

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, MAY 2, 2012

SESSION OF 2012

196TH OF THE GENERAL ASSEMBLY

No. 26

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

HON. KAREN BOBACK, member of the House of Representatives, offered the following prayer:

Merciful and glorious God, hear the prayer of Your children. Inspire us in our quest to represent the people of this great Commonwealth with dignity and with respect. Support us in our work to make our district, our State, our nation, our world a better place to live. Provide us strength and courage to legislate for the common good, knowing that the work we do today has the potential to affect future generations.

Keep us safe in body, mind, and spirit, and bless those who protect us at home and abroad. Through Your goodness and mercy, dear Lord, bless our Commonwealth, William Penn's Holy Experiment, which established the foundation for this great country called America, one nation under You, O God. And through noble efforts, may we set an example in this great House to represent You first, and then the good people who sent us here.

In Your name we humbly say, amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, May 1, 2012, will be postponed until printed.

#### COMMUNICATION FROM INDEPENDENT FISCAL OFFICE

The SPEAKER. The Speaker acknowledges receipt of a report titled "Initial Revenue Estimate," dated May 1, 2012, submitted by the Independent Fiscal Office.

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

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

**HB 2270, PN 3348** (Amended) By Rep. HENNESSEY

An Act establishing the Alzheimer's Disease State Planning Committee within the Department of Aging; and providing for its powers and duties.

AGING AND OLDER ADULT SERVICES.

#### SENATE MESSAGE

HOUSE BILLS  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 61, PN 29; HB 2192, PN 3077; and HB 2246, PN 3195**, with information that the Senate has passed the same without amendment.

#### BILLS SIGNED BY SPEAKER

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

**HB 61, PN 29**

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

**HB 2192, PN 3077**

An Act designating a bridge carrying U.S. Route 202 over an unnamed branch of the Neshaminy Creek in Doylestown Township, Bucks County, in honor of First Lieutenant Colby J. Umbrell.

**HB 2246, PN 3195**

An Act designating a bridge carrying U.S. Route 202 over the Neshaminy Creek in Doylestown Township, Bucks County, as the First Lieutenant Travis Lemma Manion Memorial Bridge.

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

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2340** By Representatives DeLUCA, THOMAS, FABRIZIO, MATZIE, MULLERY and M. O'BRIEN

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for limitations on eligibility of candidates.

Referred to Committee on STATE GOVERNMENT, May 2, 2012.

**No. 2341** By Representatives BARBIN, CALTAGIRONE, CONKLIN, D. COSTA, DeLUCA, EVERETT, FABRIZIO, GOODMAN, HALUSKA, HARKINS, JOSEPHS, KORTZ, KOTIK, KULA, LONGIETTI, MAHONEY, PASHINSKI, ROEBUCK, STERN, STURLA and WATERS

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 cyber charter school requirements and prohibitions; providing for funding for cyber charter schools, for cyber charter school fund balance transfer, for fund established for full-day kindergarten and for fund established for special school property tax relief; further providing for school district and intermediate unit responsibilities; providing for cyber charter school of residence; and further providing for enrollment and notification and for applicability of other provisions of this act and of other acts and regulations.

Referred to Committee on EDUCATION, May 2, 2012.

**No. 2342** By Representatives MULLERY, MILLARD, HESS, COHEN and GEORGE

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Nanticoke Hospital Company, LLC, or its assigns, certain lands situate in the City of Nanticoke, Luzerne County.

Referred to Committee on STATE GOVERNMENT, May 2, 2012.

**No. 2343** By Representatives SONNEY, ADOLPH, AUMENT, BAKER, BARBIN, BARRAR, BEAR, BOYD, BRENNAN, CARROLL, CAUSER, CLYMER, COX, DALEY, DENLINGER, DIGIROLAMO, EMRICK, J. EVANS, EVERETT, FABRIZIO, FLECK, FREEMAN, GABLER, GEIST, GEORGE, GILLEN, GINGRICH, GODSHALL, GRELL, HAHN, HARKINS, HEFFLEY, HELM, HESS, HICKERNELL, HORNAMAN, HUTCHINSON, KAUFFMAN, W. KELLER, KNOWLES, LONGIETTI, MAJOR, MALONEY, MARSICO, METCALFE, METZGAR, MICOZZIE, MILLARD, MILLER, MULLERY, NEUMAN, OBERLANDER, O'NEILL, PICKETT, PYLE, QUINN, RAPP, RAVENSTAHL, READSHAW, REED, ROAE, ROCK, SAINATO, SANTARSIERO, SANTONI, SAYLOR, SCAVELLO, STEVENSON, SWANGER, TOEPEL, VEREB and WATSON

An Act designating the eastbound bridge carrying Interstate 90 over Six-Mile Creek in Harborcreek Township, Erie County, as the Senior Airman Bryan R. Bell Memorial Bridge.

Referred to Committee on TRANSPORTATION, May 2, 2012.

**No. 2344** By Representatives TRUITT, EVERETT, HENNESSEY, LAWRENCE, ROAE and SWANGER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employees, further providing for definitions and for duty to employ.

Referred to Committee on EDUCATION, May 2, 2012.

**No. 2346** By Representatives HARRIS, AUMENT, BAKER, BARRAR, BEAR, BENNINGHOFF, BLOOM, BOYD, CAUSER, CHRISTIANA, COX, CREIGHTON, CUTLER, DELOZIER, DENLINGER, ELLIS, EVANKOVICH, EVERETT, FLECK, GABLER, GEIST, GILLESPIE, GINGRICH, GRELL, GROVE, HELM, HESS, HICKERNELL, HUTCHINSON, KAUFFMAN, F. KELLER, M. K. KELLER, KRIEGER, LAWRENCE, MARSHALL, MARSICO, METCALFE, MILLARD, MILLER, MOUL, MULLERY, MURT, MUSTIO, OBERLANDER, O'NEILL, PEIFER, PERRY, PICKETT, PYLE, QUIGLEY, QUINN, RAPP, REED, ROAE, ROSS, SAYLOR, STERN, SWANGER, TALLMAN, TRUITT and TURZAI

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for ineligibility for compensation.

Referred to Committee on LABOR AND INDUSTRY, May 2, 2012.

### LEAVES OF ABSENCE

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

The Speaker recognizes the minority whip, who requests a leave of absence for the lady, Mrs. DAVIS, from Bucks County for the day, and the gentleman, Mr. MURPHY, from Lackawanna 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	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, D.	Krieger	Readshaw
Bear	Evans, J.	Kula	Reed
Benninghoff	Everett	Lawrence	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	Mann	Saccone
Bradford	Galloway	Markosek	Sainato

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Davis	Hess	Murphy	Swanger
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LEAVES ADDED—14

Briggs	Fleck	Maher	Toohil
Cohen	Frankel	Mullery	Vitali
Davidson	Gerber	Payton	
Dermody	Grell	Roebuck	

LEAVES CANCELED—11

Briggs	Dermody	Grell	Toohil
Cohen	Fleck	Maher	Vitali
Davidson	Frankel	Mullery	

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 would appreciate your attention while we introduce some of the guests that are with us.

Located to the left of the rostrum, we would like to welcome Bart and Meriel Springer, Ann Marie Fitzpatrick, and Ray Braden, who are here today as guests of Representative Heffley. Will our guests please rise. Welcome to the hall of the House.

Also to the left of the rostrum, we would like to welcome Robert and Patrice Kenney and Suzanne Jackson. They are here today as the guests of Representative Ravenstahl. Will our guests please rise. Welcome to the hall of the House.

And also over here to the left, we would like to welcome Sarah Ditty, who is here as a guest of Representative Culver. Welcome, Sarah.

In the rear of the House we have some special guests. We would like to welcome, as guests of Representative Killion and Representative Miccarelli, Blue Star Mothers of America. Will our guests please rise. Welcome to the hall of the House.

Also in the rear of the House, we would like to welcome the Beaver County Chamber of Commerce members Erica Wachtel, Brian Griffin, Jack Manning, John Blaine, Brad Morrow, Scott Monit, Kevin Cooke, Joe Nardone, Karl Chapple, and John Goberish. They are the guests of Representatives Matzie, Christiana, Gibbons, Marshall, Sainato, and White. Will our guests please rise. Welcome to the hall of the House.

In the well of the House, we want to welcome some of the guest pages that are with us. We have William Earls and Daniel Stiffler. They are both eighth grade students at Southern Middle School, and they are the guests of Representative Ron Miller. Welcome to the hall of the House.

Also serving as a guest page today is Representative Schroder's daughter, Kristen. Welcome to the hall of the House.

**NORTH PENN HIGH SCHOOL  
GIRLS WATER POLO AND BOYS  
CROSS COUNTRY TEAMS PRESENTED**

The SPEAKER. I would like to invite Representatives Stephens, Harper, Bradford, and Godshall to the rostrum.

The Speaker recognizes the gentleman from Montgomery County, Mr. Stephens, to present the citation to the North Penn High School Girls Water Polo Team and the Boys Cross Country Team.

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

I certainly appreciate the opportunity to be back here before the members of the House as we welcome two more State championship teams from the North Penn School District. It is becoming a routine up here, bringing North Penn up, and my hat is off to the coaches and the players. We have the girls water polo team, who was undefeated against Pennsylvania schools this year. Their only loss was to an Ohio school, and I am sure they are going to go back and get them next year and even that score. I certainly want to wish them a warm round of applause and congratulations on a great season and their State championship in the girls water polo area.

I also want to recognize the boys cross country team, who is here from North Penn as well; again, State champions. And I am proud to have North Penn School District as a part of my legislative district, and that is why I have these two citations I will present that are cosigned by Representatives Harper, Godshall, Bradford, and me. So congratulations to the water polo and cross country teams, and we look forward to seeing you back again next year for a return visit on another State championship in both areas. Thank you.

The SPEAKER. The gentleman, Mr. Bradford, is recognized. Mr. BRADFORD. Thank you, Mr. Speaker.

In the same way as Representative Stephens, I also want to congratulate our womens water polo and boys cross country

team. I want to take a special moment of privilege to congratulate and thank Alex Kajari on the womens polo team. She has been a stalwart intern in my district office for the last year, and I want to thank her for her contribution to my district office as well as to her team and her community. So congratulations to all the teams, and thank you, Alex.

The SPEAKER. Thanks, gentlemen.

I apologize; would the rest of the two teams please stand in the hall of the House. We understand we have the rest of the kids here. I apologize for not recognizing you a minute ago. Welcome to the hall of the House.

### NEW OXFORD JUNIOR HIGH SCHOOL CHEERLEADING SQUAD PRESENTED

The SPEAKER. I would like to invite Representatives Tallman and Moul to the rostrum for the purpose of presenting a citation to the New Oxford Junior High School Cheerleading Squad.

The gentleman, Mr. Moul, may proceed.

Mr. MOUL. Thank you, Mr. Speaker.

I would like us all to welcome today to the hall of the House the New Oxford Junior High-Ninth Grade Cheerleading Squad, who comes from my alma mater. My two daughters also went through this program, and I can tell you, speaking from experience, you will not find a finer cheerleading program in the Commonwealth, and that is obvious by the citation that they are receiving today for winning a State championship.

On the dais with us today we have Nadia Janneh, Danielle Sterner, Haley Groft, and coaches Diane Topper and Sara Loy. I would like to take one moment and read this citation so that everyone knows exactly what is in this.

It says, "...The House of Representatives of Pennsylvania is always pleased to recognize the outstanding achievements realized by the youth of this nation in a spirit of personal sacrifice, commitment to a common goal and unity of purpose;...

"...The New Oxford Junior High School Cheerleading Squad is being honored upon winning first place in the Junior High-9th Grade and Under division during the 2011 Pennsylvania State Cheerleading Championships, which were held on November 19, 2011;...

