

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, APRIL 30, 2012

SESSION OF 2012

196TH OF THE GENERAL ASSEMBLY

No. 24

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (SAMUEL H. SMITH) PRESIDING

PRAYER

REV. LOUISE WILLIAMS BISHOP, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Let us pray:

Eternal, all-wise, all-loving, everlasting Father, the maker and the giver of every good and perfect gift, the creator of every good thing, every living thing, I thank You this afternoon for Your gifts: the gift of life, the gift of health, the gift of prosperity, the gift of family, the gift of friends, and the gift of service. We are indeed grateful for the gift to serve, for You have given us the health and the strength to be able to do so. We recognize that service is indeed the price we pay for the space that You allow each of us to occupy. So God, we thank You again for the opportunity for each and every one of us whom You have given us to serve; to serve our constituents, not only those in our personal legislative districts but in the entire Commonwealth of Pennsylvania. Thank You for this day that You have given us once again to go forth and to try to improve the quality of life for those that we serve. Help us to be ever mindful of our responsibility to all of the people that You allow us to serve: the young, the old; the rich, the poor; the male, the female.

Guide us through these difficult times that are approaching us, and grant unto us the patience, the wisdom, the compassion, the love, and the understanding to know that You can give us the strength to accept the things that we cannot change and change the things that we can; indeed, You will give us the wisdom to know the difference. And Your grace is sufficient. May Your peace, Your grace, Your mercy, and Your everlasting kindness abide with each of us individually and collectively. Help us to stand together, united, for the benefit of the people who live in this Commonwealth. We thank You and give glory to Your name. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, April 4, 2012, will be postponed until printed.

JOURNALS APPROVED

The SPEAKER. However, the following Journals are in print and, without objection, will be approved:

Tuesday, December 20, 2011;
Tuesday, January 3, 2012;
Tuesday, January 17, 2012;
Wednesday, January 18, 2012;
Monday, January 23, 2012;
Tuesday, January 24, 2012;
Wednesday, January 25, 2012; and
Monday, February 6, 2012.

RESIGNATION OF MEMBER

The SPEAKER. The Speaker acknowledges receipt of a letter of resignation from Representative H. William DeWeese, effective April 24, 2012, at 12 noon.

The following letter was submitted:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

April 23, 2012

The Honorable Samuel H. Smith
The Speaker of the House
139 Main Capitol Building

BY HAND

Dear Mr. Speaker:

I hereby resign the office of Representative in the General Assembly, effective on April 24, 2012, at 12:00 noon prevailing time.

It is a privilege to have had the opportunity to spend 36 years of my life serving the people of Pennsylvania in this position.

I will always remember with appreciation your kindheartedness and the great courtesies that you have extended to me. With warmest personal regards, I remain,

Sincerely yours,
Rep. H. William DeWeese
50th Legislative District

COMMUNICATION FROM DEPARTMENT OF ENVIRONMENTAL PROTECTION

The SPEAKER. The Speaker acknowledges receipt of the Annual Low-Level Radioactive Waste Program Report to the General Assembly and the Appalachian Compact Commission from the Department of Environmental Protection, submitted pursuant to Act 12 of 1988.

(Copy of communication is on file with the Journal clerk.)

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 689 By Representatives WHEATLEY, CONKLIN, DALEY, DeWEESE, FABRIZIO, FREEMAN, GEORGE, GOODMAN, HARHART, HORNAMAN, KIRKLAND, KORTZ, PARKER, PRESTON, READSHAW, SABATINA and WATERS

A Resolution directing the Joint State Government Commission to study the impact that a reduced number of legislative districts will have upon minority voters and majority-minority districts in this Commonwealth.

Referred to Committee on STATE GOVERNMENT, April 30, 2012.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1776 By Representatives COX, CALTAGIRONE, MALONEY, GALLOWAY, SACCONI, GOODMAN, GILLEN, SCAVELLO, AUMENT, BARRAR, BEAR, BLOOM, BOBACK, BOYD, R. BROWN, CHRISTIANA, D. COSTA, CREIGHTON, CUTLER, DALEY, DAVIDSON, DAVIS, DAY, DENLINGER, EVERETT, FABRIZIO, GERGELY, GIBBONS, GILLESPIE, HARRIS, HELM, HENNESSEY, HESS, HICKERNELL, KAUFFMAN, M. K. KELLER, KNOWLES, KORTZ, KULA, LAWRENCE, MAHONEY, MATZIE, McGEEHAN, MILLER, MIRABITO, MOUL, PERRY, QUIGLEY, REESE, ROCK, SANTONI, SAYLOR, SCHRODER, STERN, SWANGER, TALLMAN, TOBASH, TOEPEL, TRUITT, VEREB, MICOZZIE, KILLION, F. KELLER, HORNAMAN, HAHN, MULLERY, TOOHL, MICCARELLI, KRIEGER and FLECK

An Act providing for tax levies and information related to taxes; authorizing the imposition of a personal income tax or an earned income tax by a school district subject to voter approval; providing for imposition of and exclusions from a sales and use tax for the stabilization of education funding; establishing the Public Transportation Reserve Fund; providing for increase to the personal income tax, for certain licenses, for hotel occupancy tax, for procedure and administration of the tax, for expiration of authority to issue certain

debt and for reporting by local government units of debt outstanding; establishing the Education Stabilization Fund; providing for disbursements from this fund and for certain rebates and assistance to senior citizens; and repealing certain provisions of The Local Tax Enabling Act, sales and use tax provisions of the Tax Reform Code of 1971 and provisions relating to senior citizens property tax and rent rebate assistance in the Taxpayer Relief Act.

Referred to Committee on FINANCE, April 10, 2012.

No. 2100 By Representatives DEASY, BISHOP, VULAKOVICH, BRENNAN, D. COSTA, DALEY, DAVIS, DAVIDSON, DeLUCA, FABRIZIO, FRANKEL, GEORGE, GERGELY, GIBBONS, GOODMAN, HARKINS, HORNAMAN, KORTZ, MAHONEY, MANN, MATZIE, McGEEHAN, MIRABITO, MUNDY, MURT, MYERS, M. O'BRIEN, PASHINSKI, PRESTON, QUINN, READSHAW, SANTARSIERO, M. SMITH, STEVENSON, STURLA, THOMAS, WHITE and YOUNGBLOOD

An Act requiring the Office of Attorney General and the Department of Public Welfare to cooperate with local officials in child abuse matters; and making appropriations.

Referred to Committee on CHILDREN AND YOUTH, April 30, 2012.

No. 2210 By Representatives LAWRENCE, DENLINGER, BEAR, BOYD, V. BROWN, CALTAGIRONE, CLYMER, COHEN, D. COSTA, COX, CREIGHTON, CUTLER, AUMENT, DeWEESE, EVERETT, GODSHALL, HARRIS, HICKERNELL, HORNAMAN, KAUFFMAN, KOTIK, MAJOR, METCALFE, MURT, PYLE, QUINN, RAPP, ROCK, ROSS, SONNEY, VULAKOVICH, WATSON, WHITE and GINGRICH

An Act amending the act of April 28, 1937 (P.L.417, No.105), known as the Milk Marketing Law, further providing for definitions and construction; providing for milk distributors; further providing for records, for reports and for prices to producers; providing for title to milk; and establishing the Producer Settlement Fund.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, April 16, 2012.

No. 2305 By Representatives KULA, CALTAGIRONE, BARBIN, CARROLL, D. COSTA, DiGIROLAMO, EVERETT, GOODMAN, HARHAI, HELM, KOTIK, MAHONEY, MANN, MIRABITO, SAINATO, SANTONI, JOSEPHS, FABRIZIO, YOUNGBLOOD, DALEY, VULAKOVICH, PASHINSKI, STERN, MURT and CUTLER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for driving while operating privilege is suspended or revoked.

Referred to Committee on TRANSPORTATION, April 10, 2012.

No. 2306 By Representatives DELOZIER, M. K. KELLER, B. BOYLE, BLOOM, GINGRICH and GRELL

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for reapportionment of Federal and Commonwealth legislative representation.

Referred to Committee on STATE GOVERNMENT,
April 10, 2012.

No. 2308 By Representatives EVERETT, CREIGHTON, GEIST, GODSHALL, HARPER, HORNAMAN, F. KELLER, METZGAR, PICKETT, PYLE, SONNEY and SWANGER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for actions to quiet title involving subsurface rights.

Referred to Committee on JUDICIARY, April 5, 2012.

No. 2309 By Representatives EVERETT, CALTAGIRONE, CARROLL, COHEN, D. COSTA, CREIGHTON, FARRY, FLECK, GEIST, GIBBONS, GOODMAN, HALUSKA, HARRIS, HESS, HUTCHINSON, M. K. KELLER, W. KELLER, MASSER, METZGAR, MURT, M. O'BRIEN, PEIFER, PYLE, STERN, VULAKOVICH, LONGIETTI and TOBASH

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in general administration, providing for annual salaries of supervisory employees.

Referred to Committee on JUDICIARY, April 5, 2012.

No. 2310 By Representatives REESE, METZGAR, DUNBAR, BOBACK, CREIGHTON, DALEY, DAY, DENLINGER, EVANKOVICH, GEORGE, GINGRICH, GOODMAN, GROVE, HORNAMAN, JOSEPHS, KULA, MARSHALL, MILLER, MUNDY, MURT, MUSTIO, MYERS, PICKETT, QUINN, CULVER, SCHRODER, VULAKOVICH, WHITE and YOUNGBLOOD

An Act providing for certain disclosure statements in easement agreements for certain natural gas pipelines.

Referred to Committee on CONSUMER AFFAIRS,
April 10, 2012.

No. 2311 By Representatives MILLER, CALTAGIRONE, CREIGHTON, DALEY, DENLINGER, DePASQUALE, EVERETT, GILLESPIE, GINGRICH, HESS, MANN, METZGAR, MILLARD, PICKETT, SCHRODER, SWANGER, TALLMAN, TAYLOR and VULAKOVICH

An Act establishing the requirements for livery and automobile service providers' liens.

Referred to Committee on JUDICIARY, April 16, 2012.

No. 2314 By Representatives SANTARSIERO, BRADFORD, BRENNAN, CALTAGIRONE, COHEN, DALEY, DAVIDSON, DIGIROLAMO, FABRIZIO, FRANKEL, FREEMAN, GOODMAN, HARHAI, HORNAMAN, KORTZ, KULA, MALONEY, McGEEHAN, METZGAR, MILLARD, MIRABITO, PARKER, PRESTON, READSHAW, SAINATO, M. SMITH, SWANGER, TRUITT, YOUNGBLOOD and DONATUCCI

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, further providing for definitions and for unwanted telephone solicitation calls.

Referred to Committee on CONSUMER AFFAIRS,
April 10, 2012.

No. 2315 By Representatives TALLMAN, BAKER, CREIGHTON, GROVE, HELM, HORNAMAN, MOUL, SCAVELLO and WHITE

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for limitation on tax increase after countywide reassessment.

Referred to Committee on LOCAL GOVERNMENT,
April 10, 2012.

No. 2316 By Representatives ROCK, AUMENT, BOYD, CALTAGIRONE, COHEN, COX, CREIGHTON, FREEMAN, GRELL, GROVE, HESS, KAUFFMAN, KORTZ, MILLER, PYLE, RAPP, ROAE, TALLMAN and WATERS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for intergovernmental agreements for school security and safety.

Referred to Committee on EDUCATION, April 10, 2012.

No. 2317 By Representatives ROCK, AUMENT, BLOOM, GILLEN, GODSHALL, GROVE, KAUFFMAN, LAWRENCE, MALONEY, METCALFE, MOUL and ROAE

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 home education program.

Referred to Committee on EDUCATION, April 10, 2012.

No. 2318 By Representatives GINGRICH, FREEMAN, HARHART, HICKERNELL, KAUFFMAN, KOTIK, MANN, MILLARD, M. O'BRIEN, READSHAW, SONNEY, STEPHENS, TOOHL, YOUNGBLOOD, CONKLIN, D. COSTA, BISHOP, FLECK, BAKER, EVERETT, M. K. KELLER, ROCK, J. EVANS, HESS, GEIST, VEREB, GILLESPIE, PICKETT, GOODMAN, McGEEHAN, P. COSTA, PARKER, RAPP, DONATUCCI, KORTZ, FABRIZIO, ELLIS and MURT

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

Referred to Committee on EDUCATION, April 16, 2012.

No. 2319 By Representatives EVANKOVICH, AUMENT, BENNINGHOFF, BOYD, DUNBAR, ELLIS, EMRICK, EVERETT, FABRIZIO, GEORGE, GERGELY, GINGRICH, GROVE, HARHAI, HUTCHINSON, F. KELLER, KOTIK, MAJOR, MOUL, MULLERY, MURPHY, OBERLANDER, O'NEILL, PETRARCA, PYLE, QUIGLEY, REED, REESE, SAYLOR, SIMMONS, TRUITT, CLYMER, ROCK, MARSHALL, HESS, GEIST, BROOKS, PICKETT, PEIFER, MILLER, CULVER, SWANGER and KORTZ

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in educational improvement tax credit, further providing for definitions and for limitations.

Referred to Committee on EDUCATION, April 16, 2012.

No. 2320 By Representatives PICKETT, BAKER, CALTAGIRONE, CARROLL, CLYMER, COHEN, EVERETT, FLECK, FRANKEL, GEORGE, GINGRICH, GODSHALL, HARPER, HESS, M. K. KELLER, MAJOR, METZGAR, MILLARD, OBERLANDER, PASHINSKI, QUINN, STEVENSON, SWANGER, VULAKOVICH, GEIST, BOYD, MIRABITO, BOBACK and HORNAMAN

An Act imposing duties on lessees of oil and natural gas leases; and providing for the recording of releases from oil and natural gas leases and of affidavits of termination or cancellation.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 18, 2012.

No. 2321 By Representatives HEFFLEY, GABLER, AUMENT, BOBACK, BROOKS, CREIGHTON, EMRICK, FARRY, GEORGE, GILLEN, GROVE, HESS, HORNAMAN, KAUFFMAN, KILLION, MAJOR, MILLARD, MILLER, MURT, PASHINSKI, PICKETT, READSHAW, ROCK, TOEPEL, TRUITT, VULAKOVICH, GEIST and KORTZ

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in professional and occupational licenses, further providing for definitions and for retention and certification.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 18, 2012.

No. 2322 By Representatives ROEBUCK, CARROLL, LONGIETTI, K. SMITH, WHEATLEY, BRADFORD, BRENNAN, CALTAGIRONE, COHEN, D. COSTA, DALEY, DAVIDSON, DEASY, DePASQUALE, FABRIZIO, FRANKEL, GERBER, GROVE, HALUSKA, HORNAMAN, JOSEPHS, MIRABITO, MURT, PASHINSKI, PRESTON, SCAVELLO, STABACK, STERN, THOMAS, VULAKOVICH, WATERS and GABLER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for educational improvement tax credit and for All Students Can Succeed programs; and making a related repeal.

Referred to Committee on EDUCATION, April 18, 2012.

