourn, we will adjourn until 11 o'clock tomorrow morning, like on a normal day.

RECESS

The SPEAKER. This House stands in recess until 4:45, unless sooner recalled by the Speaker.

AFTER RECESS

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

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

HB 146, PN 2184 (Amended) By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, prohibiting use of interactive wireless communications devices by junior drivers and in work zones; further providing for the offense of careless driving; establishing the Driver Distraction Awareness Fund; and providing for additional duties of the Department of Transportation.

TRANSPORTATION.

HB 1091, PN 1188 By Rep. GEIST

An Act designating a portion of State Route 955 in Lawrence Park Township, Erie County, as the Michael D. Crotty Memorial Parkway.

TRANSPORTATION.

HB 1215, PN 1325 By Rep. GEIST

An Act designating a bridge to be constructed on that portion of SR 222 over the Amtrak rail lines in the City of Lancaster, Lancaster County, replacing the Lititz Pike Bridge, as the Thaddeus Stevens Bridge.

TRANSPORTATION.

HB 1457, PN 1763 By Rep. GEIST

An Act redesignating Concord Road (S.R. 3007) in Chester Township, Delaware County, as Judge Robert A. Wright Memorial Road.

TRANSPORTATION.

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

SB 314, PN 1410 (Amended) By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, defining "interactive wireless communications device"; providing for prohibiting use of interactive wireless communications devices while operating motor vehicles; and further providing for duty of driver in construction and maintenance areas or on highway safety corridors, for duty of driver in emergency response areas, for accident report forms, for department to compile, tabulate and analyze accident reports, for television equipment, for applicability and uniformity of law and for disposition and use of liquid fuels and fuels tax.

TRANSPORTATION.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Speaker recognizes the gentleman, Mr. Heffley, from Carbon County, who moves that this House do adjourn until Thursday, June 23, 2011, 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 4:52 p.m., e.d.t., the House adjourned.