"...Under the expert guidance of Advisors Sara Loy, Diane Topper, Amy Crabill and Chris Topper, the New Oxford Junior High School Cheerleading Squad was comprised of Olivia Gebhart, McKayla Wagaman, Julia Gallimore, Haley Groft, Amanda Pratt, Brianna Ramos, Kaitlyn Groft, Alexis Crowe, Madison Topper, Sammi Loy, Erin Groft, LeAnn Costella, Megan Costella, Nadia Janneh, Danielle Sterner, Cheyenne Gonzalez, Jordan Stevens, Raleigh Bateman and Amber Meckley.

"...Therefore, the House of Representatives of the Commonwealth of Pennsylvania heartily congratulates the New Oxford Junior High School Cheerleading Squad upon its championship victory; acknowledges its investment of skill and effort in competing on a level which demands perfection; offers best wishes for continued success in all future endeavors...."

Thank you, and congratulations on a job very well done, young ladies. We appreciate your efforts.

The SPEAKER. Will the rest of the team members, please, in the back of the hall of the House please stand. We have the rest of the squad back there. Welcome to the hall of the House.

Mr. MOUL. Thank you, Mr. Speaker.

### LEAVE OF ABSENCE

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

### STATEMENT BY MRS. KULA

The SPEAKER. If I could have the members' attention, please. The House will come to order.

The lady, Mrs. Kula, from Fayette County is recognized under unanimous consent.

Mrs. KULA. Thank you, Mr. Speaker.

Mr. Speaker, it gives me great pleasure to stand before you today and announce that Representative Pete Daley and his wife, Sally, have once again become grandparents.

This is Representative Daley's second grandchild. Bella D'Elia Jericho was born April 23 in Magee-Womens Hospital in Pittsburgh. And as a petite young lady starting out, she weighed 4 pounds 14 ounces and was 18 1/2 inches long. She is the daughter of Delia Daley Jericho and James Jericho, and we congratulate the proud and happy grandparents. Thank you.

The SPEAKER. The Speaker thanks the lady and congratulates the gentleman and his family.

### UNCONTESTED CALENDAR

#### RESOLUTIONS PURSUANT TO RULE 35

Mr. MARSICO called up **HR 671, PN 3366**, entitled:

A Resolution recognizing the Pennsylvania Junior Wrestling organization on the occasion of the 50th anniversary of its founding.

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Mr. HEFFLEY called up **HR 675, PN 3378**, entitled:

A Resolution honoring Jacobus Franciscus "Jim" Thorpe by designating May 19, 2012, as "Jim Thorpe Day" in Pennsylvania.

\* \* \*

Mr. WATERS called up **HR 684, PN 3392**, entitled:

A Resolution designating the month of May 2012 as "Older Americans Month" in Pennsylvania.

\* \* \*

Mr. KILLION called up **HR 701, PN 3416**, entitled:

A Resolution recognizing May 2012 as "Blue Star Mothers of America Month" in Pennsylvania.

\* \* \*

Ms. DONATUCCI called up **HR 706, PN 3434**, entitled:

A Resolution recognizing the week of April 23 through 30, 2012, as "Noise Reduction Week" in Pennsylvania and April 25, 2012, as "Noise Awareness Day" in Pennsylvania.

On the question,  
Will the House adopt the resolutions?

The following roll call was recorded:

**YEAS—191**

Adolph	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, D.	Krieger	Readshaw
Bear	Evans, J.	Kula	Reed
Benninghoff	Everett	Lawrence	Reese
Bishop	Fabrizio	Longiotti	Roae
Bloom	Farry	Maher	Rock
Boback	Fleck	Mahoney	Roebuck
Boyd	Frankel	Major	Ross
Boyle, B.	Freeman	Maloney	Sabatina
Boyle, K.	Gabler	Mann	Saccone
Bradford	Galloway	Markosek	Sainato
Brennan	Geist	Marshall	Samuelson
Briggs	George	Marsico	Santarsiero
Brooks	Gergely	Masser	Santoni
Brown, R.	Gibbons	Matzie	Saylor
Brown, V.	Gillen	McGeehan	Scavello
Brownlee	Gillespie	Metcalfe	Schroder
Burns	Gingrich	Metzgar	Simmons
Buxton	Godshall	Miccarelli	Smith, K.
Caltagirone	Goodman	Micozzie	Smith, M.
Carroll	Grell	Millard	Sonney
Causser	Grove	Miller	Staback
Christiana	Hackett	Milne	Stephens
Clymer	Hahn	Mirabito	Stern
Cohen	Haluska	Moul	Stevenson
Conklin	Hanna	Mullery	Sturla
Costa, D.	Harhai	Mundy	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
Daley	Hickernell	Parker	Vereb
Davidson	Hornaman	Pashinski	Vitali
Day	Hutchinson	Payne	Vulakovich
Deasy	Josephs	Payton	Waters
DeLissio	Kampf	Peifer	Watson
Delozier	Kauffman	Perry	Wheatley
DeLuca	Kavulich	Petrarca	White
Denlinger	Keller, F.	Petri	Youngblood
DePasquale	Keller, M.K.	Pickett	
Dermody	Keller, W.	Preston	Smith, S., Speaker
DiGirolando	Killion	Pyle	
Donatucci			

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—5**

Davis	Hess	Murphy	Swanger
Gerber			

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

**GUESTS INTRODUCED**

The SPEAKER. If I could have the members' attention, please. I had introduced some special guests here earlier today, but I want to recognize them relative to one of the resolutions that was just adopted. They are special people in our world, and I would like the members' attention, please.

**STATEMENT BY MR. KILLION**

The SPEAKER. The gentleman, Mr. Killion, from Delaware County is recognized under unanimous consent relative to the resolution just adopted.

Mr. KILLION. Thank you, Mr. Speaker.

I thank the members for their affirmative vote on HR 701. Prior to a few brief comments on this resolution, I have been asked by the Blue Star Mothers who have joined us in the rear of the House to recognize the passing this week, the sad passing, of a great Pennsylvanian from Bucks County, Janet Manion, who was a Gold Star Mother. She had lost her son, Travis, during active service 5 years ago. She was the founder of the Travis Manion Foundation. She worked tirelessly to raise funds for wounded warriors. She and her son were constituents of Representative Marguerite Quinn. She was an inspiration to the Blue Star Mothers, and they asked that I would recognize her passing.

With that, we are fortunate in this country to have young men and women who volunteer for military service. They are called upon to put themselves in harm's way to protect the freedoms and liberties that we as Americans have often taken for granted, and sometimes they pay the ultimate price. That commitment takes tremendous faith and sacrifice. We are honored today to have with us a special group of women, the Blue Star Mothers of America, who proudly stand behind their sons and daughters who serve in the U.S. Armed Forces, lending support and helping out wherever and however they can.

Blue Star Mothers of America was founded as a patriotic service organization on February 2, 1942, and is comprised of mothers and stepmothers of service members on active duty, as well as honorably discharged veterans. We can only imagine the anguish that parents must go through when their sons and daughters are engaged in conflicts in foreign lands and targeted by the enemy. I am sure there are many sleepless nights and many parents who would go in their son's or daughter's place if they could. Instead, Blue Star Mothers have given themselves and their children to our country. They have worked in hospitals and train stations, coordinated care packages for servicemen and servicewomen, and have been a great source of strength and support for our troops and for our veterans here and away from home.

I have introduced HR 701 honoring the Blue Star Mothers, and I thank you for your affirmative support. Thank you.

The SPEAKER. Will our guests please rise once again. Welcome to the hall of the House.

**STATEMENT BY MR. HEFFLEY**

The SPEAKER. The gentleman, Mr. Heffley, is recognized under unanimous consent relative to HR 675 that was just adopted.

Mr. HEFFLEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to thank my colleagues for their unanimous support to designate May 19, 2012, as "Jim Thorpe Day" in Pennsylvania. I will admit, I am partial to honoring Jim Thorpe since his namesake historical community is located in my district of Carbon County.

Jim Thorpe was born on May 28, 1888, and is still to this day considered one of the most multitalented athletes of modern sports. He won Olympic gold medals for the 1912 pentathlon and decathlon, played collegiate and professional football, and also played professional baseball and basketball. Jim Thorpe was named the "Greatest American Football Player in History" in a 1977 national poll conducted by SPORT magazine, and was enshrined in the National Indian Hall of Fame; the Helms Professional Football Hall of Fame; Professional Football Hall of Fame, Canton, Ohio; the National Track and Field Hall of Fame; and the Pennsylvania and Oklahoma Halls of Fame.

Although Jim Thorpe was born in Oklahoma, his final resting place was Mauch Chunk, which was renamed to Jim Thorpe in 1954 to honor his accomplishments. Each year for the past 15 years, the Borough of Jim Thorpe has held birthday celebrations to honor him. The weekend includes musical performances, Native American folklore, drumming, and dancing. This year, on Saturday, May 19, the Borough of Jim Thorpe will kick off its birthday celebration weekend to honor this exceptional athlete.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

**GUEST INTRODUCED**

The SPEAKER. I would like to welcome one other guest that is with us, as a guest of Representative Murt. Located to the left of the rostrum, we would like to welcome Alyssa Goodin of the Philadelphia Alliance. Will our guest please rise. Welcome to the hall of the House.

**RULES AND APPROPRIATIONS COMMITTEE MEETINGS**

The SPEAKER. The gentleman from Delaware County, Mr. Adolph, is recognized for the purpose of an announcement.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce two meetings. There will be an immediate Rules Committee meeting in the Appropriations conference room. That is going to be a Rules Committee meeting in the Appropriations conference room immediately. And then at 11:50 there will be an Appropriations meeting in the majority caucus room. Thank you.

The SPEAKER. There will be an immediate Rules Committee meeting in the Appropriations conference room. At 11:50, there will be a meeting of the Appropriations in the majority caucus room.

**VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING**

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

Mr. BARRAR. Yes, I am, Mr. Speaker.

Mr. Speaker, I would like to announce an immediate meeting of the House Veterans Affairs and Emergency Preparedness Committee in room B-31, which is at the bottom of the stairwell over here, to take up consideration of HB 2321.

Thank you, Mr. Speaker.

The SPEAKER. There will be an immediate meeting of the House Veterans Affairs and Emergency Preparedness Committee in room B-31.

**REPUBLICAN CAUCUS**

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus at 12:15. I would ask our Republican members to please report to our caucus room at 12:15. We would be prepared to come back on the floor at 1:30.

Thank you, Mr. Speaker.

**DEMOCRATIC CAUCUS**

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will also caucus at 12:15. Democrats will caucus at 12:15. Thank you.

**RECESS**

The SPEAKER. Seeing no further announcements, this House stands in recess until 1:30, unless sooner recalled by the Speaker.

**AFTER RECESS**

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

**BILLS REREPORTED FROM COMMITTEE**

**HB 84, PN 1539**

By Rep. ADOLPH

An Act amending the act of April 16, 1992 (P.L.155, No.28), known as the Assessors Certification Act, further providing for nonapplicability.

APPROPRIATIONS.

**HB 254, PN 3443**

By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for learners' permits.

APPROPRIATIONS.

**HB 1616, PN 3330**

By Rep. ADOLPH

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, further providing for benefit corporations.

APPROPRIATIONS.

**HB 1908, PN 3446**

By Rep. ADOLPH

An Act providing for standards for towing and for violations.

APPROPRIATIONS.

**HB 1909, PN 3444**

By Rep. ADOLPH

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, providing for appointment of township treasurers and election of tax collectors; further defining the duties and authority of the board of township commissioners.

APPROPRIATIONS.

**HB 2116, PN 3445**

By Rep. ADOLPH

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, providing for a transition from township treasurers to tax collectors in first class townships; and making editorial changes.

APPROPRIATIONS.

**HB 2150, PN 3447**

By Rep. ADOLPH

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

APPROPRIATIONS.

**HB 2285, PN 3287**

By Rep. ADOLPH

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in Pennsylvania Uniform Transfers to Minors Act, further providing for court authorization of a transfer.

APPROPRIATIONS.

**BILL ON CONCURRENCE  
REREPORTED FROM COMMITTEE**

**HB 823, PN 3463 (Amended)**

By Rep. TURZAI

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.

RULES.

**BILLS ON CONCURRENCE  
REPORTED FROM COMMITTEE**

**HB 1546, PN 3167**

By Rep. TURZAI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of the Juvenile Court Judges' Commission.