No. 2323 By Representatives DEASY, GERGELY, RAVENSTAHL, V. BROWN, D. COSTA, CREIGHTON, DeLUCA, FABRIZIO, HARHAI, HARHART, KIRKLAND, KORTZ, KOTIK, MAHONEY, MANN, MURT, SABATINA, SCHRODER and YOUNGBLOOD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for exceptions to prohibition of interception and disclosure of communications.

Referred to Committee on JUDICIARY, April 25, 2012.

No. 2324 By Representative M. K. KELLER

An Act amending the act of July 29, 1953 (P.L.1034, No.270), known as the Public Auditorium Authorities Law, further providing for competition in award of contracts.

Referred to Committee on LOCAL GOVERNMENT, April 25, 2012.

No. 2325 By Representative M. K. KELLER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for adjustments based on Consumer Price Index; in grounds and buildings, further providing for work to be done under contract let on bids and exception; in books, furniture and supplies, further providing for purchase of supplies; in Thaddeus Stevens College of Technology, further providing for contracts for construction, repair, renovation or maintenance; and, in State System of Higher Education, further providing for project contracts and for powers and duties of institution presidents.

Referred to Committee on LOCAL GOVERNMENT, April 25, 2012.

No. 2326 By Representative M. K. KELLER

An Act amending the act of August 23, 1967 (P.L.251, No.102), known as the Economic Development Financing Law, further providing for competition in award of contracts.

Referred to Committee on LOCAL GOVERNMENT, April 25, 2012.

No. 2327 By Representatives TRUITT, BARRAR, CREIGHTON, DALEY, GABLER, MILLARD, PICKETT, ROAE, STURLA and VULAKOVICH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for summary offenses involving vehicles.

Referred to Committee on JUDICIARY, April 30, 2012.

No. 2328 By Representatives SIMMONS, METCALFE, BLOOM and CALTAGIRONE

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, further providing for adoption of preliminary budget proposals and for public referendum requirements for increasing certain taxes.

Referred to Committee on FINANCE, April 30, 2012.

No. 2329 By Representatives HARHART, CALTAGIRONE, O'NEILL, TOOHIL, CLYMER, COHEN, CREIGHTON, DeLUCA, GEIST, GINGRICH, HICKERNELL, HORNAMAN, KILLION, MAJOR, MANN, MILLER, MUNDY, MURT, PICKETT, PYLE, QUINN, RAPP, ROSS, SCAVELLO, SWANGER and VULAKOVICH

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for grounds for involuntary termination of parental rights.

Referred to Committee on JUDICIARY, April 30, 2012.

No. 2330 By Representatives GROVE, GEIST, RAVENSTAHL, AUMENT, CREIGHTON, CUTLER, GILLEN, HESS, HORNAMAN, KAUFFMAN, MILLER, MOUL, READSHAW, M. SMITH, TRUITT and VULAKOVICH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions; and providing for age requirement for pedalcycles with electric assist.

Referred to Committee on TRANSPORTATION, April 30, 2012.

No. 2331 By Representatives STEPHENS, D. COSTA, GODSHALL, HACKETT, KAMPF, MARSICO, O'NEILL, SABATINA, TOEPEL, TRUITT, VEREB and VULAKOVICH

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms; and, in sentencing, further providing for sentences for second and subsequent offenses.

Referred to Committee on JUDICIARY, April 30, 2012.

No. 2350 By Representatives GEORGE, BARBIN, HANNA, SANTARSIERO, GABLER, BRADFORD, CALTAGIRONE, CARROLL, D. COSTA, DeLUCA, FRANKEL, FREEMAN, JOSEPHS, MAHONEY, METZGAR, MUNDY, MURPHY, MURT, M. O'BRIEN, SONNEY and YOUNGBLOOD

An Act providing for the Injection Well Safe Water Act, for definitions, for disposal of waste in injection wells, for department duties, for permit conditions and for expiration.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 16, 2012.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence for the day, the Speaker recognizes the majority whip, who requests a leave of absence for the lady, Mrs. SWANGER, from Lebanon County for the week. Without objection, the leave will be granted.

The Speaker recognizes the minority whip, who requests a leave of absence for the lady, Mrs. DAVIS, from Bucks County for the day; the lady, Miss MANN, from Lehigh County for the day; and the gentleman, Mr. DALEY, from Washington County for the day. Without objection, the leaves will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—192

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Daley	Davis	Mann	Swanger
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LEAVES ADDED—1

Bear

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

GUESTS INTRODUCED

The SPEAKER. If I could have the members' attention, I want to welcome some of the guests that are with us today. Located in the rear of the House, we would like to welcome Stevi Higgins. She is a guest of Representative DePasquale. Will our guest please rise. Welcome to the hall of the House.

Also located in the rear of the House, we would like to welcome Cindy Chu. She is interning with the Human Services Committee and is a guest of the committee chairman, Representative DiGirolamo. Will our guest please rise. Welcome to the hall of the House.

Also located in the rear of the House, we would like to welcome the scholarship recipients of the National Rifle Association's Youth Education Summit. They are here today as the guests of Representative Turzai; however, they come from

various legislative districts across the Commonwealth. Will our guests please rise. Welcome to the hall of the House.

And in the rear of the House, we have a group of exchange students that are here as the guests of Representative Hutchinson. I would like to welcome these individuals: Mariana Cirbian from Bolivia, Quentin Goosens from Belgium, Lucia Verderosa from Argentina, and Isabel Waack from Germany. Will our guests please rise. Welcome to the hall of the House.

And as a guest page, as a guest of Representative Gillen, we would like to welcome Jonathan Morris. He is a homeschooled student from Shillington. Welcome to the hall of the House.

CUMBERLAND VALLEY HIGH SCHOOL DANCE TEAM PRESENTED

The SPEAKER. I would like to invite Representatives Grell, Delozier, and Bloom to the rostrum for the purpose of presenting a citation to the Cumberland Valley Dance Team.

The gentleman, Mr. Grell, may proceed.

Mr. GRELL. Thank you, Mr. Speaker.

To the members of the House, I am pleased to be joined today by Representatives Delozier and Bloom. The three of us have the honor of representing the Cumberland Valley School District. At Cumberland Valley we talk a lot about a commitment to excellence, and prior to today, we have brought athletic teams here who have been committed to excellence on the field. We have brought academic students who have committed to excellence in the classroom. Today we are putting on display a commitment to excellence in a combination of performing arts and athletics. Today we are recognizing the Cumberland Valley High School Dance Team. They are being honored for winning a national championship. They placed first in the varsity pom dance and the varsity hip-hop dance divisions at the 2012 Battle at the Capitol National Dance Competition in March of 2012.

In the back of the room, we have the remainder of the team, but I want to introduce and recognize all of the members of the team, hoping not to butcher any names. The team is under the guidance of coach Linda Richards; choreographers Elijah Morton and Aubree Richards; assistant advisers Chrissie Chambers, Amber Sherrock, and Renee Leiby. The team members are Cara Beere, Aimee Lupfer, Jordyn Wagner, Megan Marquart, Bryn Hanrahan, Sidney Johnson, Lauren Quigley, Suheli Ray, Emily Shaffer, Megan Leiby, Maya Man, Nicole Christ, Andrea Daly, Laura Chau, Reece Montgomery, Emily Hall, Melanie Greenblatt, and Kirstin Stroh. Apologies to any names that I messed up.

The SPEAKER. Will our guests please rise. Will the other guests please rise.

Mr. GRELL. Members of the team, please rise in the back.

The SPEAKER. Welcome to the hall of the House.

Mr. GRELL. It is our pleasure to present this citation to the team leaders and to each one of the team members. And ladies and gentlemen of the House, please join me in a rousing round of applause on this excellent accomplishment of winning a national championship in dance.

Thank you, Mr. Speaker.

2011 MISS PENNSYLVANIA AMERICAN TEEN PRESENTED

The SPEAKER. I would like to invite Representative Sainato to the rostrum for the purpose of presenting a citation to Andrea Fedrizzi, who is Miss Pennsylvania American Teen.

The gentleman, Mr. Sainato, may proceed.

Mr. SAINATO. Thank you, Mr. Speaker.

It gives me great pride here today to introduce Andrea Lee Fedrizzi. Andrea is a constituent of mine from Hickory Township in Lawrence County. Andrea is the daughter of Robert and Kathleen Fedrizzi. She was crowned Miss Pennsylvania American Teen this past August. Andrea is a senior at Laurel High School in New Castle, where she is not only a high-honor student, but also active in the annual school musicals, featured twirler for the Spartan Marching Band, and secretary of Laurel's Future Farmers of America chapter. Her plans for the future include attending Slippery Rock University, majoring in psychology. I have known Andrea and her family for many, many years. Her mom and dad are over here in the visitor's bureau, on the side here. Andrea is very active in our community. She has held the crown well this past year, attending many community functions throughout Lawrence County and the State of Pennsylvania. We should all be very proud of the effort that Andrea put out as she had this esteemed honor of being Miss Pennsylvania American Teen.

At this time I would like to present Andrea a citation on behalf of the Pennsylvania House of Representatives. Andrea, do you want to come down? On behalf of the Pennsylvania House of Representatives, I proudly present this citation to Andrea Fedrizzi.

STEELTON-HIGHSPIRE HIGH SCHOOL GIRLS BASKETBALL TEAM PRESENTED

The SPEAKER. Representative Buxton is invited to the rostrum for the purpose of presenting a citation to the Steelton-Highspire Girls Basketball Team.

The gentleman, Mr. Buxton, may proceed.

Mr. BUXTON. Thank you, Mr. Speaker.

Mr. Speaker, I am very proud and honored to introduce a group of fine young ladies who have continued to amaze me, the community, and this central Pennsylvania area with their winning ways and sportsmanship. Their incredible attributes have allowed the Steelton-Highspire High School Girls Basketball Team to win the State championship title 2 years in a row. They represented the Harrisburg area as they defeated North Catholic 66 to 59 at Penn State's Bryce Jordan Center to win the PIAA Class A State Championship.

I would like to ask my colleagues to join me in congratulating the Steelton-Highspire Girls Basketball Team and inviting them here today. They say that behind every great team is a great coach. Therefore, I would like to recognize, here at the dais with me, head coach Jeff Chisholm, for ensuring these young ladies work hard throughout the season. I would also like to recognize the school district superintendent, Dr. Audrey Utley, who is with us; the high school principal, Willie Slade, who is with us; the athletic director, Sam Petrovich. We also have with us today the mayors of Steelton and Highspire to join in this celebration.

In the championship game, the Rollers were aided by Malia Tate-DeFreitas's 18 points, 8 rebounds, and 9 assists; Amber Hess-Moore's 17 points and five 3-pointers; Amber Anderson's 13 points and 7 rebounds; and consistent performances from the rest of the team throughout, offensively and the defense of the struggle.

Ladies and gentlemen, it is my pleasure to present to you the 2011-2012 State PIAA Class A State Championship Girls Basketball Team, Steelton-Highspire High School. Thank you.

The SPEAKER. Will the other guests that are with the team from the school district please stand. Here we are. I apologize. I did not know exactly where you were seated. Welcome to the hall of the House.

FATHER JUDGE HIGH SCHOOL CHEERLEADING TEAM PRESENTED

The SPEAKER. Next I would like to invite Representative McGeehan, along with Representatives Sabatina, Kevin Boyle, and Taylor, to the rostrum for the presentation of a citation to the Father Judge High School Cheerleading Team.

The gentleman, Mr. McGeehan, may proceed.

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

Mr. Speaker, I, along with my colleagues Representative Sabatina, Representative Kevin Boyle, and Representative John Taylor, would like to congratulate the Father Judge High School Cheerleading Squad on its stellar season and championship victories. This cheerleading squad captured first place, Large Varsity Division II of the Universal Cheerleaders Association National High School Cheerleading Championship held in Orlando, Florida. Winning a national championship does not come easy. For their 2 1/2-minute performance, you can imagine this team worked tirelessly year-round under the expert guidance of head coach Lisa McNesby, who is here with us behind us today, and assistant coach Kelly Macartney, who is in the back with the rest of the parents and the cheerleading squad. The Father Judge Cheerleading Squad competed against 34 teams in its division to capture the national championship. What is especially impressive about this win is that the squad did it with the loss of 11 talented seniors.

To put the national title in perspective, there are 40 regional championship competitions across the country. The championship is lauded as the most prestigious cheerleading competition in the country and is nationally televised on ESPN. Last month the cheerleading squad also earned a first-place finish in the All-Catholic Division Cheerleading Competition. Named "Best of Philly" in 2009 by Philadelphia magazine, the Father Judge Cheerleading Squad now ranks as best in the nation. Personal excellence and stellar character mark each of these young women. Off the field, they volunteer with the March of Dimes, the Susan G. Komen Race for the Cure, and the Red Cross. Of special significance to me, and I think to the Representatives here, is the fact, and the ironic fact, that a number of these students go to St. Hubert Catholic High School for Girls, which was slated to close earlier this year. They demonstrated that same commitment by rallying community support with the help of their neighbors, their alumni, and the entire community in northeast Philadelphia and saved that school, and St. Hubert's will be a Catholic high school for girls for a long time to come.

Mr. Speaker, I want to recognize in the back, along with these young women who are here with me today, Lisa McNesby, who is the cheerleading coach; Sabrina Cwenar, who is the Father Judge senior cheerleader, and she attends Nazareth Academy High School; Kristina Kinkade, and she also attends Nazareth Academy High School; Kerri McQuiggan, who also attends Nazareth Academy High School; and Andrea Malizia, and she is a junior that attends St. Hubert High School.

Mr. Speaker, I ask that we recognize the outstanding achievement of these young ladies for their character, their determination, and their pride in excellence in their endeavors. Will you join me in congratulating them. I would also recognize the rest of the squad, the dedicated parents, and support staff who are with us today.

The SPEAKER. Will our guests in the rear of the House also rise, please. Welcome to the hall of the House, and congratulations.

GUEST INTRODUCED

The SPEAKER. I would like to welcome another guest who is with us today, as a guest of Representative Culver, down in the well of the House, a guest page, Rylan Groff. Ah, he is working. Welcome to the hall of the House.

UNCONTESTED SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. HESS called up **HR 672, PN 3367**, entitled:

A Resolution designating the month of May 2012 as "Cystic Fibrosis Awareness Month" in Pennsylvania.

* * *

Mr. HEFFLEY called up **HR 681, PN 3389**, entitled:

A Resolution designating the month of May 2012 as "National Water Safety Month" in Pennsylvania.

* * *

Mr. MURT called up **HR 687, PN 3402**, entitled:

A Resolution designating the week of May 6 through 13, 2012, as "Nurses Week" in Pennsylvania.

* * *

Mr. STERN called up **HR 690, PN 3405**, entitled:

A Resolution recognizing the week of May 5 through 13, 2012, as "National Travel and Tourism Week" and April 30, 2012, as "Tourism Day" in Pennsylvania.

* * *

Mr. MURT called up **HR 695, PN 3410**, entitled:

A Resolution designating May 1, 2012, as "The Battle of the Crooked Billet Day" in Pennsylvania.

* * *

Mr. BARRAR called up **HR 697, PN 3412**, entitled:

A Resolution designating May 1, 2012, as "Loyalty Day" in Pennsylvania.

* * *

Mr. HENNESSEY called up **HR 699, PN 3414**, entitled:

A Resolution recognizing the month of May 2012 as "Older Pennsylvanians Month" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Daley Davis Mann Swanger

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

STATEMENT BY MR. HENNESSEY

The SPEAKER. Is the gentleman from Chester County, Mr. Hennessey, seeking recognition under unanimous consent relative to one of the resolutions just adopted?

Mr. HENNESSEY. Yes.

The SPEAKER. The gentleman may proceed.

Mr. HENNESSEY. Thank you, Mr. Speaker.

I would like to thank the House membership for passage of HR 699 designating May 2012 as "Older Pennsylvanians Month" here in the Commonwealth of Pennsylvania. As we all know, and as many of our viewers across the Commonwealth might know, the Commonwealth of Pennsylvania is home to over 2 million senior citizens out of our 12 million residents. Our senior population is an asset to be cherished for the wealth of wisdom and life experience they provide to all of us. May is traditionally designated as "Older Americans Month" across the United States, a time to recognize the contribution our seniors have made to building our great nation and the varied historical perspectives they bring to the issues we deal with every day here in the Commonwealth and across the nation.

So again I thank the members for joining myself and Chairman Larry Curry and the members of the House Aging and Older Adult Services Committee in declaring May 2012 as "Older Pennsylvanians Month" within our Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

STATEMENT BY MR. STERN

The SPEAKER. The gentleman from Blair County, Mr. Stern, is recognized under unanimous consent relative to one of the resolutions just adopted.

Mr. STERN. Thank you, Mr. Speaker.

On HR 690, it recognizes the week of May 5 through 13, 2012, as "National Travel and Tourism Week" and today as "Tourism Day" here in Pennsylvania. So we see a lot of people around the Commonwealth here today that will be dressed up in costumes. At 3 o'clock today there will be a rally in the rotunda to highlight the important role of tourism in Pennsylvania as a revenue generator.

One thing I wanted to state here this morning is that tourism is the State's second largest industry, supporting over 430,000 jobs and generating \$36 billion in economic impact from 172 million visits by leisure and business travelers. We have many small businesses in each and every one of our districts that are involved in tourism. The hotels, the restaurants, the bed and breakfasts, and the attractions that they run constitute an important and vital segment of local economies across the State.

So at 3 o'clock today everyone here will be invited to a tourism rally in the main rotunda, and meet many of your tourism promotion agencies there at 3 o'clock today. Thank you, Mr. Speaker.

REPUBLICAN CAUCUS

The SPEAKER. The lady from Susquehanna County, Ms. Major, is recognized for the purpose of making a caucus announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus immediately. I would ask our Republican members to please immediately report to our caucus room, and we will be prepared to come back on the floor at 2:45. Thank you, Mr. Speaker.

DEMOCRATIC CAUCUS

The SPEAKER. The gentleman from Allegheny County, Mr. Frankel, is recognized for the purpose of a caucus announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 2 p.m. Democrats will caucus at 2 p.m. Thank you.

HEALTH COMMITTEE MEETING

The SPEAKER. The gentleman from Tioga County, Mr. Baker, is recognized for the purpose of an announcement. The gentleman may proceed.

Mr. BAKER. Thank you, Mr. Speaker.

I would like to call an immediate meeting of the Health Committee in room G-50, Irvis Building. Health Committee at the break, immediately, in room G-50. Thank you, Mr. Speaker.

The SPEAKER. There will be an immediate Health Committee meeting in room G-50 of the Irvis Building.

RECESS

The SPEAKER. Seeing no further announcements, this House stands in recess until 2:45, unless sooner recalled by the Speaker.

AFTER RECESS

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

UNCONTESTED SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. BARRAR called up **HR 696, PN 3411**, entitled:

A Resolution designating May 1, 2012, as "National Guard Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Daley	Davis	Mann	Swanger
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

BILLS SIGNED BY SPEAKER

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

SB 354, PN 1354

An Act relating to compliance with the Federal REAL ID Act of 2005.

SB 539, PN 545

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in driving after imbibing alcohol or utilizing drugs, further providing for grading and for penalties.

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

CALENDAR**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 2300, PN 3320**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for exemptions and special provisions.

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

* * *

The House proceeded to second consideration of **SB 1141, PN 1909**, entitled:

An Act amending the act of November 29, 2004 (P.L.1282, No.158), known as the Manufactured Housing Improvement Act, expanding the coverage of the act to relocated housing.

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 527, PN 494**, entitled:

An Act establishing an emergency medical services memorial flag; and imposing duties on the Pennsylvania Emergency Health Services Council and the Bureau of Emergency Medical Services in the Department of Health.

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

RESOLUTION

Mr. MUSTIO called up **HR 636, PN 3274**, entitled:

A Resolution memorializing the President of the United States and Congress to reconsider closing the 911th Airlift Wing.

On the question,
Will the House adopt the resolution?

RULES SUSPENDED

The SPEAKER. The Speaker recognizes the gentleman from Allegheny County, Mr. Mustio, who moves for a suspension of the rules for immediate consideration of amendment A09923.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. Mustio, on the question to suspend the rules for the consideration of your amendment.

Mr. MUSTIO. Thank you, Mr. Speaker.

I would just encourage the members to vote in the affirmative for a suspension.

The SPEAKER. The question is, will the House suspend the rules for the immediate consideration of amendment A09923?

On that question, the Speaker recognizes the minority leader, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, we support the suspension of the rules.

The SPEAKER. The Speaker thanks the gentleman.

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

The following roll call was recorded:

YEAS—186

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

Causer	Hackett	Milne	Staback
Christiana	Hahn	Mirabito	Stephens
Clymer	Haluska	Moul	Stern
Cohen	Hanna	Mundy	Stevenson
Conklin	Harhai	Murphy	Sturla
Costa, D.	Harhart	Murt	Tallman
Costa, P.	Harkins	Mustio	Taylor
Cox	Harper	Myers	Thomas
Creighton	Harris	Neuman	Tobash
Cruz	Heffley	O'Brien, M.	Toepel
Culver	Helm	O'Neill	Toohil
Curry	Hennessey	Oberlander	Turzai
Davidson	Hess	Parker	Vereb
Day	Hickernell	Pashinski	Vitali
Deasy	Hornaman	Payne	Vulakovich
DeLissio	Hutchinson	Payton	Waters
Delozier	Josephs	Peifer	Watson
DeLuca	Kampf	Perry	Wheatley
Denlinger	Kauffman	Petrarca	White
DePasquale	Kavulich	Petri	Youngblood
Dermody	Keller, F.	Pickett	
DiGirolamo	Keller, M.K.	Preston	Smith, S.,
Donatucci	Keller, W.	Pyle	Speaker

NAYS—6

Cutler	Grell	Mullery	Truitt
Galloway	Lawrence		

NOT VOTING—0

EXCUSED—4

Daley	Davis	Mann	Swanger
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A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

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

Mr. **MUSTIO** offered the following amendment
No. **A09923**:

Amend Resolution, page 2, by inserting between lines 13 and 14

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania further encourage the President of the United States and Congress to pass HR 3911 to prohibit the permanent relocation of the C-130 aircraft currently assigned to the 911th Airlift Wing in Moon, Pennsylvania; and be it further

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

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

Mr. **MUSTIO**. Thank you, Mr. Speaker.

This amendment just adds some additional clarification encouraging Congress to pass HR 3911 to prohibit the permanent relocation of the C-130 aircraft currently assigned to the 911th air base in Moon Township. Thank you.

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

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Daley	Davis	Mann	Swanger
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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 adopt the resolution as amended?

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Daley	Davis	Mann	Swanger
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution as amended was adopted.

BILL PASSED OVER TEMPORARILY

The SPEAKER. The Speaker rescinds the announcement calling up HB 823 on page 6 of today's House calendar. The bill will be over temporarily.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 65, PN 2552**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, providing for revocation and auction of slot machine licenses; further providing for Category 2 slot machine license and for number of slot machine licenses.

On the question,

Will the House agree to the bill on second consideration?

Mr. **SCHRODER** offered the following amendment No. **A09862**:

Amend Bill, page 1, line 16, by striking out "prospective" and inserting

projected

Amend Bill, page 2, line 2, by striking out "bidder's" and inserting

prospective licensee's

Amend Bill, page 2, line 8, by striking out "sold" and inserting awarded

Amend Bill, page 2, line 10, by striking out "sold" and inserting awarded

Amend Bill, page 3, line 6, by striking out "bidder" and inserting prospective licensee

Amend Bill, page 3, line 7, by striking out "offer to purchase" and inserting binding proposal to accept the award of

Amend Bill, page 3, line 8, by striking out "shall provide" and inserting

must include

Amend Bill, page 3, line 11, by striking out "purchaser" and inserting

licensee

Amend Bill, page 3, line 30, by striking out "discussion" and inserting

description

Amend Bill, page 4, line 8, by striking out "(C) Revenue sharing with other communities."

Amend Bill, page 4, lines 9 and 10, by striking out "through 2011" in line 9 and all of line 10 and inserting

for five years following the projected date to commence gaming operations at the licensed facility.

Amend Bill, page 4, line 11, by striking out "purchaser" and inserting

licensee

Amend Bill, page 4, line 14, by inserting after "A"

projected

Amend Bill, page 4, line 15, by striking out "purchaser" and inserting

licensee

Amend Bill, page 4, line 17, by striking out "After receiving" and inserting

Within five days of its receipt of

Amend Bill, page 4, line 18, by striking out "open" and inserting disclose the content of

Amend Bill, page 4, lines 18 through 21, by striking out "and" in line 18 and all of lines 19 through 21 and inserting , including:

(i) owners' names;

(ii) venture partners, if any; and

(iii) in the case of applicants for owners'

licenses, the locations of the proposed development sites.

Amend Bill, page 4, line 22, by striking out "six" and inserting

30

Amend Bill, page 4, by inserting between lines 29 and 30

(7) Following the selection of the three final applicants, the board shall do all of the following:

(i) Hold public hearings under section 1205 (relating to license or permit application hearing process; public input hearings).

(ii) Evaluate the winning bid within a reasonable period of time for license suitability in accordance with all applicable statutory and regulatory criteria, including compliance with sections 1310 (relating to slot machine license application character requirements), 1313 (relating to slot machine license application financial fitness requirements), 1316 (relating to bond for issuance of slot machine license) and proof of financial ability as required by section 13A12(b)(9).

Amend Bill, page 4, line 30, by striking out "(7)" and inserting (8)

Amend Bill, page 5, line 2, by striking out "competing bidder" and inserting prospective licensee

Amend Bill, page 5, line 4, by striking out "purchaser" and inserting licensee

Amend Bill, page 5, line 7, by striking out "(8)" and inserting (9)

Amend Bill, page 5, line 8, by striking out "competing bidder" and inserting prospective licensee

Amend Bill, page 5, lines 8 and 9, by striking out "leading" in line 8 and "proposal" in line 9 and inserting winning prospective licensee

Amend Bill, page 5, lines 10 through 18, by striking out all of said lines

Amend Bill, page 5, line 19, by striking out "bidder" and inserting prospective licensee

Amend Bill, page 5, line 23, by striking out "bidders" and inserting prospective licensees

Amend Bill, page 5, line 24, by striking out "bidders" where it occurs the first time and inserting prospective licensees

Amend Bill, page 5, line 24, by striking out "bidders" where it occurs the second time and inserting prospective licensees

Amend Bill, page 5, line 28, by striking out "bidders" and inserting prospective licensees

Amend Bill, page 5, line 30, by striking out "bidder" and inserting prospective licensee

Amend Bill, page 6, by inserting between lines 7 and 8 (e) Temporary regulations.—

(1) In order to facilitate the prompt implementation of this section, regulations promulgated by the board shall be deemed temporary regulations which shall expire not later than two years following the publication of the temporary regulation. The board may promulgate temporary regulations not subject to any of the following:

(i) Sections 201, 202, 203, 204 and 205 of the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law.

(ii) Section 204(b) of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

(iii) The act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act.

(2) The board's authority to promulgate temporary

regulations under paragraph (1) shall expire one year after the effective date of this section. Regulations adopted after this period shall be promulgated as provided by law.

Amend Bill, page 6, line 8, by striking out "(e)" and inserting (f)

On the question,

Will the House agree to the amendment?

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

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment changes several terms such as "prospective" to "projected," "sold" to "awarded," "bidder" to "prospective licensee," and it does put in a section that makes sure that the evaluation process and all the laws are complied with after three top prospective bidders or prospective awardees have been chosen. So this was language that by and large was asked for by the Gaming Control Board, and I would ask for support from all the members.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—192

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

Denlinger	Kauffman	Petrarca	White
DePasquale	Kavulich	Petri	Youngblood
Dermody	Keller, F.	Pickett	
DiGirolamo	Keller, M.K.	Preston	Smith, S.,
Donatucci	Keller, W.	Pyle	Speaker
Dunbar	Killion		

NAYS—0

NOT VOTING—0

EXCUSED—4

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

On the question,

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

Ms. **YOUNGBLOOD** offered the following amendment No. **A09808**:

Amend Bill, page 6, lines 5 through 7, by striking out "pursuant to section SECTIONS 1209 (relating to slot" in line 5, all of line 6 and "AUTHORIZATION FEE" in line 7 and inserting into the Property Tax Relief Fund

On the question,

Will the House agree to the amendment?

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

Ms. YOUNGBLOOD. Thank you, Mr. Speaker.

I would like to offer amendment A09808 to HB 65.

The SPEAKER. The amendment has been read across the desk and is before the House. The lady is in order to speak on the amendment.

Ms. YOUNGBLOOD. Mr. Speaker, this amendment would require that the proceeds from the auction of a revoked slot machine license and table game operation certificate be deposited into the Property Tax Relief Fund. Currently the bill requires that money goes into the General Fund. Any additional money that we generate from gaming should be distributed for property and wage tax relief, period, not for the General Fund. We promised the people of this Commonwealth property and wage tax relief. This amendment will help us continue to increase the impacts gaming has had on our State's taxpayers.

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

On that question, the Speaker recognizes the gentleman from Chester County, Mr. Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, I think this is a reasonable amendment by the chairlady of the Gaming Oversight Committee, and I would ask all members to vote in the affirmative.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—4

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

On the question recurring,

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

Ms. **YOUNGBLOOD** offered the following amendment
No. **A09809**:

Amend Bill, page 1, line 4, by striking out "and" and inserting a comma

Amend Bill, page 1, line 4, by inserting after "licenses"
and for table game taxes

Amend Bill, page 9, by inserting between lines 22 and 23

Section 3. Section 13A62(a)(1) and (3) of Title 4 are amended
and subsection (b) is amended by adding a paragraph to read:

§ 13A62. Table game taxes.

(a) Imposition.—

(1) Except as provided in paragraphs (2) and (3), each
certificate holder shall report to the department and pay from its
daily gross table game revenue, on a form and in the manner
prescribed by the department, a tax of [12%] 14% of its daily
gross table game revenue.