RULES.

**HB 1702, PN 3331**

By Rep. TURZAI

An Act reenacting and amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code.

RULES.

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

**HB 2321, PN 3464 (Amended)**

By Rep. BARRAR

An Act amending Titles 51 (Military Affairs) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in professional and occupational licenses, expanding the scope of licensure and further providing for definitions and for retention and certification; and making an editorial change.

VETERANS      AFFAIRS      AND      EMERGENCY  
PREPAREDNESS.

**SENATE MESSAGE**

HOUSE BILL  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 2045, PN 2814**, with information that the Senate has passed the same without amendment.

**BILLS SIGNED BY SPEAKER**

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

**HB 2045, PN 2814**

An Act designating the bridge that carries State Route 26 over the Raystown branch of the Juniata River in the borough of Everett, Bedford County, as the Sergeant Robert W. Hartsock Memorial Bridge.

**SB 1141, PN 1909**

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.

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

The SPEAKER. The House will come to order.

## UNCONTESTED SUPPLEMENTAL CALENDAR A

## RESOLUTION PURSUANT TO RULE 35

Mr. PERRY called up **HR 713, PN 3455**, entitled:

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

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

## YEAS—191

Adolph	Dunbar	Kirkland	Quigley
Aument	Ellis	Knowles	Quinn
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, D.	Krieger	Readshaw
Bear	Evans, J.	Kula	Reed
Benninghoff	Everett	Lawrence	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	Mann	Saccone
Bradford	Galloway	Markosek	Sainato
Brennan	Geist	Marshall	Samuelson
Briggs	George	Marsico	Santarsiero
Brooks	Gergely	Masser	Santoni
Brown, R.	Gibbons	Matzie	Saylor
Brown, V.	Gillen	McGeehan	Scavello
Brownlee	Gillespie	Metcalfe	Schroder
Burns	Gingrich	Metzgar	Simmons
Buxton	Godshall	Miccarelli	Smith, K.
Caltagirone	Goodman	Micozzie	Smith, M.
Carroll	Grell	Millard	Sonney
Causar	Grove	Miller	Staback
Christiana	Hackett	Milne	Stephens
Clymer	Hahn	Mirabito	Stern
Cohen	Haluska	Moul	Stevenson
Conklin	Hanna	Mullery	Sturla
Costa, D.	Harhai	Mundy	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
Daley	Hickernell	Parker	Verbe
Davidson	Hornaman	Pashinski	Vitali
Day	Hutchinson	Payne	Vulakovich
Deasy	Josephs	Payton	Waters
DeLissio	Kampf	Peifer	Watson
Delozier	Kauffman	Perry	Wheatley
DeLuca	Kavulich	Petrarca	White
Denlinger	Keller, F.	Petri	Youngblood
DePasquale	Keller, M.K.	Pickett	
Dermody	Keller, W.	Preston	
DiGirolamo	Killion	Pyle	Smith, S., Speaker
Donatucci			

NAYS—0

NOT VOTING—0

## EXCUSED—5

Davis  
Gerber

Hess

Murphy

Swanger

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

## CALENDAR

## BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1047, PN 1134**, entitled:

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

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 1484, PN 3209**, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for definitions; and providing for mailed notice in certain proceedings.

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

The SPEAKER. The House will please come to order. I would appreciate if the members would take their seats, clear the aisles. I would appreciate if the members would take their seats. I appreciate the members' attention. Kindly take your seats.

**FAREWELL ADDRESS  
BY MR. SCHRODER**

The SPEAKER. I would like to invite Representative Schroder to the rostrum. As I think everybody is aware, he has made a decision to move on to a different sort of pasture in which to toil. He will be officially resigning at the end of this week, on Sunday, and as is our custom, we always want to afford a member who is either leaving the House or retiring, whatever, to make a few comments and reflect upon their time here and perhaps what they see in the future.

We would like to welcome to the rostrum Representative Curt Schroder. Good luck.

Mr. SCHRODER. Well, unlike our colleague who gave farewell remarks just a few short weeks ago, Lynn and Spizz did not draft my remarks today, so do not expect them to be nearly as eloquent. Just thought I would warn you of that.

Speaker Smith, Leader Turzai, Leader Dermody, and friends, it is hard to believe that it has come to this point. In fact, it was rather strange even waking up this morning knowing that this would be my last day in House session. In many respects, it just seems like yesterday when I walked into the chamber for my first swearing-in, but believe me, as I have reviewed old photos in cleaning out files over the past few weeks, those photos tell quite a different story about the passage of time.

It has been the honor of a lifetime to serve with you and the many who came before you here in the General Assembly. During the past 17-plus years there have been accomplishments, setbacks, joys, and frustrations, but I leave here secure in the knowledge that I have been dutiful in promoting legislation to address serious problems facing Pennsylvania and the constituents of the 155th Legislative District. Now, I could not have done this on my own. As all of you know, it is only with the help of talented, loyal staff that we achieve success, both here and in our districts.

I want to start by thanking my secretary for the past 17 years and administrative assistant for the House Gaming Oversight Committee, Carolyn May. Carolyn, please stand. I could not have asked for a better person to work with on behalf of the people of the 155th District. Carolyn, thank you for your hard work, devotion, and caring at every level.

A special thanks to the executive director of the Gaming Oversight Committee, Jennifer Weeter, who is with us also. Chairing the committee has been an adventure, and I must thank Jen as well as Dana Alwine and Rod Corey for their tireless work, dedication, and expertise. I would also like to thank my Democratic cochair of the committee, Rosita Youngblood, and her staff. It has been a wonderful experience working with them, and they do a wonderful job as well.

I was fortunate to get off to a great start in the district thanks to Becky Corbin, who had worked for my predecessor. Becky's knowledge, expertise in constituent service, and support were invaluable to me over the years, right up until the time she left the office at the end of last year. Now, I will not say why she left, but let us just say that I think you will be seeing a lot more of her around here in the near future. Becky, thank you for your help and assistance over the years.

Another key component of my district effort has been the front person in my office, Debbie Miller. Debbie's loyalty and soothing touch with constituents made my job much easier. Debbie, please stand up. I cannot thank you enough as well.

I am very fortunate and blessed to have my family with me on this last day. First of all, my biggest fan and someone who has supported me all of my life, my mother, Lois Schroder. Mom, stand up. My wife, Deanna, who has stood with me and supported me all of these nearly 19 years of marriage. Deanna, thank you for everything.

It is hard to believe that when I started here in the House that my two great kids, Mark and Kristen, were not even born yet, not even on the scene. That really puts a lot into perspective. My son, Mark, is here with us today. Mark, take a stand there. And she was already introduced by the Speaker earlier, but I will reintroduce my daughter, Kristen, who is working with us today as a guest page. Kristen, take a stand, and thank you, sweetie.

As I transition to a new phase in my life and career, I take with me 17-plus years of memories and friendships, friendships too many to mention at the risk of slighting someone or leaving someone out. I will just give a special nod and thanks to my delegation, our delegation from Chester County, led in seniority and service by my longtime friend, Tim Hennessey, and thank them for all the work, great work and cooperation that we have had over the years. I also take with me the respect and admiration for all of you for what you stand for, for what we agree on and what we disagree on, because after all, we all reflect the diversity of this Commonwealth and of its great people.

As I assume the position of regional executive of the Delaware Valley Healthcare Council of the Hospital Association of Pennsylvania, it is my hope and belief that our paths will cross again from time to time. So for today this is not farewell or goodbye; rather, it is until we meet again. Thank you, and God bless you.

### COMMEMORATIVE GAVEL PRESENTED

The SPEAKER. Give your ceremonial gavel one official pound on the desk.

Curt and I have obviously served here together a long time, and we have had some pretty good knock-down, drag-out fights, to the point where some members who have watched such things think "You two guys do not get along." And the funny thing was, Curt and I would catch up after the fur had kind of flown and the fight was over, and we would laugh about those that thought we could never talk. So I always appreciated that aspect of Curt. He always fought for what he believed in, and we had some dandies. Me and him personally, we had some dandies, but we have always been able to let the dust settle and come back and work for another day, and I think that is a real tribute to you, and I appreciate your service to the House.

Here is a ceremonial gavel to take along your way.

The House will be at ease for a moment.

The House will come to order.

### LEAVES OF ABSENCE

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

The Speaker recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. DERMODY, from Allegheny County for the day; the lady, Mrs. DAVIDSON, from Delaware County for the day; the gentleman, Mr. VITALI, from Delaware County for the day; the gentleman, Mr. COHEN, from Philadelphia County for the day; the gentleman, Mr. BRIGGS, from Montgomery County for the day; and the gentleman, Mr. MULLERY, from Luzerne County for the day. Without objection, the leaves will be granted.

**STATEMENT BY MR. HANNA**

Mr. HANNA. Mr. Speaker?

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

Mr. HANNA. Mr. Speaker, I would just like to address the leaves.

The SPEAKER. The gentleman may do so under unanimous consent.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, you just noted a series of leaves for a number of our members, and while I understand that those leaves have to be requested for the balance of the day, I wanted to note for the record that the majority of those leaves are currently testifying before the Reapportionment Commission, and they will be back at some time this afternoon. But those leaves are requested so that they can attend to other legislative functions taking place here in the Capitol, so I wanted to note that for the record.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

**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 Allegheny County, Mr. MAHER, for the remainder of the day. Without objection, the leave will be granted.

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1100, PN 1676**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for exclusions from sales and use tax.

On the question,

Will the House agree to the bill on second consideration?

Ms. **MUNDY** offered the following amendment No. **A07694**:

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

a clause

Amend Bill, page 2, lines 9 and 10, by striking out all of said lines

On the question,

Will the House agree to the amendment?

**AMENDMENT WITHDRAWN**

The SPEAKER. On that question, the Speaker recognizes the lady from Luzerne County, Ms. Mundy.

Ms. MUNDY. Mr. Speaker, I am withdrawing that amendment.

The SPEAKER. The Speaker thanks the lady.

On the question recurring,

Will the House agree to the bill on second consideration?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Lancaster County, Mr. Sturla, who calls up—He is also withdrawing? The Speaker thanks him.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

**STATEMENT BY MR. DALEY**

The SPEAKER. Is the gentleman from Washington County, Mr. Daley, seeking recognition under unanimous consent relative to the legislation that was just moved?

Mr. DALEY. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DALEY. Thank you, Mr. Speaker.

I just want to thank Representative Mundy and Representative Sturla for pulling their amendments. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the member.

**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1780, PN 3057**, entitled:

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

On the question,

Will the House agree to the bill on second consideration?

Mr. **DeLUCA** offered the following amendment No. **A08847**:

Amend Bill, page 1, lines 16 and 17; page 2, lines 1 through 3, by striking out all of said lines on said pages and inserting

Section 1. Section 2116(a) of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, amended May 24, 2000 (P.L.106, No.23), is amended to read:

Section 2116. Inheritance Tax.—(a) (1) Inheritance tax upon the transfer of property passing to or for the use of any of the following shall be at the rate of four and one-half per cent:

(i) grandfather, grandmother, father, mother, except transfers under subclause (1.2), and lineal descendants; or

(ii) wife or widow and husband or widower of a child.

(1.1) Inheritance tax upon the transfer of property passing to or for the use of a husband or wife shall be:

(i) At the rate of three per cent for estates of decedents dying on or after July 1, 1994, and before January 1, 1995.

(ii) At a rate of zero per cent for estates of decedents dying on or after January 1, 1995.

(1.2) Inheritance tax upon the transfer of property from a child twenty-one years of age or younger to or for the use of a natural parent, an adoptive parent or a stepparent of the child shall be at the rate of zero per cent.

(1.3) Inheritance tax upon the transfer of property passing to or for the use of a sibling shall be at the rate of [twelve] six per cent.

Amend Bill, page 2, by inserting between lines 11 and 12

(3) When property passes to or for the use of a husband and wife with right of survivorship, one of whom is taxable at a rate lower than the other, the lower rate of tax shall be applied to the entire interest.