* * *

[(3) The tax reported and payable under paragraph (1) by
each certificate holder shall be 14% of daily gross table game
revenue for a period of two years following commencement of
table games operations at its licensed facility.]

(b) Deposits and distributions.—

* * *

(4) Beginning with fiscal year 2012-2013, the
department shall make an annual distribution of 2% of each
certificate holder's daily gross table game revenue to the Property
Tax Relief Fund.

Amend Bill, page 9, line 23, 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
lady from Philadelphia County, Ms. Youngblood.

Ms. **YOUNGBLOOD**. Thank you, Mr. Speaker.

This amendment would maintain the current tax rate on table
games, and beginning with the fiscal year of 2012-2013, would
have the Department of Revenue annually distribute 2 percent
of each certificate holder's daily gross table game revenue to the
Property Tax Relief Fund. The current table game rate is
14 percent; however, that rate is set to be lowered to 12 percent
next year. My amendment simply keeps the current 14-percent
rate and directs the additional 2 percent to the Property Tax
Relief Fund for property and wage tax reductions.

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

On that question, the Speaker recognizes the gentleman from
Chester County, Mr. Schroder.

Mr. **SCHRODER**. Mr. Speaker, I believe this amendment
will further our commonly shared goal of property tax
reduction, and I would ask for a "yes" vote on the amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—192

Adolph	Ellis	Kirkland	Quigley
Aument	Emrick	Knowles	Quinn
Baker	Evankovich	Kortz	Rapp
Barbin	Evans, D.	Kotik	Ravenstahl

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

NAYS—0

NOT VOTING—0

EXCUSED—4

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

On the question recurring,

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

Ms. **BROWNLEE** offered the following amendment
No. **A09826**:

Amend Bill, page 1, line 2, by inserting after "for"

Internet gambling public awareness campaign and for

Amend Bill, page 1, lines 7 and 8, by striking out all of said lines
and inserting

Section 1. Title 4 of the Pennsylvania Consolidated Statutes is
amended by adding sections to read:

§ 1207.1. Internet gambling public awareness campaign.

(a) General rule.—The board shall establish an Internet gambling public awareness campaign in order to promote awareness among the general public of issues relating to Internet gambling.

(b) Campaign.—The public awareness campaign shall include the development and implementation of public awareness and outreach efforts to inform the public about Internet gambling, including, but not limited to, the following subjects:

(1) The legal status of Internet gambling in the Commonwealth.

(2) The fact that Internet gambling is unregulated by the Commonwealth, and that the fairness and integrity of Internet gambling cannot be guaranteed.

(3) The risks of being defrauded of potentially large amounts of money when gambling on the Internet.

(4) The risks to personal safety and bodily harm when using personal identification on the Internet.

(5) The risks of identity theft when using personal identification or financial information to gamble on the Internet.

(6) Special risks for underage and problem gamblers when gambling on the Internet.

(7) Access to services for problem gamblers, including contact information for the Council on Compulsive Gambling and the Department of Health.

(c) Agency coordination.—The board shall coordinate its efforts with any activities being undertaken by other State agencies to provide information to the public about Internet gambling.

(d) Written information.—The board, within the limits of funds available for this purpose, shall seek to utilize both electronic and print media, and may prepare and disseminate such written information as it deems necessary to accomplish the purposes of this section.

(e) Electronic information.—The board shall make available electronically on its Internet website in both English and Spanish, and any other language it deems necessary and appropriate, information about Internet gambling as described in subsection (b).

(f) Resources.—The board may accept, for the purposes of the public awareness campaign, any special grant of funds, services or property from the Federal Government or any of its agencies, or from any foundation, organization or other entity.

(g) Report.—The board shall report to the Governor and the General Assembly, not later than 18 months after the effective date of this section, on the activities and accomplishments of the Internet gambling public awareness campaign.

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

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

Ms. BROWNLEE. Thank you, Mr. Speaker.

This amendment would establish the Internet gambling public awareness campaign. This campaign would be established by the PA Gaming Control Board in order to promote awareness among the general public on issues relating to Internet gambling. It is modeled after a law in New Jersey that requires development and implementation of public awareness and outreach efforts to inform the public about Internet gambling.

Some of you may be aware of the recent ruling by the United States Department of Justice that opens the door for Internet gambling, either through the online sale of State lottery tickets or through online games such as poker and blackjack. The Federal government has opened the door for these types of online games to be permitted across the country, and we as a Commonwealth must be prepared to deal with this new interpretation of the Federal law.

Pennsylvania has become a global model on how to regulate the gaming industry. We have one of the strictest and most detailed laws of any gaming State in the country, and we need to make sure that the integrity of our gaming laws remains intact and that the public is aware of the pros and cons associated with online gambling. Specifically, my amendment would educate the public about issues relative to online gambling by providing information on the legal status of Internet gambling in Pennsylvania, the fact that Internet gambling is unregulated in the Commonwealth, and that the fairness and integrity of Internet gambling cannot be guaranteed by the State. The risk of being defrauded of potentially large amounts of money when gambling on the Internet, the risk of identity theft when using personal identification or financial information to gamble on the Internet, special risks for underage and problem gamblers when gambling on the Internet, and access to services for problem gamblers, including contact information for the Council on Compulsive Gambling.

In addition, my amendment would require the board to report to the Governor and this legislature no later than 18 months after the effective date of this act on the activities and accomplishments of the public awareness campaign. My amendment is a proactive step, Mr. Speaker, in helping our citizens understand the risks of online gambling, especially amid the Federal government's opinion regarding the legality of Internet gambling.

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 Chester County, Mr. Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, I believe the Representative has identified a very important and pressing issue with regards to Internet gambling, and I commend her efforts in this regard. I am going to ask everyone to please support the amendment.

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

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

Mr. CLYMER. Thank you, Mr. Speaker.

I just want to echo my sentiments and say that this is an excellent amendment to HB 65, and I would urge the members to support it as well. Thank you.

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

The following roll call was recorded:

YEAS—181

Adolph	Donatucci	Kirkland	Quinn
Aument	Ellis	Knowles	Rapp
Baker	Emrick	Kortz	Ravenstahl
Barbin	Evankovich	Kotik	Readshaw
Barrar	Evans, D.	Krieger	Reed
Bear	Evans, J.	Kula	Reese
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.	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	Miccarelli	Simmons
Brownlee	Gingrich	Micozzie	Smith, K.
Burns	Godshall	Millard	Smith, M.
Buxton	Goodman	Miller	Sonney
Caltagirone	Grove	Milne	Staback
Carroll	Hackett	Mirabito	Stephens
Causar	Hahn	Moul	Stern
Christiana	Haluska	Mullery	Stevenson
Clymer	Hanna	Mundy	Sturla
Cohen	Harhai	Murphy	Tallman
Conklin	Harhart	Murt	Taylor
Costa, D.	Harkins	Mustio	Thomas
Costa, P.	Harper	Myers	Tobash
Cox	Harris	Neuman	Toepel
Cruz	Helm	O'Brien, M.	Toohil
Culver	Hennessey	O'Neill	Turzai
Curry	Hess	Oberlander	Vereb
Cutler	Hickernell	Parker	Vitali
Davidson	Hornaman	Pashinski	Vulakovich
Day	Hutchinson	Payne	Waters
Deasy	Josephs	Payton	Watson
DeLissio	Kampf	Peifer	Wheatley
DeLozier	Kauffman	Perry	White
DeLuca	Kavulich	Petrarca	Youngblood
Denlinger	Keller, F.	Petri	
DePasquale	Keller, M.K.	Pickett	Smith, S.,
Dermody	Keller, W.	Preston	Speaker
DiGirolamo	Killion	Quigley	

NAYS—11

Creighton	Gillen	Metcalf	Roae
Dunbar	Grell	Metzgar	Truitt
Gabler	Heffley	Pyle	

NOT VOTING—0

EXCUSED—4

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

On the question recurring,

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

Mr. **P. COSTA** offered the following amendment No. **A09810**:

Amend Bill, page 1, line 2, by inserting after "providing"
for video gaming and

Amend Bill, page 1, lines 7 and 8, by striking out all of said lines and inserting

Section 1. Title 4 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read:

CHAPTER 11A
VIDEO GAMING

Sec.

11A01. Definitions.

11A02. Powers and duties.

11A03. Video gaming.

11A04. Licensing of manufacturers, distributors and vendors.

11A05. Licensed establishment license.

11A06. Limitations on licensed establishments.

11A07. Central communications system.

11A08. Video gaming machine prototype.

11A09. Fees.

11A10. Unlawful use by minors.

11A11. Inducements prohibited.

11A12. Multiple types of licenses prohibited.

11A13. Illegal activities.

11A14. Establishment of account and distribution of funds.

11A15. Preemption of local taxes and license fees.

11A16. Exemption from State gaming laws.

11A17. Exemption from Federal regulation.

§ 11A01. Definitions.

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

"Account." The Video Gaming Account established under section 11A14 (relating to establishment of account and distribution of funds).

"Coin-operated amusement machine." A machine that requires the insertion of a coin, currency or tokens to play or activate a game, the outcome of which is primarily determined by the skill of the player. The term does not include a video lottery terminal.

"Department." The Department of Revenue of the Commonwealth.

"Distributor." Any individual, partnership, association or corporation, licensed by the Department of Revenue to buy, sell, service or distribute video gaming machines. The term does not include a machine vendor or a manufacturer.

"Gaming machine." A device or machine that has the outcome of play primarily determined by chance. The term includes an antique slot machine under 18 Pa.C.S. § 5513(c) (relating to gambling devices, gambling, etc.) when used for profit. The term shall not include any of the following:

(1) A coin-operated amusement machine.

(2) A video lottery terminal that has all of its seals or identification plates.

(3) Slot machines as defined under section 1103 (relating to definitions).

(4) A game of chance under the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act.

(5) Lottery terminals used under the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law.

"Licensed establishment." A restaurant, bar, tavern, hotel or club that has a valid liquor or malt or brewed beverage license under Article IV of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code.

"Machine vendor." Any individual, partnership, association or corporation that:

(1) is licensed by the Department of Revenue; and

(2) owns, services and maintains video gaming machines for placement in licensed establishments.

"Manufacturer." Any individual, partnership, association or corporation that:

(1) is licensed by the Department of Revenue; and

(2) manufactures or assembles video gaming machines.

"Net profits." All money put into a video gaming machine minus the cash awards paid out to players.

"Service technician." An individual holding a service technician's license issued by the Department of Revenue allowing the individual to service, maintain and repair video gaming machines.

"State Lottery." The lottery established and operated under the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law.

"Video gaming machine." A device or machine:

(1) that, upon insertion of a coin or currency, will play or simulate the play of a video poker, bingo, keno, blackjack or any other game authorized by the Department of Revenue;

(2) that utilizes a video display and microprocessors; and

(3) in which, by the skill of the player or by chance, the player may receive free games or credits that may be redeemed for cash.

§ 11A02. Powers and duties.

The department shall regulate and adopt standards for all gaming activities in this Commonwealth, including video gaming as authorized under this chapter.

§ 11A03. Video gaming.

The department shall provide for video gaming at licensed establishments. With the exception of tickets indicating credits won, which are redeemable for cash, no machine may directly dispense coins, cash, tokens or anything else of value.

§ 11A04. Licensing of manufacturers, distributors and vendors.

(a) Background investigation; application fee.—The department shall have the Pennsylvania State Police conduct a background investigation of an applicant for a manufacturer, distributor or machine vendor license as to personal and business character, honesty and integrity. An applicant must pay a nonrefundable application fee of \$5,000. The investigation may utilize information on the applicant compiled by the Pennsylvania Liquor Control Board. The investigation includes the following:

(1) An examination of criminal or civil records.

(2) An examination of personal, financial or business records. This paragraph includes tax returns, bank accounts, business accounts, mortgages and contracts to which the license applicant is a party or has an interest.

(3) An examination of personal or business relationships which:

(i) include a partial ownership or voting interest in a partnership, association or corporation; and

(ii) bear on the fitness of the applicant for licensure.

(b) Production of information.—An applicant to become a licensee must produce information, documentation and assurances as required by the department. This subsection includes the following:

(1) Each license applicant must:

(i) consent in writing to and provide for the examination of financial and business accounts, bank accounts, tax returns and related records in the applicant's possession or under the applicant's control that establish by clear and convincing evidence the financial stability, integrity and responsibility of the license applicant; and

(ii) authorize all third parties in possession or control of accounts or records under subparagraph (i) to allow for their examination as deemed necessary by the department in conducting background investigations.

(2) Each license applicant must disclose on the application form any criminal convictions for offenses graded above summary offenses covering the ten-year period immediately preceding the filing of the application. The license applicant must also include on the application form any convictions of the gambling laws of any jurisdiction.

(3) If the license applicant has conducted a gaming operation in a jurisdiction that permits such activity, the license applicant must produce letters of reference from the gaming or casino enforcement or control agency that specify the experiences of the agency with the license applicant, the license applicant's associates and the license applicant's gaming operations. If the license applicant is unable to obtain these letters within 60 days of the request, the license applicant may submit a copy of the letter requesting the information together with a statement under oath or affirmation that, during the period activities were conducted, the license applicant was in good

standing with the appropriate gambling or casino enforcement control agency.

(4) Each license applicant must provide information, documentation and assurances as required by the department to establish by clear and convincing evidence the license applicant's good character, honesty and integrity. Information under this paragraph may relate to family, habits, character, reputation, business affairs, financial affairs, business associates, professional associates and personal associates, covering the ten-year period immediately preceding the filing of the application.

(b.1) Felony conviction prohibition.—A person that has been convicted of a felony within ten years of the date of application shall not be issued a license under this chapter.

(c) Third-party disclosure.—Each license applicant must accept any risk of adverse public notice, embarrassment, criticism, damages or financial loss, which may result from disclosure or publication by a third party of material or information requested by the department pursuant to action on an application. The license applicant expressly must waive a claim against the department, executive director or the Commonwealth and its employees from damages as a result of disclosure or publication by a third party.

(d) Hearing upon denial.—A person who is denied a license has the right to a hearing before the department in accordance with the provisions of 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).

(e) Sole proprietor vendors.—A sole proprietor vendor must comply with all of the following:

(1) Be a resident of this Commonwealth for at least two years prior to application for a license.

(2) Be of good moral character and reputation in the community.

(3) Be at least 18 years of age.

(4) Be current in the payment of all taxes, interest and penalties owed to the Commonwealth and political subdivisions. This paragraph excludes items under formal dispute or appeal under applicable law.

(5) Demonstrate sufficient financial resources to support the activities required to place and service video gaming machines.

(f) Partnership vendors.—Partnership vendors must comply with all of the following:

(1) Be current in the payment of taxes, interest and penalties owed to the Commonwealth and political subdivisions. This paragraph excludes items under formal dispute or appeal under applicable law.

(2) Demonstrate sufficient financial resources to support the activities required to place and service video gaming machines.

(3) Have each partner be:

(i) of good moral character and reputation in the community;

(ii) at least 18 years of age; and

(iii) a resident of this Commonwealth for at least two years prior to application for a license.