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

#### AMENDMENT WITHDRAWN

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I am going to be withdrawing this amendment. I certainly understand the prime sponsor, what he is trying to do. Let me say that it is about time that we address the inheritance tax, not only for this situation we are doing today but also for, as my amendment did, it addressed it for siblings. I find it outrageous that we actually double-tax siblings, because the fact is that at 12 percent, not only when they are paying their taxes, paying on the interest, that we tax siblings 12 percent. This bill would have reduced it to 6 percent. I would hope that we would be working with the other side, not only to address my issue but to address the inheritance tax as a whole.

You know, what we are talking about on the Federal level, of doing away with the death tax, and people really do not understand the death tax on the Federal level because the average citizen in Pennsylvania does not pay a death tax unless they have \$3 million, and we have Congress up here wanting to do away with it, then it certainly behooves us in this House to address the inheritance tax on the individuals we represent, the 12 million individuals we represent, who work hard, save their money, and then we tax them, God forbid, when something happens to them.

I think it is unfair. I think it is about time that we address this issue. We are looking at addressing other taxation issues and giving people a break. I think it is time that we give the people a break on the inheritance tax, and I would hope that the other side would work with me to address this issue in the coming months.

Mr. Speaker, I will be withdrawing this amendment today pertaining to my bill. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

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

The SPEAKER. There was one other amendment that had been filed, amendment A10079. However, it was defeated yesterday; therefore, that amendment would not be in order.

For what purpose does the gentleman, Mr. Thomas, rise?

Mr. THOMAS. Mr. Speaker, I think you raised the question of an amendment to HB 1780.

The SPEAKER. The amendment that you had filed to HB 1780, amendment A10079, is not in order because it was defeated yesterday, and the same language cannot be run over and over.

Mr. THOMAS. But was that to another bill or was that to this bill?

The SPEAKER. It was to a different bill.

Mr. THOMAS. Okay.

Mr. Speaker, I will withdraw it because I had a conversation with the majority chairman yesterday, who indicated that we are

going to take a look at this issue in a little bit more depth. This amendment has been filed to a number of bills, but it is only a testimony to how important it is to get job training out there and get people ready for skills required in the marketplace. So it is going to show up quite a few times. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

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

\* \* \*

The House proceeded to second consideration of **SB 342, PN 549**, entitled:

An Act amending the act of June 15, 1982 (P.L.502, No.140), known as the Occupational Therapy Practice Act, further providing for definitions, for creation of board, for requirements for licensure, for practice and referral, for renewal of licenses and for refusal, suspension or revocation of license; and providing for impaired professionals program.

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

#### BILL ON THIRD CONSIDERATION

The House proceeded to third 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 third consideration?  
Bill was agreed to.

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage. The question is, shall the bill pass finally?

#### REMARKS SUBMITTED FOR THE RECORD

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

Thank you Mr. Speaker.

Mr. Speaker, I rise today to ask my colleagues for their support for HB 2300, legislation I authored that would amend the Pennsylvania Constitution in a way that would allow principal places of residence in our State to be protected from property taxes and potential government liens.

It is no secret to anyone in this Commonwealth that property taxes, in particular school property taxes, have spiraled out of control in many areas, often greatly exceeding a home's mortgage and greatly outpacing the ability of many to afford.

This legislation would do two things if enacted. First, it would remove the constitutional barrier that currently prevents the legislature from passing a law to exclude homesteads from property taxes.

Secondly, it would immediately empower local taxing authorities to completely exclude designated homesteads from property taxes.

When a couple finds a plot of land they like, and they decide to buy it and build a home on it, it should be theirs. But because of Pennsylvania's archaic tax laws, it is not. Instead of enjoying their home for the rest of their lives after it is paid off, homeowners must continue to rent their home from their municipality or school district until they die, for the privilege of having "purchased" their home in that locale.

Mr. Speaker, this is the number one issue in my district. Hardly a day goes by without me hearing from my constituents about the need for property tax reform. The tax bills some constituents have shown me have changed this from a question of funding government operations to a question of morality.

One constituent told me that his property taxes have risen 94 percent since 1989 – his school district millage rate has nearly doubled. He told me if this situation does not change, he will not be able to afford the taxes on his home when he retires in 5 years and will have to move.

In closing, I would just say to my colleagues that when an elderly woman writes you that her tax bill is increasing at a rate that her pension and Social Security cannot keep pace with, threatening to take away all she has worked her life for, the system is broken and needs to be replaced.

Please vote "yes" on HB 2300.

Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—182

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

Day	Hutchinson	Payne	Vereb
Deasy	Josephs	Payton	Vulakovich
DeLissio	Kampf	Peifer	Waters
DeLozier	Kauffman	Perry	Watson
DeLuca	Kavulich	Petrarca	Wheatley
Denlinger	Keller, F.	Petri	White
DePasquale	Keller, M.K.	Pickett	Youngblood
DiGirolamo	Keller, W.	Preston	
Donatucci	Killion	Pyle	Smith, S.,
Dunbar	Kirkland	Quigley	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—14

Briggs	Dermody	Hess	Murphy
Cohen	Fleck	Maher	Swanger
Davidson	Gerber	Mullery	Vitali
Davis	Grell		

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

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

RESOLUTION

Mr. BAKER called up **HR 354, PN 2201**, entitled:

A Resolution promoting awareness of atrial fibrillation and urging the Secretary of Health to prioritize atrial fibrillation and implement programs, evaluation, assessment and policy changes that will reduce the burden of this costly, progressive disease.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Tioga County, Mr. Baker.

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

I rise to support this resolution that is strongly supported by the American College of Cardiology, the American Heart Association, the Centers for Disease Control, the National Forum for Heart Disease and Stroke Prevention, and many, many other health organizations strongly support this resolution. HR 354 seeks to promote awareness of atrial fibrillation, or A-fib, a potentially serious condition where an individual's heart beats irregularly.

Yesterday was "Stroke Alert Day," a grassroots initiative of health-care providers throughout the Commonwealth and nation intended to educate citizens about the warning signs of stroke and the need to contact 911 immediately. What many do not realize is that A-fib causes 15 percent of all strokes in the United States. A-fib is the most common serious heart rhythm disorder, affecting more than 2.3 million people, and is expected to more than double by 2050. A-fib causes the heart to beat irregularly or out of rhythm, resulting in people with A-fib being nearly five times more likely to have a stroke than someone without the condition.

A-fib-related strokes are about twice as likely to be fatal, and almost 50 percent of the individuals who suffer an A-fib-related stroke die within one year. The majority of A-fib-related strokes

can be prevented; however, awareness of one's risk is critical. HR 354 not only seeks to promote such awareness, but urges the Secretary of Health to implement programs, evaluation, assessment, and policy changes that will help reduce the burden of this costly, progressive disease.

I ask the members for their kind support for this resolution. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—182

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

NAYS—0

NOT VOTING—0

EXCUSED—14

Briggs	Dermody	Hess	Murphy
Cohen	Fleck	Maher	Swanger
Davidson	Gerber	Mullery	Vitali
Davis	Grell		

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

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 65, PN 3424**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, providing for Internet gambling public awareness campaign and for revocation and auction of slot machine license; further providing for Category 2 slot machine license, for number of slot machine licenses and for table game taxes; and providing for prohibition on use of State funds.

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

**DECISION OF CHAIR RESCINDED**

The **SPEAKER**. Without objection, the Speaker rescinds the notice of third consideration.

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Chester County, Mr. Schroder, who calls up amendment A10140, which is an amendment under rule 24 which would make the bill internally consistent.

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

Mr. **SCHRODER** offered the following amendment  
No. **A10140**:

- Amend Bill, page 3, line 18, by striking out "bid" and inserting proposal
- Amend Bill, page 4, line 13, by striking out "Bidding" and inserting Auction
- Amend Bill, page 4, line 13, by striking out "bidding" and inserting auction
- Amend Bill, page 4, line 26, by striking out "bidding" and inserting auction
- Amend Bill, page 5, line 24, by striking out "binding"
- Amend Bill, page 6, line 8, by striking out "binding"
- Amend Bill, page 6, line 11, by striking out "bid"
- Amend Bill, page 6, line 22, by striking out "binding"
- Amend Bill, page 6, line 23, by striking out "binding"
- Amend Bill, page 7, line 4, by striking out "WINNING BID" and inserting proposals of the three final applicants
- Amend Bill, page 7, line 16, by striking out "binding"
- Amend Bill, page 8, line 5, by striking out "winning bidder" and inserting prospective licensee
- Amend Bill, page 14, by inserting between lines 3 and 4 Section 4.1. Applicability is as follows:
  - (1) The addition of 4 Pa.C.S. § 1209.1 shall apply:

(i) retroactively to a slot machine revocation in effect on the effective date of this section; and

(ii) to a slot machine revocation which occurs after the effective date of this section.

(2) For a slot machine license revocation under paragraph (1)(i), the 30-day time period in 4 Pa.C.S. § 1209.1(a)(1) shall commence on the effective date of this section.

On the question,

Will the House agree to the amendment?

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

Mr. SCHRODER. I know, you thought you were rid of me.

This amendment, as the Speaker just explained, is an amendment under the rules that would make the bill internally consistent – just a number of things that LRB (Legislative Reference Bureau) originally missed as far as changing terms and making them consistent throughout the bill, and also to make the starting date and effectiveness of the bill coincide properly. So I would just ask support for this amendment. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—182

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

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

NAYS—0

NOT VOTING—0

EXCUSED—14

Briggs	Dermody	Hess	Murphy
Cohen	Fleck	Maher	Swanger
Davidson	Gerber	Mullery	Vitali
Davis	Grell		

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 third consideration as amended?

Bill as amended was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

#### YEAS—153

Adolph	Evans, J.	Kortz	Ravenstahl
Aument	Everett	Kotik	Readshaw
Baker	Fabrizio	Krieger	Reed
Barbin	Frankel	Kula	Reese
Barrar	Freeman	Lawrence	Roae
Bear	Gabler	Mahoney	Rock
Benninghoff	Galloway	Major	Roebuck
Bloom	Geist	Maloney	Ross
Boback	George	Mann	Sabatina
Boyd	Gergely	Markosek	Saccone
Bradford	Gillen	Marshall	Samuelson
Brooks	Gillespie	Marsico	Santarsiero
Brown, R.	Gingrich	Masser	Saylor
Brown, V.	Godshall	Matzie	Scavello
Brownlee	Goodman	McGeehan	Schroder
Burns	Grove	Metcalfe	Simmons
Buxton	Hackett	Miccarelli	Smith, K.
Caltagirone	Hahn	Micozzie	Sonney
Causer	Harhai	Millard	Staback
Christiana	Harhart	Miller	Stephens
Clymer	Harkins	Milne	Stern
Conklin	Harper	Mirabito	Stevenson
Costa, D.	Harris	Moul	Sturla
Cox	Heffley	Mundy	Tallman
Creighton	Helm	Mustio	Tobash
Culver	Hennessey	Myers	Toepel
Curry	Hickernell	O'Brien, M.	Toohil
Cutler	Hornaman	Oberlander	Truitt
Daley	Hutchinson	Parker	Turzai
Day	Josephs	Pashinski	Vereb
Deasy	Kampf	Payne	Vulakovich

DeLozier	Kauffman	Peifer	Waters
DeLuca	Kavulich	Perry	Watson
Denlinger	Keller, F.	Pickett	Wheatley
Donatucci	Keller, M.K.	Preston	White
Dunbar	Keller, W.	Pyle	
Ellis	Killion	Quigley	Smith, S., Speaker
Emrick	Kirkland	Quinn	
Evankovich	Knowles	Rapp	

## NAYS—29

Bishop	DePasquale	Longietti	Petri
Boyle, B.	DiGirolamo	Metzgar	Sainato
Boyle, K.	Evans, D.	Murt	Santoni
Brennan	Farry	Neuman	Smith, M.
Carroll	Gibbons	O'Neill	Taylor
Costa, P.	Haluska	Payton	Thomas
Cruz	Hanna	Petrarca	Youngblood
DeLissio			

## NOT VOTING—0

## EXCUSED—14

Briggs	Dermody	Hess	Murphy
Cohen	Fleck	Maher	Swanger
Davidson	Gerber	Mullery	Vitali
Davis	Grell		

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

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

**REMARKS SUBMITTED FOR THE RECORD**

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

Mr. SCHRODER. Thank you, Mr. Speaker.