(4) At all times subsequent to licensing, a majority of the partnership ownership interest must be held by residents of this Commonwealth.

(g) Association and corporate vendors.—Association or corporate vendors must comply with all of the following:

(1) Be current in the payment of taxes, interest and penalties owed to the Commonwealth and political subdivisions. This paragraph excludes items under formal dispute or appeal under applicable law.

(2) Demonstrate sufficient financial resources to support the activities required to place and service video gaming machines.

(3) Have each shareholder holding more than 10% of the

stock of a corporation be:

(i) of good moral character and reputation in the community;

(ii) at least 18 years of age; and

(iii) a resident of this Commonwealth for at least two years prior to application.

(h) Sole proprietor distributors.—A sole proprietor distributor must comply with all of the following:

(1) Be a resident of this Commonwealth for at least one year prior to application.

(2) Be of good moral character and reputation in the community.

(3) Be at least 18 years of age.

(4) Be current in the payment of taxes, interest and penalties owed to the Commonwealth and political subdivisions. This paragraph excludes items under formal dispute or appeal under applicable law.

(5) Demonstrate sufficient financial resources to support the activities required to sell and service video gaming machines.

(i) Partnership distributors.—Partnership distributors must comply with all of the following:

(1) Be current in the payment of taxes, interest and penalties owed to the Commonwealth and political subdivisions. This paragraph excludes items under formal dispute or appeal under applicable law.

(2) Demonstrate sufficient financial resources to support the activities required to sell and service video gaming machines.

(3) Have each partner be:

(i) of good moral character and reputation in the community;

(ii) at least 18 years of age; and

(iii) a resident of this Commonwealth for at least one year prior to application.

(4) At all times subsequent to licensing, a majority of the partnership ownership interest must be held by residents of this Commonwealth.

(j) Association and corporate distributors.—Association or corporate distributors must comply with all of the following:

(1) Be current in the payment of taxes, interest and penalties owed to the Commonwealth and political subdivisions. This paragraph excludes items under formal dispute or appeal under applicable law.

(2) Demonstrate sufficient financial resources to support the activities required to sell and service video gaming machines.

(3) Have each shareholder holding more than 10% of the stock of a corporation be:

(i) of good moral character and reputation in the community; and

(ii) at least 18 years of age.

(4) For at least one year immediately prior to application, have maintained and operated a coin machine distributorship office and sales staff within this Commonwealth. This paragraph does not apply to an association distributor.

(k) Sole proprietor manufacturers.—A sole proprietor manufacturer must comply with all of the following:

(1) Be of good moral character and reputation in the community.

(2) Be at least 18 years of age.

(3) Be current in the payment of taxes, interest and penalties owed to the Commonwealth and political subdivisions. This paragraph excludes items under formal dispute or appeal under applicable law.

(4) Demonstrate sufficient financial resources to support the activities required to manufacture and sell video gaming machines through a licensed distributor.

(l) Partnership manufacturers.—Partnership manufacturers must comply with all of the following:

(1) Be current in the payment of taxes, interest and

penalties owed to the Commonwealth and political subdivisions. This paragraph excludes items under formal dispute or appeal under applicable law.

(2) Demonstrate sufficient financial resources to support the activities required to manufacture and sell video gaming machines through a licensed distributor.

(3) Have each partner be:

(i) at least 18 years of age; and

(ii) of good moral character and reputation in the community.

(m) Association and corporate manufacturers.—Association or corporate manufacturers must comply with all of the following:

(1) Be current in the payment of taxes, interest and penalties owed to the Commonwealth and political subdivisions. This paragraph excludes items under formal dispute or appeal under applicable law.

(2) Demonstrate sufficient financial resources to support the activities required to manufacture and sell video gaming machines through a licensed distributor.

(3) Have each shareholder holding more than 10% of the stock of the corporation or association be:

(i) of good moral character and reputation in the community; and

(ii) at least 18 years of age.

(n) Service technician.—A service technician must comply with the following:

(1) Be current in the payment of taxes, interest and penalties owed to the Commonwealth and political subdivisions. This paragraph excludes items under formal dispute or appeal under applicable law.

(2) Be of good moral character and reputation in the community.

(3) Be at least 18 years of age.

(o) Written agreement.—Each licensed establishment shall have a written agreement with a licensed machine vendor for a minimum 12-month term. The agreement shall be approved by the department and on file at the licensed establishment.

(p) Nonaccessibility to minors.—No video gaming machine may be in an area easily accessible to minors. A floor-to-ceiling wall is not required, but the area must be secure and easily seen and observed by the employees or management of the licensed establishment.

(q) Advertising prohibited.—No licensed establishment with a video gaming license may advertise gaming in any form, written or electronic, nor may its name include the words "casino," "gambling," "gaming" or any other term that may be interpreted to advertise gaming.

§ 11A05. Licensed establishment license.

The department shall issue a license to any licensed establishment upon a showing that its liquor or retail dispenser license is valid and is in good standing with the Pennsylvania Liquor Control Board. The annual fee for a licensed establishment shall be \$500 per video gaming machine.

§ 11A06. Limitations on licensed establishments.

(a) Limitations.—Licensed establishments shall be subject to the following limitations:

(1) No licensed establishment may have more than five video gaming machines.

(2) No applicant may hold more than one type of license authorized by this chapter.

(3) Each licensee is responsible for payment of its license fee. Payment of the fee by a person, partnership or corporation other than the licensee is prohibited.

(b) Unlawful acts.—No licensed establishment shall permit:

(1) An individual under 21 years of age to operate or attempt to operate a video gaming machine.

(2) An individual under 21 years of age to receive or attempt to receive a prize from a video gaming machine.

(3) A visibly intoxicated person to play a video gaming

machine.

(4) An individual to tamper with the connection of a video gaming machine to the central computer.

In addition to any other penalties provided by law, a person who violates paragraph (1), (2) or (3) commits a summary offense.

(c) Seizure, forfeiture and destruction of gaming machines.—Gaming machines shall be considered to be per se illegal. Gaming machines and the proceeds therefrom may be seized upon view as illegal contraband by agents of the department and any other law enforcement agency. The owner of a gaming machine shall have no right to compensation for the seizure and destruction of a gaming machine or the proceeds of a gaming machine.

(d) Penalties.—

(1) In the case of a gaming machine seized from a licensed establishment, for a first violation, a penalty of at least \$1,000 and not more than \$5,000 and a suspension of the licensed establishment owner's liquor license for not less than seven consecutive days, and for each subsequent violation, a penalty of \$15,000 and a suspension of the liquor license for not less than 14 consecutive days.

(2) In the case of a gaming machine seized from a place of business other than a licensed establishment, for a first violation, a penalty of at least \$1,000 and not more than \$5,000 against the owner of the business from which the gaming machine was seized, and for each subsequent violation, a penalty of \$15,000.

§ 11A07. Central communications system.

The department shall establish and procure a central communications system capable of monitoring and communicating with each licensed video gaming machine. The department may, by agreement between the department and the State Lottery, utilize the central communications system utilized by the State Lottery. All licensed video gaming machines must be linked to the central communications system either at the department or, by agreement between the department and the State Lottery, at the State Lottery.

§ 11A08. Video gaming machine prototype.

The department shall develop a prototype video gaming machine that includes hardware and software specifications. These specifications shall include:

(1) All machines must have the ability to interact with the central communications system.

(2) Unremovable identification plates shall appear on the exterior of the machine containing the name of the manufacturer and the serial and model number of the machine.

(3) Rules of play shall be displayed on the machine face or screen as promulgated by the department.

(4) A video gaming machine may not directly dispense coins, cash, tokens or any other article of exchange or value except for tickets. Such tickets shall be dispensed by pressing the ticket-dispensing button on the machine at the end of one's turn or play. The ticket shall indicate the total amount of credits and the cash award, and the player shall turn in this ticket to the appropriate person at the licensed establishment to receive the cash award. The cost of the credit shall be \$.25, and the number of credits played per game shall not exceed ten.

(5) No cash award for any individual game may exceed \$1,000.

(6) All video gaming machines must be designed and manufactured with total accountability to include gross proceeds, net profits, winning percentages and any other information the department requires.

(7) Each machine shall pay out a minimum of 85% of the amount wagered.

(8) The department may contract with the board to develop and verify specifications for video gaming machines.

§ 11A09. Fees.

(a) Vendors license and fee.—The annual fee for a machine vendor license shall be \$25,000 for the first 50 video gaming machines

and an additional \$500 per video gaming machine license in excess of 50. A machine vendor license permits the vendor to sell video gaming machines to another licensed machine vendor or licensed distributor.

(b) Distributor license fee.—The annual fee for a distributor license shall be \$10,000.

(c) Manufacturer license fee.—The annual fee for a manufacturer license shall be \$10,000.

(d) Service technician license fee.—The annual fee for a service technician license shall be \$100.

§ 11A10. Unlawful use by minors.

(a) Minors.—No individual under 21 years of age may use or play a video gaming machine. An individual who violates this subsection commits a summary offense.

(b) Licensees.—

(1) A licensed establishment may not, regardless of knowledge or intent, permit an individual under 21 years of age to play or use a video gaming machine.

(2) A licensed establishment that violates this subsection commits a misdemeanor of the second degree.

§ 11A11. Inducements prohibited.

(a) General rule.—A video gaming machine owner may not offer or give any type of inducement or incentive to a licensed establishment to secure a machine placement agreement.

(b) Definition.—As used in this section, the term "inducement" or "incentive" means consideration from a licensed machine vendor to a licensed establishment owner as an enticement to solicit or maintain the licensed establishment owner's business. The term includes cash, gifts, loans and prepayment of commissions.

§ 11A12. Multiple types of licenses prohibited.

(a) Manufacturer restriction.—A manufacturer may not be licensed as a machine vendor or own, manage or control a licensed establishment and shall be licensed only to sell to licensed distributors.

(b) Distributor restriction.—A licensed machine distributor may not be licensed as a machine vendor or own, manage or control a licensed establishment and shall only contract with licensed machine vendors.

(c) Vendor restriction.—A machine vendor may not be licensed as a manufacturer or distributor or own, manage or control a licensed establishment and shall be licensed only to contract with licensed distributors and licensed establishments. This shall not prohibit a licensed vendor from selling used equipment to another licensed vendor.

(d) Establishment owner restriction.—An owner of a licensed establishment may not be licensed as a manufacturer, distributor or vendor and shall only contract with a machine vendor to place and service equipment.

§ 11A13. Illegal activities.

A person may not sell, distribute, service, own, operate or place on location a video gaming machine unless the person is licensed under this chapter and is in compliance with all requirements of this chapter.

§ 11A14. Establishment of account and distribution of funds.

(a) Video Gaming Account.—There is established a separate account in the State Treasury to be known as the Video Gaming Account. Fees and fines under this chapter and the portion of net profits under subsection (b)(2)(iii) shall be deposited in the account.

(b) Distribution of net profits.—

(1) Net profits shall be calculated by subtracting cash awards from the total consideration played on the machine.

(2) The net profits from each video gaming machine shall be distributed in the following manner:

(i) 33% to the licensed establishment.

(ii) 33% to the licensed vendor.

(iii) 34% to the Motor License Fund for use by the Pennsylvania State Police, except for any amount in excess of \$500,000,000, which shall be paid to the account.

(c) Department funding.—The department shall derive all funding for its operations related to the establishment, enforcement and

operation of video gaming from the account.

(d) Payments to municipalities.—In addition to the funds distributed under subsection (b)(2)(iv), the department shall pay each municipality from the account \$500 per licensed machine located in the municipality.

(e) Funds maintained in account.—An annual minimum balance of \$2,000,000 shall be maintained in the account. Money in excess of this amount at the end of each fiscal year shall be distributed to the Department of Transportation for highway maintenance and/or projects.

(f) Funding for compulsive gambling programs.—The department shall allocate from the account at least \$1,000,000 annually for the purpose of treating compulsive gambling in this Commonwealth.

(g) Continuous appropriation.—The money in the account is continuously appropriated to the account and shall not lapse at the end of any fiscal year.

§ 11A15. Preemption of local taxes and license fees.

(a) Statutes.—Video gaming machines shall be exempt from taxes levied under the following:

(1) The act of August 5, 1932 (Sp.Sess., P.L.45, No.45), referred to as the Sterling Act.

(2) The act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act.

(3) 53 Pa.C.S. Pt.III Subpt. E (relating to home rule and optional plan government).

(4) Any statute that confers taxing authority to a political subdivision.

(b) Licensing fees.—

(1) Video gaming machines are exempt from local licensing fees.

(2) Local licensing fees imposed on all other coin-operated amusement machines shall not exceed \$150.

§ 11A16. Exemption from State gaming laws.

Video gaming machines authorized under this chapter and their use as authorized under this chapter are exempt from 18 Pa.C.S. § 5513 (relating to gambling devices, gambling, etc.).

§ 11A17. Exemption from Federal regulation.

The General Assembly declares that the Commonwealth is exempt from section 2 of the Gambling Devices Transportation Act (64 Stat. 1134, 15 U.S.C. § 1172). Shipments of approved video gaming machines into this Commonwealth in compliance with sections 3 and 4 of the Gambling Devices Transportation Act (64 Stat. 1134, 15 U.S.C. §§ 1173 and 1174) shall be deemed legal shipments into this Commonwealth.

Section 2. Title 4 is amended by adding a section to read:

Amend Bill, page 6, line 12, by striking out "2" and inserting
3

Amend Bill, page 9, line 23, 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 from Allegheny County, Mr. Paul Costa.

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

This is a bill that I have tried several times. This allows video gaming in our bars and taverns, and I would hope that I can count on everybody's support to help our small businesses here in Pennsylvania. Thank you.

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

On that question, the Speaker recognizes the gentleman from Chester County, Mr. Schroder.

Mr. SCHRODER. Mr. Speaker, I hate to so abruptly end our run of harmonious votes on these amendments here, but I guess we all knew it had to happen at some point.

Mr. Speaker, I would be opposed to this amendment and would ask the House members to vote accordingly for many reasons. This amendment is a vast expansion of gaming in the Commonwealth, and I also truly believe it would guarantee a gubernatorial veto if this provision was put in there, should it reach the Governor's desk. So let us vote this down and stick to the main provisions of this bill. 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 interrogation?

The SPEAKER. The gentleman indicates he will stand for interrogation.

Mr. VITALI. Thank you, Mr. Speaker.

The SPEAKER. You may proceed.

Mr. VITALI. I am just trying to get at a little more detail on how this would work. How many bars or taverns would this permit the video machines in?

Mr. P. COSTA. There are, I believe, roughly 18,000 licenses that would qualify, but I do not believe every one of them would want to do this.

Mr. VITALI. Okay. So up to 18,000, but you do not— And how would a bar go about this, or what would the limitations be?

Mr. P. COSTA. We would limit the amount of machines that they would be permitted to have, and the system would be similar to the way the lottery works today, where it is wired into Harrisburg and every dollar that is spent on the lottery is recorded here in Harrisburg. The same thing could be done with these machines; every dollar that is put in would go through a central processing to control the money and find out how much is being spent.