I have remarks that I would like to submit for the record on HB 65.

The SPEAKER. The Speaker thanks the gentleman.

Submit them to the clerk and they will be noted in the record.

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

Mr. Speaker, HB 65 will provide for the auction of the recently revoked Foxwoods gaming license on a statewide basis.

As many of you know, the Foxwoods Casino license has had a troubled history, and the investors were given many chances to salvage their project.

Just to highlight:

On July 4, 2004, legislation was passed allowing slots gambling in the Commonwealth. Act 71 provided for the licensing of 14 slot parlors, including 2 in Philadelphia.

In December of 2006, a license for the Foxwoods Casino was awarded to a group of Philadelphia investors by the PGCB (Pennsylvania Gaming Control Board).

Nearly 2 years later, in August 2008, Foxwoods proposed to Governor Rendell and Mayor Nutter that the project be relocated to center city.

Because of the various delays, in May 2009 Foxwoods asked the PGCB for a 6-month extension.

And finally, on December 16, 2010, the PGCB determined that Foxwoods had not met its latest deadline and voted to revoke the Foxwoods license by a 6-to-1 vote.

After a long appeal process, the State Supreme Court in March 2012 upheld the PGCB's decision on revocation.

It took almost 6 years to get to this point of final revocation. It is now time to put a procedure in place to allow for this license and any license revoked in the future to be auctioned to the highest responsible bidder to generate the most revenue we can for the Commonwealth.

Many have argued over the years that the original slot machine licenses should have been auctioned so that the Commonwealth's taxpayers would receive the highest possible return for the privilege of owning a casino. It would be in the best interest of the Commonwealth to now auction this license to the highest responsible bid which can generate the most projected revenue.

This bill would do just that. Under my bill:

- The PGCB will start a public auction for the license that achieves the highest responsible bid that will provide the greatest amount of projected revenue for the Commonwealth;
- Minimum bids will be \$66.5 million for a category 1 or 2 license and \$12.5 million for a category 3 license. This includes the slots and table game license fee to ensure a minimum bid floor.
- A prospective licensee must submit information on the location of the facility, details of agreements with the host municipality, ownership structure, projected financial statements, a business plan for the facility, and a date to which the applicant can commit to opening the facility.
- Within 5 days of receiving all of the sealed bids, the board shall disclose the content of all of the proposals in a public forum (including owner's names, venture partners, and locations for development) and select three final applicants to participate in the auction.
- Following the selection of the three final applicants, the board will hold public hearings pursuant to the act and evaluate the suitability for a license in accordance with current licensing standards.
- After the auction and following presentations, the board shall announce the winning prospective licensee from the auction.
- Proceeds from the auction will be deposited into the Property Tax Relief Fund.

This is perhaps our one and only opportunity to issue a license the right way.

I wish to thank the members of the Gaming Oversight Committee for their work on HB 65, and especially executive director Jen Weeter and counsel Dana Alwine for their excellent work on this bill.

**REMARKS SUBMITTED FOR THE RECORD**

The SPEAKER. For what purpose does the lady from Philadelphia, Ms. Youngblood, rise?

Ms. YOUNGBLOOD. Mr. Speaker, to submit remarks for the record.

The SPEAKER. The Speaker thanks the lady.

Deliver them to the clerk and they will be noted in the record.

Ms. YOUNGBLOOD submitted the following remarks for the Legislative Journal:

The following is a brief overview of the concerns relating to HB 65:

- Initial estimates showed 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 that 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 for the casino alone. This does not include parking garages, hotels, or other amenities.
- Initial estimates also projected that two casinos in Philadelphia would result in nearly 2,500 gaming operations jobs.
- SugarHouse alone has come close to that number, hiring nearly 1,500 employees for its casino.
- Plain and simple, 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 residents.
- Initial projections also estimated that the city could see an influx of nearly 4,500 new jobs in ancillary operations at two casinos.
- Additionally, two casinos could potentially lead to 6,400 indirect new jobs from growth in the other industries and in local businesses across the economy that serve casino patrons and serve the casinos themselves.
- To date Pennsylvania's gaming industry has created close to 17,000 jobs statewide. That is an average of nearly 1,700 employees per licensed facility.
- There is no reason to believe that a second casino in Philadelphia would not meet that threshold.
- In addition to jobs, Philadelphia has been counting on the revenues from the second category 2 license since the original Gaming Act was established in 2004.
- A second casino could potentially bring in \$8 to \$20 million a year in direct funding to the city's General Fund.
- And it would provide additional wage and property tax relief not only for the residents of Philadelphia and its surrounding counties, but to all property tax payers across the Commonwealth.
- To date Philadelphia residents have seen more than \$223 million in wage tax relief from gaming, and suburban counties have seen more than \$122 million for wage tax relief.

## SUPPLEMENTAL CALENDAR B

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1616, PN 3330**, entitled:

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, further providing for benefit corporations.

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

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage. The question is, shall the bill pass finally?

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

Mr. DENLINGER. Thank you, Mr. Speaker.

Colleagues, it is an honor and a pleasure to bring this piece of legislation before this chamber. HB 1616 would create a new class of corporations in Pennsylvania, the so-called benefit or B corporation status. Mr. Speaker, the basic purpose of this bill is to provide those entrepreneurs who seek to combine both a profit and a social good motive the opportunity under law to create such entities and advance the improvement of some social condition, while in fact also providing for profit for those investors who put a stake in the business.

Mr. Speaker, under current law, the fiduciary responsibility is limited to strictly a monetary financial return. This broadens that out and in fact requires that a social good is combined with the profit motive. Mr. Speaker, on a more basic level, I think this piece of legislation combines the best of the capitalistic model along with those social aims that so many hold dear, and I think it will do a tremendous amount of good. In fact, currently, Mr. Speaker, there are seven States that have benefit corporations in law, and I am hoping that through this step, Pennsylvania will become the eighth within the United States.

Mr. Speaker, I do want to extend a word of thanks and congratulations also to some other members of this chamber who have done significant work on this legislation. Representative Gene DePasquale, Representative Mike Gerber, and Representative Brian Cutler have each worked and done significant work and effort, placed effort into this legislation, so I want to acknowledge their efforts as well. Beyond that, Mr. Speaker, I hope for broad support, and I encourage an affirmative vote. Thank you.

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

On that question, the Speaker recognizes the gentleman from York County, Mr. DePasquale.

Mr. DePASQUALE. Thank you, Mr. Speaker.

I just want to say for the gentleman from Lancaster that I appreciate those remarks. This has taken a couple years to get to this point, but I want to commend him for finally getting it over the finish line, and I would ask everyone for an affirmative vote.

In these trying economic times, even with a better-than-expected revenue picture, there is still going to be a limit of what the State can do. This type of legislation can help empower the private sector to help our most vulnerable. So again, I appreciate the gentleman from Lancaster's efforts on this regard.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—182

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

NAYS—0

NOT VOTING—0

EXCUSED—14

Briggs	Dermody	Hess	Murphy
Cohen	Fleck	Maher	Swanger
Davidson	Gerber	Mullery	Vitali
Davis	Grell		

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

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

\* \* \*

The House proceeded to third consideration of **HB 2285, PN 3287**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in Pennsylvania Uniform Transfers to Minors Act, further providing for court authorization of a transfer.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—182

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

NAYS-0

NOT VOTING-0

EXCUSED-14

Briggs	Dermody	Hess	Murphy
Cohen	Fleck	Maher	Swanger
Davidson	Gerber	Mullery	Vitali
Davis	Grell		

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

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

\* \* \*

The House proceeded to third consideration of **HB 1909, PN 3444**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, providing for appointment of township treasurers and election of tax collectors; further defining the duties and authority of the board of township commissioners.

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

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.  
The question is, shall the bill pass finally?

On that question, the Speaker recognizes the gentleman from Adams County, Mr. Tallman.

Mr. TALLMAN. Thank you, Mr. Speaker.  
I am actually going to comment. It is a package of bills and our first-class townships would like to have this bill done. It gives them increased flexibility and allows them to employ people differently.  
Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?  
The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS-182

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

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

NAYS-0

NOT VOTING-0

EXCUSED-14

Briggs	Dermody	Hess	Murphy
Cohen	Fleck	Maher	Swanger
Davidson	Gerber	Mullery	Vitali
Davis	Grell		

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

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

\* \* \*

The House proceeded to third consideration of **HB 2116, PN 3445**, entitled:

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, providing for a transition from township treasurers to tax collectors in first class townships; and making editorial changes.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—182

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

NAYS—0

NOT VOTING—0

EXCUSED—14

Briggs	Dermody	Hess	Murphy
Cohen	Fleck	Maher	Swanger
Davidson	Gerber	Mullery	Vitali
Davis	Grell		

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

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

\* \* \*

The House proceeded to third consideration of **HB 254, PN 3443**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for learners' permits.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—181

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

Donatucci	Killion	Quigley	Speaker
Dunbar	Kirkland	Quinn	

NAYS-1

Metzgar

NOT VOTING-0

EXCUSED-14

Briggs	Dermody	Hess	Murphy
Cohen	Fleck	Maher	Swanger
Davidson	Gerber	Mullery	Vitali
Davis	Grell		

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

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

\* \* \*

The House proceeded to third consideration of **HB 84, PN 1539**, entitled:

An Act amending the act of April 16, 1992 (P.L.155, No.28), known as the Assessors Certification Act, further providing for nonapplicability.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

Is the gentleman from Philadelphia, Mr. McGeehan, seeking recognition on the bill? The gentleman is in order on the bill.

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

Mr. Speaker, I want to commend the prime sponsor of this very important bill, the Democratic chair of the Urban Affairs Committee. He said a year or two ago that the problems with certification of tax assessors in Philadelphia was a problem. We are the only locality in the State that does not require certification for home assessors. And why that is important, Mr. Speaker, for the Philadelphia delegation and for the people in Philadelphia, is we are now faced with a revaluation of our homes in Philadelphia. It is a very controversial issue.

I can tell you, Mr. Speaker, that I am upset that we do not have the information. This administration in Philadelphia has not been forthcoming in sharing information about the impacts to our communities, about the devastating effect a large tax increase will impact on seniors and residents on fixed incomes in Philadelphia. Mr. Speaker, the gentleman from Philadelphia rightly pointed out the ridiculousness of having tax assessors who are not certified valuing our homes and leveling large tax increases based on those valuations.

The gentleman is right. The gentleman should be commended. I want to join with my colleagues in Allegheny County and Washington County going forward to stop this wrongheaded and not-well-thought-out valuation in my locality.

So I want to end where I began by commending the gentleman and thanking him for his good work.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS-182

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

NAYS-0

NOT VOTING-0

EXCUSED-14

Briggs	Dermody	Hess	Murphy
Cohen	Fleck	Maher	Swanger
Davidson	Gerber	Mullery	Vitali
Davis	Grell		

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

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

**SUPPLEMENTAL CALENDAR C**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS  
AS AMENDED**

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 823, PN 3463**, as further amended by the House Rules Committee:

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 as amended by the Rules Committee?

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

The Speaker recognizes the gentleman from Monroe County, Mr. Scavello, for a brief description of Senate amendments.

Mr. SCAVELLO. Thank you, Mr. Speaker.

What this bill allows is for a notice on wastewater systems so the officials would recognize exactly what is going to be happening in their area and so they can plan for it. So basically it allows them to plan for any future wastewater systems in their area. That is what the amendments of the Senate do.

The SPEAKER. The Speaker thanks the gentleman.