Mr. VITALI. Would there be any regulations with regard to the facilities themselves as far as the qualifications of those overseeing the machines, training? What regulations would be in place with regard to the training of the bar personnel or structures in the bar itself that would be a safeguard against abuse?

Mr. P. COSTA. The same regulations that are in effect today. The only thing different today would be that the recordings would be recorded in Harrisburg, as to today if you put money in one of those machines, nobody knows how much money is being played; nobody knows how much money is being paid out. But now we would have regulations by, like I said, it would be wired in just like the lottery, when somebody purchases a lottery ticket.

Mr. VITALI. Okay. Thank you. That concludes my interrogation.

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

GERMANENESS QUESTIONED

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

Mr. TURZAI. Thank you, Mr. Speaker.

I would like to move that the amendment, 9810, is not germane. It speaks to video poker machines, and this is dealing with one of the original 13 licenses with respect to expanded gambling expansion. I would ask that the voters please, or the members please recognize that this is not germane to the underlying legislation. Thank you.

The SPEAKER. The gentleman from Allegheny County, Mr. Turzai, has raised the question of whether amendment A09810 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 gentleman from Allegheny County, Mr. Paul Costa.

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

I respectfully disagree with the majority leader. This bill has to do with video gaming. This bill— I am sorry, this amendment deals with video gaming. This bill deals with gaming. Several of the amendments that we have passed so far were less germane than this amendment is right now. I would hope that you would help our local taverns, bars, and our local business owners and vote that this bill is germane, or this amendment is germane to the bill. Thank you.

The SPEAKER. On the question of germaneness, the Speaker recognizes the minority leader, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is germane. Traditionally, the test for germaneness has been the single-subject standard. "To pass muster under the single-subject standard, an act must have a single unifying subject to which all of its provisions are germane." The single unifying subject of HB 65 is the regulation of gaming in Pennsylvania. Amendment 9810 also provides for the regulation of gaming in Pennsylvania by providing for the regulation of video gaming. Mr. Speaker, the bill deals with gaming, and this amendment deals with gaming. It does not get anymore germane than that.

Mr. Speaker, the people of Pennsylvania cannot be fooled. A vote on germaneness is really a vote on whether or not you support the regulation of video gaming in Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. On the question of germaneness, the Speaker recognizes the majority leader, Mr. Turzai.

Mr. TURZAI. Thank you, Mr. Speaker.

Mr. Speaker, once again, the underlying bill, HB 65, amends the Gaming Act to provide for the relocation of a revoked category 2 slot machine license to any location in the Commonwealth and to establish auction procedures with respect to that revoked license. It had not been awarded under the original legislation. This particular amendment specifically provides for video gaming in taverns. This has nothing to do with the underlying slot machine license legislation or the auction of this last remaining license. The single-subject rule, or germaneness, makes it clear it needs to be a single unifying subject to which all of the provisions of the act are relevant. The court in the *City of Philadelphia* case of 2003 said that you have to "ensure that Article III does not become a license for the

judiciary" or the legislature to expand the unifying concept that is required by the State Constitution. Please vote that this is not germane.

The SPEAKER. 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—85

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

NAYS—107

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

NOT VOTING—0

EXCUSED—4

Daley Davis Mann Swanger

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

On the question recurring,

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

Ms. **YOUNGBLOOD** offered the following amendment No. **A08663**:

Amend Bill, page 2, by inserting between lines 21 and 22

(3) Notwithstanding paragraph (1), in the case of a slot machine license which is approved and issued by the board to an applicant for a Category 2 licensed facility in a city of the first class and which license is subsequently revoked by the board, the following shall apply:

(i) The public auction held under paragraph (1) shall be restricted to applicants proposing to locate the licensed facility in a city of the first class.

(ii) If a winning bidder under this paragraph fails or is otherwise unable to consummate the transaction, or if the board determines that the winning bidder does not satisfy financial fitness and suitability requirements of this part, the board shall nullify the winning bid and reauction the slot machine license. Any person proposing to locate a Category 2 licensed facility in any geographic region of this Commonwealth in accordance with the requirements of section 1304(b) (relating to Category 2 slot machine license) shall be eligible to participate in the reauction.

On the question,

Will the House agree to the amendment?

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

Ms. YOUNGBLOOD. Thank you, Mr. Speaker.

This amendment will give preference to the applicants bidding on a revoked category 2 license that was approved and issued for Philadelphia who are proposing to locate the revoked license in Philadelphia. If the winning bidder fails or is found to be otherwise unsuitable by the board, the winning bid will be nullified, and the license would be reaucted for any location in the Commonwealth. Mr. Speaker, this amendment would simply give the city of Philadelphia a final opportunity to adhere to the original intent of the Gaming Act and would have a last crack at establishing a second casino.

Initial estimates show that between \$144 and \$177 million would be driven into the Philadelphia economy from the construction of a second casino in the city. These same estimates project between \$150 and \$170 million would be generated from one-time, indirect construction spending. If we use SugarHouse as an example, a second casino could easily generate between 500 and 600 construction jobs.

Bear with me.

Initial estimates also project that two casinos in Philadelphia would result in nearly 1,500 gaming operation jobs. SugarHouse

alone has come close to that number, hiring more than 1,100 employees for one casino.

Philadelphia would see hundreds of jobs from building a second casino and thousands of jobs from operating a second casino. These are high-paying jobs that provide family-sustaining wages for our citizens. Also, Philadelphia was promised tens of millions of dollars that would go toward our school district from the operation of two casinos. We all know that our school district needs every additional penny. So for me, this is about my constituents and what this second casino would mean to them in terms of jobs, revenue, and economic development. And frankly, the taxpayers and residents of Philadelphia should not be left holding the bag and punished for the errors and sins of private business. The citizens of Philadelphia were promised two casinos, and the State should live up to that promise.

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

On that question, the Speaker recognizes the gentleman from Chester County, Mr. Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment really does go to the essence of the decision that we need to make with regards to HB 65. Mr. Speaker, I do oppose the amendment. I would like to state my reasons, and there are several of them, and I believe they are important to note and put on the record. Mr. Speaker, the way we have HB 65 constructed, it would let the free market determine or guide the Gaming Control Board in determining where these licenses would go. Many of us believed it was a mistake from the very issuance of the license to peg a certain number of casino licenses in a particular area.

So this would, Mr. Speaker, it would allow the free market to determine it. It would also allow the market to determine what price we would get for the casinos, what the highest bid would be, and what the most prospective revenue would be to the Commonwealth. In other words, instead of saying, "Yes, you have to have this casino in Philadelphia," I am arguing, let us take advantage of putting this out to the market in Pennsylvania and seeing what we can get for the Commonwealth in that regard.

And, Mr. Speaker, Treasurer Rob McCord did commission a study, which I think provides some very important and useful information on this very topic. Mr. Speaker, according to Treasurer McCord's study, the Foxwoods site, currently, would produce \$89.96 million to the Commonwealth of Pennsylvania, while there are fully eight or nine other locations in the Commonwealth that would bring in much greater revenue to the Commonwealth of Pennsylvania, much greater revenue for our property tax relief efforts, and really would I think put the Commonwealth in a better stead here.

The last point I would like to make, Mr. Speaker, is that the bill as proposed does not – and I think this is a very important point – it does not preclude this casino from going to Philadelphia. A casino site in Philadelphia would be eligible to submit a bid just as any other site across the Commonwealth or any other applicant would be able to do. So I do think there is somewhat of an assumption, a false assumption, that Philadelphia would be out of the running for this particular casino, but that in fact is not the case. It would just be a level playing field so that other applicants could apply as well.

So, Mr. Speaker, I ask for a "no" vote on the Youngblood amendment. Thank you.

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

On that question, the Speaker recognizes the minority leader, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, all this amendment is trying to do is to give Philadelphia a second chance and to allow the original intent of the law to prevail. In the beginning there were multiple applicants for this license, and while Foxwoods was selected, there were several issues involved with the issuance of that license other than their viability. Giving Philadelphia the second chance at this license would comply with the intent of the law and would allow for reductions in the Philadelphia wage tax, which would certainly help the taxpayers from all the surrounding counties who work in the city of Philadelphia, and also would allow for the contributions to be made from the proceeds of that casino to the Philadelphia School District. To comply with the original intent of the law, Philadelphia should be given a second chance to see if they can secure this license. Where there were multiple applicants the first time, I am sure there will be multiple applicants again, and it will comply with the law.

Mr. Speaker, that is why we should vote for the Youngblood amendment. Thank you, Mr. Speaker.

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

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

Mr. TAYLOR. Thank you, Mr. Speaker.

I certainly understand the intent in general of HB 65 in terms of needing a specific procedure for revocation of a license. We did not really anticipate this happening when we drafted the bill. But listening to the maker of the bill's explanation, we are really kind of changing the rules of the game as we go along. We, in both of our caucuses, are now in a debate about horse racing revenue and the horse racing fund, and many of you have adequately and properly argued that we should not change the rules of the game after they are made. The members that were here when we authorized casino gambling voted for a prescribed set of rules, a prescribed set of allocations throughout the Commonwealth that is now being altered. And I do not know if it is the case that Philadelphia is now being punished, but there was a revocation of a license because of a problem of that licensee, not because of the problems of the city of Philadelphia. And the study that was referenced talks about strict gaming revenue, not the kind of revenue that will be brought in because of everything else that the city of Philadelphia can offer around such a facility.

To change this at this point would be— If you vote for this, you would think it is okay to just take money that we already promised to the racing industry, and we are talking in this building about moving that and changing that rule, and that is not the premise upon which this industry was created. It was created for horse racing, and now we are changing it. In this particular case, to get the support for this bill, two licenses were going to Philadelphia, now we are changing it and we are hoping for the best. I think if this amendment is put in, if Philadelphia cannot put up, then it will have to shut up. If it cannot provide an adequate proposal, then it can go statewide, but in the meantime you should not change the rules as we go along.

This amendment should be adopted, and then we can all vote for the bill. Thanks.

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 65 CONTINUED

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Will the maker of the amendment rise for brief interrogation?

The SPEAKER. The lady indicates she will stand for interrogation.

Mr. STURLA. Thank you, Mr. Speaker.

The SPEAKER. You may proceed.

Mr. STURLA. As I understand your bill, or your amendment, it would say that this license, which was designated for Philadelphia, would remain in Philadelphia. And short of adopting your amendment, I am assuming that it would mean that areas that specifically did not want a gaming license – for instance, I know there has been great opposition in Lancaster County to a casino, and there has been great opposition to a casino in Gettysburg – that all those areas would be free game for a casino unless your amendment goes in. Is that correct?

Ms. YOUNGBLOOD. The answer is yes, Mr. Speaker.

Mr. STURLA. Thank you.

On the amendment, Mr. Speaker.

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

Mr. STURLA. Mr. Speaker, I know there are probably people who would like to punish Philadelphia by not allowing this casino license to remain in Philadelphia, but I think that people must take into consideration that opening it up to quote, unquote, "the free market" also opens up the possibility that a casino license ends up somewhere where they may not have wanted it, and that the best way to make sure that that does not happen is to vote for the Youngblood amendment and keep this license where it was intended to be.

Thank you, Mr. Speaker.

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

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

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

Once fooled, twice cautious. Once fooled, twice cautious. On the original legislation to create casino gaming in the Commonwealth of Pennsylvania, Philadelphia was given two licenses; two licenses. And guess what? Guess what? They were given every opportunity to get two licenses up and running. The Supreme Court, on every issue brought before it to grease the skids for Philadelphia casinos, ruled in their favor. Once fooled, twice cautious.

Now, we have independent industry analysts who say that the Philadelphia market is flooded; flooded. Now, it may seem counterintuitive, but to put the license out to bid, to follow the free market, to follow the money, is not only in the best interest of the Commonwealth, but it is also in the best interest of the city of Philadelphia, because we can easily figure out that the 4-percent local share of zero is zero. Now, the wise and prudent thing is to move on, to go back to the legislative intent that was brought to this floor when gaming was first considered to produce revenue, not to take care of buddies, but to produce revenue, to lower property tax, and to lower the wage tax in the city of Philadelphia. Funds from another casino, anyplace in the Commonwealth, will do that. Let us put this puppy to bed. Please, please, please vote "no."

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

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

Ms. DeLISSIO. Thank you, Mr. Speaker.

I rise to support this amendment. I was not a member of the House when the legislation was originally passed but have been following this discussion over the past couple of years, particularly the sequence of events that led to the revocation of the license. I think it is really only fair that this license be retained by the city of Philadelphia in order for other developers and other interested parties to have the opportunity that was not successfully accomplished by the original parties who participated in it. And in fact, as I read in the local papers, and I think maybe a lot of people in the House may not be aware of this, there is – and I am not supporting any developer in particular; I want to be clear about that – but a recent possibility is a developer who is interested in putting this in in and around the newly expanded convention center. And that newly expanded Pennsylvania Convention Center was done with a lot of State dollars, and that attracts many hundreds and thousands of people from outside the Commonwealth that come in to do that. And having the proximity of this gaming opportunity near that convention center would just I think really take advantage of the convention center in a good way, allow for folks to be able to have this particular piece of entertainment and recreation, and I think the city of Philadelphia will absolutely be leveraging this opportunity if the license remains in the city.

So I think it is very important that we stick with the intent of the original legislation, not take this additional step to put it out to auction at this time, and to vote for this amendment that is before us right now. 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 Chester County, Mr. Schroder, for the second time.

Mr. SCHRODER. Thank you, Mr. Speaker.

Just briefly, I wanted to address the assertions and arguments that were made about promised money, money that was allegedly promised to the city of Philadelphia, with the inference being that the city is relying on that money. Mr. Speaker, the Pennsylvania Intergovernmental Cooperation Authority, otherwise known as PICA, which oversees and guides the finances of the city of Philadelphia, recently issued their fiscal year, 5-year report for the city for 2012 through 2016. And, Mr. Speaker, while revenues from the current

SugarHouse Casino are included in the revenue stream projections for Philadelphia, there are no revenues that are included in that report from a second casino.

So, Mr. Speaker, it is clear to me that those that oversee the city's finances are not relying upon second casino revenue in any way, shape, or form. Mr. Speaker, I would just also remind everyone – and everyone seems to gloss over this – the bill as written does not preclude a casino from being located in the city of Philadelphia; it only takes away the requirement that two casinos be in Philadelphia. There is still the possibility that Philadelphia could be the desired location, and if the bid and the projected revenues are large enough, well, then we all win by Philadelphia maintaining that casino.

So, Mr. Speaker, once again I would ask for a "no" vote on the Youngblood amendment. Thank you.

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

On that question, the Speaker recognizes the lady from Philadelphia County, Ms. Youngblood, for the second time.

Ms. YOUNGBLOOD. Mr. Speaker, I think I need to state that the second casino, the revenue would also help clear up some of the deficit for the Philadelphia School District. Currently we have a deficit of \$680 million. The money coming from the gaming revenue would help not only our school district, but also help provide jobs in the city of Philadelphia. So I am asking everyone in this chamber to consider amendment A08663.