On the question recurring,

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

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

The following roll call was recorded:

**YEAS—181**

Adolph	Emrick	Kortz	Rapp
Aument	Evankovich	Kotik	Ravenstahl
Baker	Evans, D.	Krieger	Readshaw
Barbin	Evans, J.	Kula	Reed
Barrar	Everett	Lawrence	Reese
Bear	Fabrizio	Longietti	Roae
Benninghoff	Farry	Mahoney	Rock
Bishop	Frankel	Major	Roebuck
Boback	Freeman	Maloney	Ross
Boyd	Gabler	Mann	Sabatina
Boyle, B.	Galloway	Markosek	Saccone
Boyle, K.	Geist	Marshall	Sainato
Bradford	George	Marsico	Samuelson
Brennan	Gergely	Masser	Santarsiero
Brooks	Gibbons	Matzie	Santoni
Brown, R.	Gillen	McGeehan	Saylor
Brown, V.	Gillespie	Metcalfe	Scavello

Brownlee	Gingrich	Metzgar	Schroder
Burns	Godshall	Miccarelli	Simmons
Buxton	Goodman	Micozzie	Smith, K.
Caltagirone	Grove	Millard	Smith, M.
Carroll	Hackett	Miller	Sonney
Causer	Hahn	Milne	Staback
Christiana	Haluska	Mirabito	Stephens
Clymer	Hanna	Moul	Stern
Conklin	Harhai	Mundy	Stevenson
Costa, D.	Harhart	Murt	Sturla
Costa, P.	Harkins	Mustio	Tallman
Cox	Harper	Myers	Taylor
Creighton	Harris	Neuman	Thomas
Cruz	Heffley	O'Brien, M.	Tobash
Culver	Helm	O'Neill	Toepel
Curry	Hennessey	Oberlander	Toohil
Cutler	Hickernell	Parker	Truitt
Daley	Hornaman	Pashinski	Turzai
Day	Hutchinson	Payne	Vereb
Deasy	Josephs	Payton	Vulakovich
DeLissio	Kampf	Peifer	Waters
Delozier	Kauffman	Perry	Watson
DeLuca	Kavulich	Petrarca	Wheatley
Denlinger	Keller, F.	Petri	White
DePasquale	Keller, M.K.	Pickett	Youngblood
DiGirolamo	Keller, W.	Preston	
Donatucci	Killion	Pyle	Smith, S., Speaker
Dunbar	Kirkland	Quigley	
Ellis	Knowles	Quinn	

**NAYS—1**

Bloom

**NOT VOTING—0**

**EXCUSED—14**

Briggs	Dermody	Hess	Murphy
Cohen	Fleck	Maher	Swanger
Davidson	Gerber	Mullery	Vitali
Davis	Grell		

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

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

The SPEAKER. The House will be at ease until 3:21.

The House will come back to order.

**LEAVES OF ABSENCE**

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

The Speaker recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. FRANKEL, from Allegheny County for the remainder of the day. Without objection, the leave will be granted.

**LEAVES OF ABSENCE CANCELED**

The SPEAKER. Additionally, the Speaker notices the presence of the gentleman from Allegheny County, Mr. Dermody, on the floor of the House, as well as the gentleman from Delaware County, Mr. Vitali, whose presence is back on the floor of the House. Their names will be added back to the master roll call.

For what purpose does the gentleman from York County, Mr. Saylor, rise?

Mr. SAYLOR. Mr. Speaker, I would like to make a motion to proceed on HB 1908.

The SPEAKER. I was going to call that up in a second. I believe there might be a few minutes of debate on it. It is available to be voted under the rules at 3:21, so let us just see if we actually need the motion to proceed.

If you do not mind, if you will withhold that just for a moment.

Mr. SAYLOR. Will do, Mr. Speaker. Thanks.

The SPEAKER. The Speaker thanks the gentleman.

**SUPPLEMENTAL CALENDAR B CONTINUED****BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1908, PN 3446**, entitled:

An Act providing for standards for towing and for violations.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

**VOTE CORRECTION**

The SPEAKER. Is the lady from Philadelphia, Ms. Brown, seeking recognition on the bill? For what purpose do you rise?

Ms. V. BROWN. Mr. Speaker, I was recorded incorrectly on HB 65, and I would like to be recorded in the negative.

The SPEAKER. The lady's remarks will be noted in the record.

Ms. V. BROWN. Thank you.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. Additionally, the Speaker recognizes the presence of the gentleman from Allegheny County, Mr. Maher, on the floor of the House. His name will be added back to the master roll call.

**CONSIDERATION OF HB 1908 CONTINUED**

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

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

Mr. BARRAR. Thank you, Mr. Speaker.

I would like to ask the maker of the bill if he would stand for interrogation.

Mr. MICOZZIE. Mr. Speaker?

The SPEAKER. Is the gentleman, Mr. Micozzie, standing for interrogation?

Mr. MICOZZIE. Mr. Speaker, I would like to make a comment.

The SPEAKER. The gentleman, Mr. Barrar, has the floor and has asked if you would stand for interrogation.

Mr. MICOZZIE. Mr. Speaker, I decline to answer any more questions. I think that we went through this at length yesterday. I think—

The SPEAKER. The gentleman will suspend.

Mr. MICOZZIE. Mr. Speaker, no; I am not going to respond to any questions.

The SPEAKER. The Speaker thanks the gentleman.

Is the gentleman, Mr. Barrar, seeking other debate on the bill?

Mr. BARRAR. Mr. Speaker, could I see if the, would it be proper to request maybe that the minority chairman of the Insurance Committee might stand for interrogation?

The SPEAKER. The gentleman indicates he is not willing to stand for interrogation.

Mr. BARRAR. Anybody in the room want to stand for interrogation?

The SPEAKER. Does the gentleman, Mr. Barrar, seek recognition to make comments on the bill?

Mr. BARRAR. Yes, Mr. Speaker. I would like to make a comment on the bill.

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

Mr. BARRAR. Thank you, Mr. Speaker.

It is pretty sad when the maker of the bill will not stand for interrogation, because there are still a lot of unanswered comments, and it shows that through this entire process I have offered four times to meet with the chairman of the Insurance Committee to try to work out a compromise. After my bill, which is almost identical to his, passed the Veterans Affairs Committee, I actually sent the chairman a letter asking him if we could put together, get three members from the Insurance Committee, three members from the Veterans Affairs Committee, and put together a working group and try to work out the differences in this bill. I never got the respect of a phone call, a message, nothing. I pretty much was just told to go pound sand.

Mr. Speaker, after dozens of meetings with members of the towing industry, I fought to get language in the bill that would give some additional protection to the consumers and also help the towing industry. I was disappointed when the amendments failed, but I knew I was going up against the all-powerful insurance industry, who wanted this bill passed. Yesterday a statement was made by the gentleman from Allegheny County that these towers are a bunch of crooks who have been ripping off the people for a long time. You know, Mr. Speaker, I think that type of a comment is more suitable for a taproom in Allegheny County than it is here in the House of Representatives.

The SPEAKER. The gentleman will suspend. I have given you as much leeway with the—

Mr. BARRAR. Mr. Speaker, that comment was made yesterday and you did not stop the comment. When a member in this House stands up and says—

The SPEAKER. The gentleman will suspend.

Mr. BARRAR. Says that—

The SPEAKER. The gentleman will suspend.

I think I was taking issue with the colorful commentary as to the appropriateness of the comment here versus elsewhere. I would urge the member to stay focused on the merits, the pros and cons of the legislation that was before us.

Mr. BARRAR. I would hope in the future when a comment is made that people in a certain industry are a bunch of crooks that something would be done in the meantime to prevent that from happening.

But like every profession, there are some bad apples who hurt the reputation of the good ones. I know many of these towers in my district; they are small business owners who worry about additional government regulations and how those regulations affect the running of their business. Many of these guys are firefighters who serve their community, and most of these people are people with very high professional standards.

I would say if the Representative who knew that the towers were ripping people off felt that his consumers were being taken advantage of by the towers and did nothing to help protect them, then I would say shame on him for failing to do anything about it. My first experience as a Representative, I had a bad tower in my district. I had a consumer come to me and tell me that this tower had ripped him off. I actually went to the State Police and demanded that that tower be removed from the rotation list, and actually, after a long argument with the lieutenant, this person was removed from the tower's list. No one wants to get rid of the wreck chasers more than these professional towers would like to do. These are good people. They do not fear good legislation. They do not fear consumer protections. But they do fear being thrown to the wolves in the insurance industry, and they fear this legislation may do this.

Many of the towers I am speaking about today also own auto body businesses, and they have seen how the insurance industry gets away with breaking the laws of the Commonwealth hundreds of times per day by steering customers away from their body shops. They steer them to preferred businesses. Unfortunately, the Attorney General's Office sits silent to this illegal activity and so does the Insurance Commissioner. They have every right to fear what we are about to do here today by passing this legislation.

I would ask for a "no" vote on this bill. Thank you, Mr. Speaker.

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

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

Mr. MICOZZIE. Thank you, Mr. Speaker.

I ask my colleagues on both sides of the aisle to vote "yes" on HB 1908 as amended. It has been supported by the Attorney General's Office, the AAA (American Automobile Association), the Insurance Department, the Pennsylvania Mutual Insurance Company, the Insurance Federation of Pennsylvania, Nationwide, Pennsylvania State Association of Township Supervisors, and the State Police. So I ask for a "yes" vote on HB 1908. Thank you.

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

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

Mr. DeLUCA. Thank you, Mr. Speaker.

First of all, let me say I support HB 1908. I want to commend my counterpart on the other side. We have worked 4 years on this, working together. And I want to commend the members on both sides of the aisle on the Insurance Committee, working bipartisanly on this piece of legislation. I have never seen a committee work so well together, and that is what this is all about: working bipartisanly to get a good bill passed. This has nothing to do with the insurance industry; it does have a lot to do with protecting the consumers out there, and I think that is our main concern.

I understand about small businesses. There are a lot of small businesses. I came from small businesses. We are not trying to hurt the small businesses. This is a commonsense piece of legislation. It has been vetted in two sessions. It has been vetted over in the Senate. The Senate has agreed on this. They have taken things out. We worked together. I worked with the majority chairman. It is a commonsense piece of legislation to protect the consumers out there.

Therefore, I would ask the members of this body to vote in favor of this HB 1908. Thank you, Mr. Speaker.

### LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence of the gentleman from Montgomery County, Mr. Briggs, back on the floor of the House. His name will be added back to the master roll call.

### CONSIDERATION OF HB 1908 CONTINUED

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—172

Adolph	Ellis	Kotik	Rapp
Aument	Emrick	Krieger	Ravenstahl
Baker	Evankovich	Kula	Readshaw
Barbin	Evans, D.	Lawrence	Reed
Bear	Evans, J.	Longietti	Reese
Bishop	Everett	Maher	Roae
Boback	Fabrizio	Mahoney	Rock
Boyd	Farry	Major	Roebuck

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

## NAYS—11

Barrar	Brooks	Metzgar	Schroder
Benninghoff	Gillen	Miccarelli	Truitt
Bloom	Keller, F.	Milne	

## NOT VOTING—0

## EXCUSED—13

Cohen	Frankel	Grell	Murphy
Davidson	George	Hess	Swanger
Davis	Gerber	Mullery	Toohil
Fleck			

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

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

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence of the gentleman from Luzerne County, Mr. Mullery, on the floor of the House. His name will be added back to the master roll call.

The Speaker turns to House calendar supplemental B and would note as information for the members, I am going to call up HB 2150, PN 3447, which under our rules we cannot vote until 5:20 p.m. However, it is the intention of the Chair to proceed through the debate on this bill, and then depending on

what time it is and subject to a further motion to proceed, we would not consider the bill until 5:20.

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 2150, PN 3447**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, HB 2150 does not solve the Delaware loophole, does not solve the Delaware loophole problem because it opens another loophole for corporations to avoid paying their fair share of taxes in Pennsylvania. A new loophole is created within the bill because it allows businesses to take advantage of an exception to the addback rule by claiming that an expense is directly related to, quote, "a valid business purpose." The exception for valid business purposes is so broad that it is possible and very likely that all affected intangible expenses will be considered to be for, quote, "valid business purposes." Over the next 8 years HB 2150, by our recollection, will cost Pennsylvania at least \$3.3 billion in lost revenue needed to pay for education – basic ed, higher ed, early intervention – human services, intellectually disabled folks, elderly, chronically ill, children, all the huge needs that we have in Pennsylvania; transportation, all of those things. We will be short over the next 8 years to the tune of \$3.3 billion if HB 2150 is passed.