In addition to that, the McCord study that was done did not take into effect the revenue that would come from property tax, other revenue streams that are coming into the city of Philadelphia. It just took into consideration the gaming revenue only.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—79

Barbin	DeLissio	Kirkland	Petrarca
Bishop	DePasquale	Kotik	Preston
Boyle, B.	Dermody	Kula	Ravenstahl
Boyle, K.	Donatucci	Longietti	Roebuck
Bradford	Evans, D.	Maher	Sabatina
Brennan	Fabrizio	Mahoney	Sainato
Briggs	Frankel	Markosek	Samuelson
Brown, V.	Freeman	Marshall	Santarsiero
Brownlee	Galloway	Matzie	Santoni
Burns	George	McGeehan	Smith, K.
Buxton	Gerber	Mirabito	Smith, M.
Carroll	Gibbons	Mullery	Staback
Cohen	Goodman	Mundy	Sturla
Conklin	Haluska	Murphy	Taylor
Costa, P.	Hanna	Murt	Thomas
Cruz	Harhai	Myers	Waters
Curry	Harkins	Neuman	Wheatley
Davidson	Hornaman	Parker	White
Day	Kavulich	Pashinski	Youngblood
Deasy	Keller, W.	Payton	

NAYS—112

Adolph	Farry	Kortz	Readshaw
Aument	Fleck	Krieger	Reed
Baker	Gabler	Lawrence	Reese

Barrar	Geist	Major	Roae
Benninghoff	Gergely	Maloney	Rock
Bloom	Gillen	Marsico	Ross
Boback	Gillespie	Masser	Saccone
Boyd	Gingrich	Metcalfe	Saylor
Brooks	Godshall	Metzgar	Scavello
Brown, R.	Grell	Miccarelli	Schroder
Caltagirone	Grove	Micozzie	Simmons
Causar	Hackett	Millard	Sonney
Christiana	Hahn	Miller	Stephens
Clymer	Harhart	Milne	Stern
Costa, D.	Harper	Moul	Stevenson
Cox	Harris	Mustio	Tallman
Creighton	Heffley	O'Brien, M.	Tobash
Culver	Helm	O'Neill	Toepel
Cutler	Hennessey	Oberlander	Toohil
Delozier	Hess	Payne	Truitt
DeLuca	Hickernell	Peifer	Turzai
Denlinger	Hutchinson	Perry	Vereb
DiGirolo	Josephs	Petri	Vitali
Dunbar	Kampf	Pickett	Vulakovich
Ellis	Kauffman	Pyle	Watson
Emrick	Keller, F.	Quigley	
Evankovich	Keller, M.K.	Quinn	Smith, S.,
Evans, J.	Killion	Rapp	Speaker
Everett	Knowles		

NOT VOTING—0

EXCUSED—5

Bear	Davis	Mann	Swanger
Daley			

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

On the question recurring,

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

Ms. **YOUNGBLOOD** offered the following amendment No. **A08664**:

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

Amend Bill, page 1, line 4, by striking out "and" and inserting
; providing for Category 4 slot machine license; and further
providing

Amend Bill, page 6, lines 12 and 13, by striking out all of said
lines and inserting

Section 2. Section 1304(b) of Title 4 is amended to read:

Amend Bill, page 9, by inserting between lines 1 and 2

Section 3. Title 4 is amended by adding a section to read:

§ 1305.1. Category 4 slot machine license.

(a) Authority of board.—

(1) In the event that a Category 2 slot machine license is approved and issued by the board for a licensed facility in a city of the first class and is subsequently revoked and reissued under section 1209.1 (relating to revocation and auction of slot machine license), the board may approve and issue a Category 4 slot machine license for a licensed facility proposed to be located in a city of the first class.

(2) The board may approve and issue a Category 4 slot machine license only upon the final revocation of a Category 2 slot machine license, provided that the revocation was upheld by the court or the Category 2 slot machine license which was approved and issued to an applicant for a licensed facility in a city of the first class becomes subject to the requirements of

section 1209.1.

(b) Eligibility.—

(1) Notwithstanding section 1307 (relating to number of slot machine licenses) or any other provision of this part or regulation to the contrary, a person may be eligible to apply for a Category 4 slot machine license only if:

(i) The applicant, its affiliate, intermediary, subsidiary or holding company has not been approved for or issued a Category 1, Category 2 or Category 3 slot machine license;

(ii) The Category 2 license approved and issued for a Category 2 licensed facility in a city of the first class is subject to auction under section 1209.1; and

(iii) The applicant for a Category 4 license is seeking to locate a Category 4 licensed facility in a city of the first class.

(2) Sections 1305(a)(2) and (3) (relating to Category 3 slot machine license) shall apply to Category 4 licensed facilities.

(c) Location.—No Category 4 licensed facility may be located within 15 linear miles of a Category 1 licensed facility.

(d) Number of slot machines.—Notwithstanding the number of permissible slot machines under section 1210 (relating to number of slot machines), a Category 4 slot machine license granted under the provisions of this section shall entitle the licensed entity to operate no more than 500 slot machines at the licensed facility, provided, however, a Category 4 slot machine licensee holding a table game operation certificate shall be entitled to operate no more than 600 slot machines at its licensed facility.

(e) Category 4 license fee.—The board shall impose a one-time Category 4 license fee to be paid by each successful applicant in the amount of \$5,000,000 to be deposited in the State Gaming Fund. The provisions of section 1209(b), (c), (d) and (e) (relating to slot machine license fee) shall apply to a Category 4 licensee.

(f) Conduct of table games.—A Category 4 slot machine licensee shall be subject to the provisions of this chapter as they relate to the conduct of table games at Category 3 licensed facilities.

Section 4. Section 1307 of Title 4 is amended to read:

Amend Bill, page 9, line 23, 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 lady from Philadelphia County, Ms. Youngblood.

The lady will just suspend for one second, please. If the members could kindly hold the conversations down, clear the aisles. Please take the conversations to the rear of the House. Some members are having a little bit of trouble hearing the debate on the legislation before us. The Speaker thanks the members.

The lady is recognized on the amendment. The lady may proceed.

Ms. YOUNGBLOOD. This amendment would create a new section establishing a category 4 slot machine license. This license would become available only, only in the event that a category 2 slot machine license that was approved and issued by the board for Philadelphia was revoked and reissued to another section of the Commonwealth. The new category 4 license would only be permitted within Philadelphia, would have the same licensing fee and number of slot machines as a category 3 facility. The amenity and hotel restrictions of a category 3 facility would not apply.

Again, Mr. Speaker, this amendment would help to protect the economic interests of the citizens of Philadelphia.

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

On that question, the Speaker recognizes the gentleman from Chester County, Mr. Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would truly represent an expansion of gaming facilities in the Commonwealth. I think everyone needs to understand that. Anything that we have done up to this point has been neutral as far as the number of licenses out there. This would add another license, if certain contingencies occurred. So that is the first reason I would ask us to vote against it.

The other reason, Mr. Speaker, we have heard alluded to is the very real fear and concern of market saturation in that casino market area. The southeast in general is already home to several casinos, and I think at some point we have cannibalization of the profits of each of these outfits that is a very real possibility, thereby reducing the quality and the experience to the players and whatnot.

So, Mr. Speaker, for those reasons, 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 Philadelphia County, Mr. O'Brien.

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

Mr. Speaker, would the maker rise for brief interrogation?

The SPEAKER. The lady indicates that she will stand for interrogation. You may proceed.

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

Mr. Speaker, there will be another category 3 license coming online in 2017. Is Philadelphia eligible for this license?

Ms. YOUNGBLOOD. Yes.

Mr. O'BRIEN. Yes. I see.

Under current category 3 licenses, the licensee is required to provide amenities such as a resort or a hotel. Is that correct, Mr. Speaker?

Ms. YOUNGBLOOD. Yes.

Mr. O'BRIEN. Yes. So under this amendment, the hotel and amenity restrictions are struck. Is that correct, Mr. Speaker?

Ms. YOUNGBLOOD. They are basically meant for resorts, and this would not be a category 3 where there would be a resort attached. This would just strictly be a category 4 license without the resort amenities.

Mr. O'BRIEN. So would it be reasonable to say, Mr. Speaker, that striking the amenities, striking the amenities, whereas under a category 1, there are required amenities; under category 2, with a plan of development, there are required amenities; under category 3 are required amenities; that you would be creating nothing more than a slot barn with no amenities? Is that correct, Mr. Speaker?

Ms. YOUNGBLOOD. No. That is not what the intent is, Mr. Speaker. It would be creating more than just a slot parlor. It would be a gaming facility with table games as well as slot machines, Mr. Speaker.

Mr. O'BRIEN. Thank you, Mr. Speaker. On the question.

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

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

There is in law a category 3 license that will come online in 2017. All 67 counties will be eligible to bid for this category 3 license that comes online in 2017. Certainly, certainly, if independent industry analysts are correct and the southeast

Pennsylvania market is reaching saturation point, this will play out. We will have a better understanding by 2017. And most certainly, if the market bears, someone will bid to put a category 3 in Philadelphia with the amenities that have always been envisioned to surround gaming.

It was never the intent of the legislature to create slot barns. I would urge a "no" vote.

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

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

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, I think this amendment is another emphasis on how much the city of Philadelphia is counting on that original piece of legislation to deliver this second license to the city. The gentleman from Chester County had mentioned a little while ago that this revenue was not projected into PICA's 5-year plan. I think PICA is grounded in a reality that would preclude them from including that type of revenue in a plan when in fact the license has had such a bumpy ride up to this point. Nonetheless, in this particular economic climate today, there is no local government entity that would— They would be remiss to take a pass on this type of revenue-generating endeavor.

So the fact that it was not in that 5-year plan I do not think is indicative of how important this revenue is to the city of Philadelphia. And if this amendment is that opportunity yet again to restore the original intent of the original piece of legislation, I urge my colleagues here today to give it their utmost and gravest consideration. And keep in mind that in spite of or in consideration of any number of analyses that are out there, again, the largest convention center in the Commonwealth of Pennsylvania is open now a little over a year. It is doing well. It is very heavily booked by literally tens of thousands of people who come in from outside the Commonwealth, and these same tourists are not going to, necessarily, to Chester. They are not going to parks in Bensalem. They will not be going to Valley Forge. This will be located within the downtown part of the city limits in an area that is very accessible to them and we will deal with that saturation issue. It will not create an overly saturated market.

So I urge my colleagues for their thoughtful consideration of this amendment. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—79

Barbin	Deasy	Kavulich	Petrarca
Bishop	DeLissio	Keller, W.	Preston
Boyle, B.	DeLuca	Kirkland	Ravenstahl
Boyle, K.	DePasquale	Kortz	Readshaw
Bradford	Dermody	Kotik	Roebuck
Brennan	Donatucci	Kula	Sabatina
Briggs	Evans, D.	Longietti	Sainato
Brown, V.	Fabrizio	Mahoney	Santarsiero
Brownlee	Frankel	Markosek	Santoni
Burns	Galloway	Matzie	Smith, K.
Buxton	George	McGehean	Smith, M.
Caltagirone	Gerber	Mirabito	Staback
Carroll	Gergely	Mullery	Sturla
Cohen	Gibbons	Mundy	Taylor
Conklin	Goodman	Murphy	Thomas

Costa, D.	Haluska	Myers	Waters
Costa, P.	Hanna	Neuman	Wheatley
Cruz	Harhai	Parker	White
Curry	Harkins	Pashinski	Youngblood
Davidson	Hornaman	Payton	

NAYS—112

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

NOT VOTING—0

EXCUSED—5

Bear	Davis	Mann	Swanger
Daley			

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

On the question recurring,

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

Ms. V. BROWN offered the following amendment No. A09832:

Amend Bill, page 1, line 3, by striking out "and"
 Amend Bill, page 1, line 4, by inserting after "licenses"
 ; and providing for prohibition on use of State funds
 Amend Bill, page 9, by inserting between lines 22 and 23
 Section 3. Title 4 is amended by adding a section to read:

§ 1410. Prohibition on use of State funds.
(a) General rule.—No moneys of any fund in the State Treasury
may be used directly or indirectly by a Commonwealth agency for the
relocation of a licensed facility, and no Commonwealth agency shall
provide State funds to any municipality or instrumentality thereof for
the purpose of relocating a licensed facility.

(b) Definitions.—As used in this section, the following words and
phrases shall have the meanings given to them in this subsection:
"Commonwealth agency." The term shall have the meaning

given to it in section 102 of the act of February 14, 2008 (P.L.6, No.3),
known as the Right-to-Know Law.

Amend Bill, page 9, line 23, 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 lady from Philadelphia County, Ms. Vanessa Brown.

Ms. V. BROWN. Thank you, Mr. Speaker.

This amendment would prohibit State funds to be used directly or indirectly for the relocation of a licensed facility. Simply stating, my amendment would not allow a casino who wishes to move its facility to another location or venue to obtain taxpayer funding that would offset the cost of the move. Currently the Gaming Act requires the Gaming Control Board to authorize any changes to a facility's operation, and that would include the relocation. However, this act is silent on whether or not the facility could receive State funding to move to another location. Simply stating, my amendment would ensure taxpayers are protected and that casinos do not jump from one municipality to another municipality in search of millions of dollars in State grants.

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 Chester County, Mr. Schroder.

Mr. SCHRODER. Thank you.

Would the maker of the amendment stand for brief interrogation, please?

The SPEAKER. The lady indicates she will stand for interrogation. You may proceed.

Mr. SCHRODER. Thank you, Mr. Speaker.

I have been reading through the amendment and am just, I guess, a little unclear as to what the exact scope of the amendment is. You explained some of it in your remarks, but I guess the question I have: Is there anything in this amendment that would – how should I say this? – keep the Foxwoods license in Philadelphia, kind of through the back door, if you will? In other words, are you— Would one of your intents and reasons be to argue that State money is being perhaps used to take that license out of Philadelphia? I am just wondering if that is your intent, or if that is totally outside the scope of what you intended in this amendment?

Ms. V. BROWN. Mr. Speaker, no; that license has been revoked and it has been upheld in court, and that is just a dead issue right now.

Mr. SCHRODER. Thank you for that explanation.

Now, the other casino – there is another casino in Philadelphia, as you know. If that casino decided for whatever reason and somehow got permission and perhaps even a change in the law to move elsewhere in the Commonwealth, I take it your amendment would prohibit State funding to be used for that purpose. Is that correct also?

Ms. V. BROWN. Mr. Speaker, that is correct; yes.

Mr. SCHRODER. May I just have a moment, please?

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

The House will come to order.

Is the gentleman, Mr. Schroder, seeking further interrogation, or do you want recognized on the amendment?

Mr. SCHRODER. I am seeking further interrogation. I did not mean yet to end the interrogation.

The SPEAKER. The lady is willing to stand for further interrogation.

The gentleman, Mr. Schroder, may proceed.

Mr. SCHRODER. Thank you.

I appreciate your indulgence here for just a little longer. In your amendment, you use the term "any fund in the State Treasury." Can you be—

Ms. V. BROWN. I am sorry; I cannot hear you.