There is no guarantee of any revenue increase from the addback provision. However, by drastically lowering the CNI (corporate net income) rate, there is a guarantee of a significant revenue loss. Even the majority Republican fiscal note states that similar language from the Multistate Tax Commission could, could result in increased revenue of \$70 to \$90 million per year. However, however, these estimates are not based on the specific language of HB 2150, which creates a new loophole, and therefore, those estimates do not apply to this bill. Even if the addback provisions did generate the \$90 million per year, revenue losses would still be more than \$600 million per year in 2019, and the 8-year cumulative loss would be approximately \$2.5 billion. So even the majority numbers, if we used them, if we take them at their word, we still in 8 years have a \$2.5 billion loss, and that is under circumstances that are highly unlikely and highly speculative. Even if we cut the difference, that is still a \$3 billion loss over the 8-year period. Just think about what those \$3 billion dollars could do for our economy, and this is without having any tax increase. Those \$3 billion dollars could be used for all of the things that all of us

in all of our districts know we need here in Pennsylvania now and over the next decade.

As I mentioned before, education, which is being drastically cut with the Corbett administration cuts, both basic ed and higher ed; human services, we are looking at the counties suffering a 20-percent loss this year. And I know every one of us in here has heard from our county commissioners or our county executives on how difficult, how difficult that will be for them to make up those cuts. They will have to make the tough decisions on who will get services and who will not get services. And each year as we go along, and we have seen the history of block grants, which is what the goal is of this administration; we have seen the history of block grants to fund them less and less each year as it goes on. So a 20-percent cut this year might be a 25-percent cut next year and so on and so forth. This will be a drastic cut. I know I have stood here at this podium and used the word "draconian" many times, but that is what we are looking at here again with all these cuts.

The Republican fiscal note only refers to the first 2 fiscal years and does not address the significant revenue loss through the end of the decade, which results from significant CNI rate decreases. When the Republicans claim that this will generate revenue, that claim is based on a hope and a prayer. You better hope and you better pray that what they suggest comes true. It is not based on fact. A hope and a prayer that businesses might, just might, somehow come to love Pennsylvania because of the lower tax rate and flock here in droves. We all know that is not going to happen. It might attract some business. They are not going to flock here in droves, and they would have to do that to meet these, really, outlandish numbers that this bill and that the fiscal note claim will occur. There is no guarantee that any of this will happen.

Also, we have seen in the last 24 hours that the administration itself, the Governor and the Secretary of Revenue have both claimed that they have some doubts about this, that there is some work that needs to be done with this, that the economy, even the Governor said the economy perhaps cannot afford this right now. The Governor has said that. In our Appropriations Committee meeting this morning, I offered a motion, a motion to hold the bill over in committee and invite the Secretary of Revenue to come in, to come in and tell us what exactly he meant by what was printed. There was an indication that he was misquoted. Well, he should come in and tell us if he was misquoted and tell us exactly what he meant when he talked to the reporter.

Mr. Speaker, this bill, over the long haul, will not solve the problem that it is designed to do. Everybody in this room wants to get rid of the Delaware loophole – everybody in this room. That is not the issue. But I think there are a lot of folks in this room that do not want to create a whole bushful of other loopholes, which is what this bill does. We will lose a lot of State revenues, way, way more than just solving the Delaware loophole problem by itself; way, way more. This bill, if it passes, if it passes both Houses as it is and is signed by the Governor, which I am not even sure he would sign, but nevertheless would be a disaster for Pennsylvania programs, a real disaster for Pennsylvania programs. And I know there are a lot of people in the room that think we ought to cut back; this would be more than just cutting back. This would add drastic, huge cuts to all of the programs, all of the programs and infrastructure in Pennsylvania over the next 8, 10 years, the next decade.

I ask all the members to please, please vote "no" on this bill, HB 2150, for the betterment of Pennsylvania. Thank you, Mr. Speaker.

### LEAVE OF ABSENCE

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

### LEAVE OF ABSENCE CANCELED

The SPEAKER. Additionally, the Speaker recognizes the presence on the floor of the lady from Luzerne County, Ms. Toohil. Her name will be added back to the master roll call, as well as the lady from Delaware County, Mrs. Davidson. Her name will be added back to the master roll call.

### CONSIDERATION OF HB 2150 CONTINUED

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

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support HB 2150. I would first like to talk about the fiscal impact that this bill will have on the Commonwealth of Pennsylvania. There will be very little fiscal impact on the Commonwealth of Pennsylvania in the year 2013 as well as the year 2014. By fixing the Delaware loophole, it will save the Commonwealth somewhere between \$70 to \$90 million per year. If you take that over a 2-year period, it is a savings of roughly \$160 million to be added to the Commonwealth's revenue. The tax savings in the bill comes out to about \$80 million a year as well for the first 2 years. So the first 2 years, Mr. Speaker, there will be very little fiscal impact whatsoever to the Commonwealth.

To say that because you lower taxes in one category automatically means that you are going to lose revenue cannot be backed by statistics, and I say that because over the last 10 years we have slowly but surely reduced the capital stock and franchise tax in the Commonwealth of Pennsylvania. Back in 2001 the capital stock and franchise tax generated over \$1 billion in revenue. That is when the tax was at 7.49 mills. In 2011 the capital stock and franchise tax rate was 2.89 mills. That tax still generated over \$800 million; a reduction in tax rate of 63 percent but only a reduction in revenue of 23 percent. By assuming that because you reduce the tax there will never be another business that enters Pennsylvania, another sole proprietor that will ever incorporate, but when you look over magazine after magazine, business magazines, tax foundations, KPMG, Pennsylvania ranks 50th when it comes to tax burden; Pennsylvania ranks 39th according to CEO magazine; ranks 27th, the CNBC Special Report.

I will give you a perfect example of why businesses will come here, and I am going to use personal residents as an example. There is probably no other State in America that treats our senior citizens better than the Commonwealth of Pennsylvania when it comes to taxing at the personal income tax level. Our senior citizens do not pay tax on pensions. Our senior citizens do not pay tax on their Social Security. We give

benefits for property tax and rent rebates. And coincidentally, other than the State of Florida, there are more senior citizens living here in Pennsylvania than in any other State in America. So by lowering our corporate net income tax from a national high of 9.99 down to the middle of the pack, roughly 6 1/2 percent, you are going to see businesses come to Pennsylvania. And what happens when businesses come to Pennsylvania? They hire Pennsylvania residents. And guess what? Those Pennsylvania residents, when they receive their paycheck, pay a Pennsylvania income tax, 3.07. They also spend and buy appliances and buy supporting goods and go out to our restaurants, and they pay a Pennsylvania sales tax of 6 percent. So just by saying you lower a corporate income tax does not mean that does not generate revenue. It is proven that the more businesses that come to your State, the more job opportunities there are for your residents.

Raising spending and borrowing is not the way you put Pennsylvanians back to work, and this is what we saw in the previous 8 years, from \$20 billion to a proposed budget of \$29 billion; twice increasing taxes over that period. This is the way we are going to get Pennsylvanians back to work. This is the way they are going to get jobs, by bringing job creators into this Commonwealth. You just cannot take one side of the ledger in order to balance the books; you have to look at both sides of the ledger.

I urge my colleagues to support HB 2150. Thank you.

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

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

Ms. MUNDY. Mr. Speaker, after all these years of austerity and trickle-down economics, if you believe that trickle-down economics creates prosperity, I have got a bridge I want to sell you.

Mr. Speaker, for the last several years now, I have been working with House Democrats to promote tax fairness for the citizens of Pennsylvania by closing the Delaware and other loopholes that too many multistate corporations use to avoid paying a fair share of taxes. And believe me, if HB 2150 truly did what the gentleman from Indiana claims that it does, I would surely support it, but regrettably, it does not. It is nothing more than, as the majority leader said yesterday in floor debate, "a business tax reduction bill." It does not close any corporate tax loopholes; in fact, it adds to the problem by creating new ones. Pennsylvania has one of the highest corporate net income taxes in the nation, a red flag to companies looking to come here. We could lower that rate if all corporations that are currently using these loopholes would only pay their fair share. I will not vote for a bill that claims to close the Delaware loophole but does not. I will not vote for a bill that merely shifts the corporate tax burden to families trying to pay for college, to local property tax payers.

Should the Senate fix the glaring problems with this bill and send it back in better shape, I will reconsider, but for today, I cannot pretend that this bill does anything good for the average hardworking, middle-class citizens and small businesses that I represent. I urge a "no" vote on HB 2150 until we can get it right.

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

On that question, the Speaker recognizes the gentleman from Cambria County, Mr. Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in opposition to HB 2150, because while it is well-intentioned and it does contain a variety of tax cuts that are capable of stimulating jobs, it fails to meet its stated purpose of equalizing the tax burden on all Pennsylvania businesses. For over three centuries this legislature has strived to govern on the concept of equality and fairness, and to the maker of this bill's credit, he has identified the idea that if we provide tax cuts, we will have an opportunity to stimulate jobs. The problem with the bill is that it fails to recognize the most important concept there is when we pass any law, and that is, the people expect us to treat them equally under the law. And equally under the law does not mean anything other than you are required to be treated fairly, or if God were looking at it, would He say that you were being treated impartially?

The whole purpose of the law is stated to be taking all Pennsylvania businesses and putting them on an equal ground, because there is a mechanism in the existing corporate net income tax that says some people would be taxed and some others will not be taxed. That is the purpose of the law. The amendments that have been made to this bill not only do not change that underlying concept, what they do is they say we will have no fiscal impact, all right? So the idea was that you are going to get some taxpayers to start paying who were not paying. Because we are not using the Multistate Tax Commission language, those people are not going to pay any more than they are paying today.

Now, in addition to that, we put in language, \$30 million for the single sales factor. That is \$30 million we have to come up with even though no more money is coming in. Then there is \$3 million, a start for net operating loss, and it goes up to \$155 million by the time they completely phase it out. That is 150 million more dollars that we have not made up.

Now, both of those things are good things to do, but they are not better things to do than phasing out the capital stock tax, which if today we decided that we were going to accelerate it by 1 year, we would not have a capital stock tax by the end of the next fiscal year. We could take the Multistate Tax Commission language, we could put it in place, and we would be able to phase out the capital stock tax by next year. Now, that is a whole lot better than doing four or five other things only halfway, and that is what this bill really does. This bill says we are going to pretend like we are fixing the Delaware loophole, but we are going to start doing other things. We are going to start doing single sales factor. We are going to start doing NOL (net operating loss). Those things are good ideas, but we do not have the money to do them, and the whole concept was, this is going to give us the money to make it fair for taxpayers.

So what I would suggest is this: If you look at the fiscal note, which was not provided when we were discussing the amendments to this bill, and you just accept it for the face value of what it says, it says there is no revenue impact for the next 2 years, okay? No revenue impact. Now, we have had speakers come up in Appropriations that have said, you are going to lose anywhere between \$2.5 billion and \$3 billion if you go ahead and do this, okay? That is not very much different than in 2001 when the legislature was faced with a pension crisis and said, we are going to retroactively change the years of service requirement from 2 to 2.5. Nobody stepped up and said, "No, do not do this. It is going to cost \$29 billion." We are doing exactly the same thing again if we pass this bill, we are just doing it for \$3 billion.

So why do we not just do what the Secretary of Revenue told us to do? He said, in times of fiscal uncertainty, you do not pass a bill like this that makes the revenue estimates even more uncertain. He is telling us that he cannot tell you how bad the estimate for the loss is going to be. So since we did not have the fiscal note until yesterday, since there are at least four different pieces to this puzzle that do not have anything to do with trying to make the tax burden equal on all Pennsylvania businesses, send it back to the committee and fix the problem. If we sent it back to the Finance Committee, we would be in a situation where he could say, here is what the bill actually means; here is how much we are going to lose; here is how much we are going to gain, and we would at least know that we were not creating another pension crisis problem because we do not have the numbers.