Mr. SCHRODER. Cannot hear?

Ms. V. BROWN. No.

The SPEAKER. The House will please come to order. The members will kindly hold the conversations down, especially during interrogation. It is hard for the two members to hear each other. I would appreciate if we could hold the conversations down.

The gentleman may proceed.

Mr. SCHRODER. Thank you, Mr. Speaker.

In your amendment, you use the term or the sentence "any fund in the State Treasury." Could you tell us which fund or funds you might be referencing? For instance, are you talking about RCAP (Redevelopment Assistance Capital Program) money? Are you talking about certain grant funds? Are there any that are included or excluded as far as these funds that are in the State Treasury?

Ms. V. BROWN. Mr. Speaker, the intent is to uphold the integrity of the taxpayers' dollars, and that would include all funds.

Mr. SCHRODER. All funds. So there would not be an exception.

Ms. V. BROWN. No exceptions to this rule.

Mr. SCHRODER. I am through with interrogation. I thank you for your answers and responses.

The SPEAKER. Is the gentleman seeking recognition on the amendment?

Mr. SCHRODER. Recognition on the amendment.

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

Mr. SCHRODER. Mr. Speaker, I am satisfied with the responses of the maker of the amendment. I, too, would not want to see State money being used for this purpose of relocating a licensed facility, and I am going to support the amendment. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—190

Adolph	Ellis	Killion	Quigley
Aument	Emrick	Kirkland	Quinn
Baker	Evankovich	Knowles	Rapp
Barbin	Evans, D.	Kortz	Ravenstahl
Barrar	Evans, J.	Kotik	Readshaw
Benninghoff	Everett	Krieger	Reed
Bishop	Fabrizio	Kula	Reese
Bloom	Farry	Lawrence	Roae
Boback	Fleck	Longietti	Rock

Boyd	Frankel	Maher	Roebuck
Boyle, B.	Freeman	Mahoney	Ross
Boyle, K.	Gabler	Major	Sabatina
Bradford	Galloway	Maloney	Saccone
Brennan	Geist	Markosek	Sainato
Briggs	George	Marshall	Samuelson
Brooks	Gerber	Marsico	Santarsiero
Brown, R.	Gergely	Masser	Santoni
Brown, V.	Gibbons	Matzie	Saylor
Brownlee	Gillen	McGeehan	Scavello
Burns	Gillespie	Metcalfe	Schroder
Buxton	Gingrich	Metzgar	Simmons
Caltagirone	Godshall	Miccarelli	Smith, K.
Carroll	Goodman	Micozzie	Smith, M.
Causser	Grell	Millard	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	Tallman
Cox	Harhart	Murt	Taylor
Creighton	Harkins	Mustio	Thomas
Cruz	Harper	Myers	Tobash
Culver	Harris	Neuman	Toepel
Curry	Heffley	O'Brien, M.	Toohil
Cutler	Helm	O'Neill	Truitt
Davidson	Hennessey	Oberlander	Turzai
Day	Hess	Parker	Vereb
Deasy	Hickernell	Pashinski	Vitali
DeLissio	Hornaman	Payne	Vulakovich
DeLozier	Hutchinson	Payton	Waters
DeLuca	Josephs	Peifer	Watson
Denlinger	Kampf	Perry	Wheatley
DePasquale	Kauffman	Petrarca	White
Dermody	Kavulich	Petri	Youngblood
DiGirolamo	Keller, F.	Pickett	
Donatucci	Keller, M.K.	Preston	Smith, S.,
Dunbar	Keller, W.	Pyle	Speaker

NAYS—1

Miller

NOT VOTING—0

EXCUSED—5

Bear	Davis	Mann	Swanger
Daley			

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. **KIRKLAND** offered the following amendment
No. **A09882**:

Amend Bill, page 1, line 3, by inserting after "providing"
for Category 1 slot machine license,

Amend Bill, page 6, by inserting between lines 11 and 12

Section 1.1. Section 1302 of Title 4 is amended by adding a subsection to read:

§ 1302. Category 1 slot machine license.

* * *

(c) Waiver of designations.—Notwithstanding any other provision of law or regulation to the contrary, if the person seeking a Category 1

slot machine license proposes to place the licensed facility upon land designated a subzone, an expansion subzone or an improvement subzone under the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act, or if a Category 1 slot machine license has been approved and issued by the board and sited or proposed to be sited upon land designated a subzone, an expansion subzone or an improvement subzone, the person shall, at any time prior to the application being approved or, if the Category 1 license has been issued by the board, at any time prior to the license's being renewed by the board, submit a statement waiving the exemptions, deductions, abatements or credits granted under the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act if the board approves the application.

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

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

Mr. KIRKLAND. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would ensure that all casinos are subject to the KOZ (keystone opportunity zone) law. Mr. Speaker, under the Gaming Act, slot parlors and cat 3 facilities must waive KOZ designations if they would be built on land located in a KOZ. There is nothing in the Gaming Act to ensure category 1 facilities to waive KOZ designation. Mr. Speaker, this amendment would ensure the all licensed facilities are subject to the same KOZ law. I ask for support on the amendment.

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

GERMANENESS QUESTIONED

The SPEAKER. On that question, the Speaker recognizes the gentleman from Chester County, Mr. Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, this bill and the relevant amendments that we have been dealing with go to the reissuance of the Foxwoods, the so-called Foxwoods license that was revoked by the courts. And this amendment I do not believe, is germane to the topic at hand, so I will move that this amendment be declared nongermane.

The SPEAKER. The gentleman from Chester County, Mr. Schroder, has raised the question of whether amendment A09882 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 gentleman from Delaware County, Mr. Kirkland.

Mr. KIRKLAND. Thank you, Mr. Speaker.

Mr. Speaker, the reason this is germane, we are talking about casinos and we are talking about categories, and we are talking about category 1's, and we are talking about making sure that all casinos are under the exact same law, nothing different for one casino or the other. So, Mr. Speaker, this is very much germane. It is in line with everything we are doing here today.

Once again, we are talking about casinos and we are talking about categories and category 1's. So, Mr. Speaker, I would ask for a positive vote concerning germaneness.

The SPEAKER. On the question of germaneness.

On that question, the Speaker recognizes the minority leader, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, it was already stated, on a germaneness issue, it must pass muster under the single-subject rule. Once again this amendment deals with gaming. This is a gaming bill. We just dealt with a bill that, an amendment that addressed State funding for relocating a license. The KOZ bill deals with funding of a gaming facility. This amendment is germane. It is as germane as the other three amendments that we have just voted on and passed.

It complies with the single-subject rule, and we should vote that it is germane. Thank you, Mr. Speaker.

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—83

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

NAYS—108

Adolph	Fleck	Maher	Reed
Aument	Gabler	Major	Reese
Baker	Geist	Maloney	Roae
Barrar	Gillen	Marshall	Rock
Benninghoff	Gillespie	Marsico	Ross
Bloom	Gingrich	Masser	Saccione
Boback	Godshall	Metcalfe	Saylor
Boyd	Grell	Metzgar	Scavello
Brooks	Grove	Miccarelli	Schroder
Brown, R.	Hackett	Micozzie	Simmons
Causar	Hahn	Millard	Sonney
Christiana	Harhart	Miller	Stephens
Clymer	Harper	Milne	Stern
Cox	Harris	Moul	Stevenson
Creighton	Heffley	Murt	Tallman
Culver	Helm	Mustio	Taylor
Cutler	Hennessey	O'Neill	Tobash
Day	Hess	Oberlander	Toepel

Delozier	Hickernell	Payne	Toohil
Denlinger	Hutchinson	Peifer	Truitt
DiGirolamo	Kampf	Perry	Turzai
Dunbar	Kauffman	Petri	Vereb
Ellis	Keller, F.	Pickett	Vulakovich
Emrick	Keller, M.K.	Pyle	Watson
Evankovich	Killion	Quigley	
Evans, J.	Knowles	Quinn	Smith, S.,
Everett	Krieger	Rapp	Speaker
Farry	Lawrence		

NOT VOTING—0

EXCUSED—5

Bear	Davis	Mann	Swanger
Daley			

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

On the question recurring,

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

STATEMENT BY MR. KIRKLAND

The SPEAKER. For what purpose does the gentleman from Delaware County, Mr. Kirkland, rise?

Mr. KIRKLAND. Point of personal privilege, Mr. Speaker. Or unanimous consent, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

Unanimous consent would seem to be the more appropriate procedure. The gentleman is recognized as such.

Mr. KIRKLAND. Thank you, Mr. Speaker.

I just wanted to somewhat comment on what we just did. Mr. Speaker, the Chester Harrah's – or Philadelphia Harrah's, as it is now called – is located in my district and is probably the first casino constructed in the Commonwealth of Pennsylvania. Mr. Speaker, what we just did, and my understanding is that many of the other casinos provide school taxes and property taxes to our school districts. My school district is struggling right now. We have made major cuts within my school district. And here was an opportunity, Mr. Speaker, here was an opportunity for my school district to rise out of the financial crisis that they are in, and we just now denied them that opportunity. Harrah's Casino in Chester has been in a KOZ, not having to pay those types of taxes, and small businesses, old businesses, new businesses that have been in my city for years upon years upon years have been paying taxes out the ears and struggling. Harrah's Casino in my district is doing quite well, doing quite well; my children are not. And what we just did, Mr. Speaker, what we just did was, once again, put another nail in the coffin of the children at Chester Upland.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

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

On that question, it is the Speaker's understanding that the other amendments that were filed on the system have been withdrawn. Just let me clarify that the other amendments have been withdrawn. There are a couple of late-filed amendments which would require a suspension of the rules.

Is the gentleman from Bucks County, Mr. Clymer, seeking recognition relative to the late-filed amendments?

Mr. CLYMER. Yes, Mr. Speaker.

I have filed several late amendments. I am going to make some comments before I withdraw them. The one amendment that I did put in—

The SPEAKER. The gentleman will suspend one second, please.

The question before the House is second consideration of HB 65.

On that question, the Speaker would recognize the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, one of the amendments was a newly fashioned piece of legislation that would allow the casinos, that would ask the casinos to charge each patron \$2 for entrance into the casino, and then, Mr. Speaker, that money would eventually find its way into the two pension funds, the SERS (State Employees' Retirement System) pension fund and the PSERS (Public School Employees' Retirement System), split 50-50, because this General Assembly fully is aware of the fact that there are few dollars left in the Treasury to fund our pension fund. So I will withdraw that amendment, Mr. Speaker, because leadership is going to be working with me to put that bill into legislative format.

Mr. Speaker, the other amendment that I had offered, which I am withdrawing, is legislation that would place a 10-mile buffer around the two congressionally designated historic sites, namely Shanksville Flight 93 and the Gettysburg National Cemetery. I am doing that because, again, leadership has shown concerned interest that we do this through the legislative process.

Mr. Speaker, my final comment is that as we approach Memorial Day, we must remember that it was through the Civil War that Memorial Day had its roots. And this would be just a nice touch, had we been able to get the amendment, I mean, had the amendment been considered, but I recognize the realities of today. And, Mr. Speaker, thank you very much. I withdraw the amendment.

The SPEAKER. The Speaker thanks the gentleman.

It is the Speaker's understanding that the gentleman from Allegheny County, Mr. Markosek, is not going to seek a suspension of the rules for the consideration of his amendment.

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 823, PN 3335**, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, in subdivision and land development, providing for notice to school district; in planned residential development, further providing for application for final approval; and providing for wastewater processing cooperative planning.

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

BILL RECOMMITTED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 823, PN 3335, on page 6 of today's House calendar be recommitted to the Committee on Rules.

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

The SPEAKER. For the information of the members, there will be no further votes.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

The SPEAKER. Is the gentleman from Delaware County, Mr. Barrar, seeking recognition for the purpose of making an announcement?

Mr. BARRAR. Sorry, Mr. Speaker. I was just eating.

I wanted to announce for Wednesday, at the call of the Chair, a meeting of the Veterans Affairs and Emergency Preparedness Committee to take up consideration of HB 2321. That will be at the call of the Chair. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

There will be a meeting of the Veterans Affairs and Emergency Preparedness Committee at the call of the Chair on Wednesday.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Is the gentleman from Montgomery County, Mr. Stephens, seeking recognition under unanimous consent?

Mr. STEPHENS. Yes, Mr. Speaker.

I just have some remarks I would like to submit for the record.

The SPEAKER. You simply wanted to submit some comments for the record?

Mr. STEPHENS. Yes, sir.

The SPEAKER. Please provide them to the clerk. Your remarks will be noted on the record.

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

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

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Patrick Thornton.

Whereas, Patrick Thornton earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Patrick is a member of Troop 547.

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

* * *

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of Ashley M. Orehek, who has been awarded the Girl Scout Gold Award, the highest award that can be earned within the Girl Scouts of the U.S.A.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Ashley M. Orehek.

Whereas, Ashley M. Orehek earned the Girl Scout Gold Award. This is the highest award that Girl Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young woman. Ashley is a member of Troop 71558.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Ashley M. Orehek.

* * *

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

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Edward John Kaminski.

Whereas, Edward John Kaminski earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Edward is a member of Troop 137.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Edward John Kaminski.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the names of Nicholas Trivelis and Brett Richard Curtis, who have recently been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation. Whereas, Nicholas Trivelis and Brett Richard Curtis earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of these young men. Nicholas is a member of Troop 147 and Brett is a member of Troop 230.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the names of Nicholas Trivelis and Brett Richard Curtis.

STATEMENT BY MR. M. SMITH

The SPEAKER. Is the gentleman from Allegheny County, Mr. Matt Smith, seeking recognition under unanimous consent?

The gentleman may proceed.

Mr. M. SMITH. Thank you, Mr. Speaker.

Thank you for your indulgence. I just want to be able to wish my little girl, Delaney, a very happy fifth birthday today. I am obviously not able to be with her tonight, but she is an avid watcher of PCN (Pennsylvania Cable Network), so I am sure she is watching right now, and I just want to wish her a very happy birthday. She is the most special little girl a daddy could have.

Thank you very much. Happy birthday, Delaney.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1948, PN 3425 (Amended) By Rep. BAKER

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, further providing for responsibilities and obligations of the Department of Public Welfare, applicants and recipients; and establishing the Electronic Benefits Transfer Card Management Program.

HEALTH.

RESOLUTION REPORTED FROM COMMITTEE

HR 523, PN 3426 (Amended) By Rep. BAKER

A Resolution memorializing the Congress of the United States to seek the withdrawal of the United States Preventive Services Task Force recommendation against prostate-specific antigen-based screening for prostate cancer for men in all age groups.

HEALTH.

BILLS RECOMMITTED

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

HB 65;
HB 527;
HB 2300; and
SB 1141.

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 84;
HB 254;
HB 1100;
HB 1616;
HB 2150; and
HB 2285.

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 662;
HB 2038; and
HB 707.

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 662;
HB 2038; and
SB 707.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Seeing no further business before the House, the Speaker recognizes the gentleman, Mr. Fred Keller, from Union County, who moves that this House do adjourn until Tuesday, May 1, 2012, 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 4:28 p.m., e.d.t., the House adjourned.