The fiscal note says, we cannot tell you what the loss is going to be after the next 2 years. Well, that should be a huge red flag. Every person in this legislature should say, "No, we are not going to do this again. We have done it before. It is a bad idea." Just send it back to the Finance Committee. Have the Secretary of Revenue come in and tell you what it is going to do, and if it is a good idea to have this addback language, have the addback language. If it is a better idea to get rid of the capital stock immediately, get rid of the capital stock. But this is such a huge menagerie of four different tax programs, nobody has any clue as to how much it is going to cost. We cannot keep passing bills that help us in an election year that end up leaving us with a debt for our kids or our grandkids.

Three billion dollars is a lot of money. I am not going to vote for it. I do not think anyone else should.

### MOTION TO RECOMMIT

Mr. BARBIN. I think this bill should be recommitted to the Finance Committee. So, Mr. Speaker, I make a motion to recommit this bill to the Finance Committee to allow the Secretary of Revenue to tell us what the long-term effects of the bill are.

The SPEAKER. The gentleman from Cambria County, Mr. Barbin, has moved that HB 2150 be recommitted to the Finance Committee.

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

The SPEAKER. Is the gentleman, Mr. Turzai, seeking recognition?

Mr. TURZAI. Yes. I would ask all members to please vote against recommitting to the Finance Committee, and let us move forward with this private-sector job-creation stimulus bill. Thank you.

The SPEAKER. The gentleman, Mr. Dermody, on the motion to recommit.

Mr. DERMODY. On the motion to recommit.

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

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, we all know this does not close a loophole and it is no job-creation bill but is punishment for middle-class Pennsylvanians. To send this back to the committee makes sense. Your own Revenue Secretary says it makes sense, because this bill makes no sense for our future budgets for the

next 10 years. To take this much revenue out of our budgets over the next 10 years your own Revenue Secretary says makes no sense. This needs to go back to committee so it can be properly evaluated to see whether any of it does make sense so we can make an intelligent vote.

The correct vote on this bill, this job killer, is to recommit it to the Finance Committee. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the bill be recommitted to the Finance Committee?

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

Mrs. DAVIDSON. Mr. Speaker, thank you.

I am on the Finance Committee and I voted to move this bill out of committee in the hopes that we could tweak it on the House floor, relative to the amendments that did not pass yesterday, including mine, which would have given us an opportunity to look at this bill to see what the revenues actually are. There are projections all over the place. The nightmare scenario of \$2.7 billion by the end of this, the term that we proposed, we cannot afford it. And if we do not know, if we do not know how much this is going to cost our Commonwealth at a time when people are almost rioting in the streets for their school districts, we cannot afford it.

So I ask for an opportunity for us to look at the revenue projections to see what it is going to cost us to be fiscally responsible. I vote and I support moving this back to the Finance Committee so that we can determine how much this bill is going to cost us. Thank you, Mr. Speaker.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Lancaster County, Mr. Denlinger.

Mr. DENLINGER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to the motion to recommit. As the vice-chairman of the Finance Committee on the majority side, I can share with the membership that there has been extensive vetting of this bill, a lot of debate and discussion over the ideas and principles, concepts contained therein. I recognize there are policy differences related to the bill; however, I will not get into those at this point. I do feel, however, that the Finance Committee did its work. It sent forward this bill. It is proper for us to consider it here and vote it here. I oppose the motion to recommit.

The SPEAKER. The question is, will HB 2150 be recommitted to the Finance Committee?

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I made a similar motion to this in Appropriations today, as I mentioned in my earlier comments here about 20 minutes ago, and it certainly, for all the reasons I said at that time, we really ought to bring this back. But I will add something else. In the committee meeting today, one of the staff from the majority committee was explaining the fiscal note and used the term that they use of "dynamic modeling," which, quite frankly, I had never heard of before, and I am not an economist and I am not a C.P.A. (certified public accountant). I tried to get a little more information since the meeting about what exactly that is, and it is a very inexact science. Some of what is in the current bill is based on that. And that is okay, I guess, if it works and comes your way, but are we going to base the next 8-year fiscal reliability of the Commonwealth on something called dynamic modeling that most of us have never

even heard of? You would have to almost be a Ph.D. (doctor of philosophy) in economy to understand exactly what that is and what it means.

We have a lot of questions about this bill, not the least of which deal with the Secretary of Revenue himself and the Governor. And they need to explain to us exactly what it is they mean when they say the nuts and bolts are not correct or when they indicate that the economy is not right for this bill. We keep hearing from the other side about how great this is going to be for the economy, and yet their own Governor has indicated that the economy is not right for this right now; it is not strong enough for it. That only tells me that this bill is detrimental to the economy.

I think all of these questions need to be answered. This bill really is not ready for prime time, and I recommend that we recommit it to the Finance Committee. Thank you.

The SPEAKER. On the motion to recommit, the Speaker recognizes the lady from Philadelphia, Ms. DeLissio.

Ms. DeLISSIO. Thank you, Mr. Speaker.

I rise to support this being recommitted back to the Finance Committee, particularly for the following reason. This uncertainty is very troubling. The Independent Fiscal Office, I understand, is not quite up and running yet. It looks like it is about 50- to 60-percent staffed, has been in operation for a handful of months, but a little later this summer they expect to be fully staffed and further expect a need to have access to the appropriate data from the Department of Revenue, the Department of State, etc., but they would be the most appropriate vehicle to do this type of analysis. And I think given the large amount of dollars that are represented here, the most responsible thing to do would be to refer this back to the Finance Committee, have the Independent Fiscal Office review it at the appropriate time or make sure it is a high priority on their list. And for those reasons, I will be voting to recommit this back to Finance. Thank you, Mr. Speaker.

The SPEAKER. On the motion to recommit, the Speaker recognizes the majority leader, Mr. Turzai.

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

With all due respect, when you do not want to vote on a particular piece of legislation, many people use the procedural ruse of moving to recommit. The fact of the matter is, the fact of the matter is—

Mr. DERMODY. Mr. Speaker, he is questioning the motive; yes. Mr. Speaker?

The SPEAKER. The gentleman will suspend.

I think I have heard that before.

Mr. DERMODY. Well, most of it from this side of the aisle over here, not wanting to vote on bills. However, I believe it is questioning motive here, Mr. Speaker.

The SPEAKER. Excuse me. Excuse me. I meant I think I have heard it from that side, too.

I would ask the gentleman to focus on the merits of recommitment or not.

The gentleman, Mr. Turzai, has the floor.

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

The fact of the matter is, we are here to govern, to make important policy decisions. We have been talking about a better business tax climate. We have been talking about addressing the so-called Delaware loophole. This legislation, HB 2150, offers solutions, offers governing policy decisions, and moves

Pennsylvania in a positive, private-sector job-creation mode. Let us get to the underlying bill, and please vote against recommitting to Finance. Thank you.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Cambria County, Mr. Barbin.

Mr. BARBIN. Mr. Speaker, I rise for the second time to correct the record as it relates to this matter. There are people on both sides of the aisle that are interested in attempting to make the tax system fairer. There are people on both sides of the aisle that are attempting to make the system work for the people. To assume that a vote would be taken because you did not want to vote on a matter is really shameful. The question that should be put on any person when you raise the issue is, how best do you believe that the common good is met for all the taxpayers and all the people that receive services from the Commonwealth? I am telling you today that we can do better than what we have on the floor. I believe today we have a bill that goes out in too many different directions, when we are 2 years away from getting rid of the capital stock tax.

Sending it back to the Finance Committee would allow the Secretary of Revenue to say, you know, all this stuff is crazy. We are going off in too many directions. Let us just take \$200 million that we get from the proper addback provision and let us phase out the capital stock tax. Let us do it. Instead of trying to do four things, let us do the one thing that everybody agrees should be done. We should not have two taxes on corporations; we should have one. If we send it back to the Finance Committee, we can get rid of the capital stock tax, and that will be a signal to people to come in and do business here in Pennsylvania.

So I renew my request on a bipartisan basis that we do what is right for Pennsylvania, not what is right for an election.

The SPEAKER. Is the gentleman, Mr. Reed, seeking recognition on the motion to recommit?

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

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

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

I would oppose the motion to recommit. This bill has already gone through the House Finance Committee and actually came out of the House Finance Committee with a bipartisan 19-to-6 vote, went through the Appropriations Committee. And I would point out that we did go through second consideration on this legislation yesterday. We considered a number of amendments; I believe over 60 amendments to 70 amendments were filed. Ironically enough, although folks seem to today have some concern with the different various tax-cut proposals in the legislation, not a single amendment offered by the minority party attempted to remove any of those tax-cut provisions from the bill. So we did have that opportunity yesterday.

And I would say as well, in reference to the comments made by the Revenue Secretary, it is my understanding that his comments were taken at least relatively out of context. But I would say it is somewhat encouraging that if members on the other side of the aisle would like to follow the Governor on his fiscal policy, they will certainly have the opportunity to do so over the next couple months as we consider a budget proposal.

So I would ask the members to vote against the motion to recommit. Thank you.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Philadelphia County, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

I was going to reserve my comments for interrogation on the final vote, but I think that it is important to at least share some concerns at this point. And that is, my concern runs to how do I go back to my district – Northern Liberties, Kensington, Feltonville, North Philadelphia, and other neighborhoods of my district – and say to them that I am being asked to vote "yes" or "no" on what has been labeled as a "job-creation stimulus bill?" The last time I heard that, I heard that from the Honorable Barack Obama. But I heard it tonight, and I kind of understood it when the President used it, but I do not understand what it means tonight.

And, Mr. Speaker, I know that when we look at these policy questions, it is impossible to answer these questions with certainty, but we should be able to answer them with some level of predictability. And, Mr. Speaker, as of right now, on this day, this hour, in this august body, there are no predictable indicators to show that there will be job creation, job retention, job expansion, and there will be no unnecessary burden on the people of Northern Liberties, Kensington, Feltonville, Yorktown, West Poplar, East Poplar, and other neighborhoods of my district. We cannot answer that with any evidence or documentation or predictability on how this runs to job creation or avoidance of an unnecessary tax burden on the people of my district and Philadelphia County. And so to that end, Mr. Speaker, at a minimum, at a minimum, the train will not blow up, the train will not be disrupted if we refer this to the Finance Committee. And I remember last term we had a real struggle about the need for creating this independent audit review or this independent budget review. It went to the Senate, went to the House, went back to the Senate, and we finally resolved that there will be some independent review of some of these policies that have revenue and taxing consequences. And so, Mr. Speaker, this does not seem to be problematic to send this back to the Finance Committee or to the independent budget review committee in order to give us a clearer picture.

For me, when you tell me that I am creating jobs, I need some predictability of what those jobs are, where those jobs will occur, and the circumstances under which those jobs will exist. Not just in Philadelphia County, but we have counties all over the Commonwealth that are facing structural unemployment and underemployment, and so any time we have an opportunity to talk about job creation, we need to know what we are talking about with some level of predictability, unless we are in a position to talk about something with certainty. And the Appropriations majority chairman, I agree with him, that sometimes it is impossible to get to certainty, but at a minimum, we should be able to get to predictability.

And so to that end, I encourage my colleagues on both sides of the aisle, because this is one of those issues that does not come down to "D" or "R" or "I" or "NR" or whatever your label might be. This is one of those issues where we need to be in sync on making sure that we know what we are doing. So to that end, yes; send it back to the Finance Committee and let us get some predictability about the immediate and long-term consequences of HB 2150. Thank you, Mr. Speaker.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

As a member of the Finance Committee, I believe that we had tried to do our best to vet this bill. As many of the members

have spoken on other issues, they wanted these things done in committee and I think we did that. As a previous speaker said, the bill did come out in a bipartisan manner. Amendments were offered; some passed, some failed. For us to sit here today and just say, "We do not like this or it is not good enough; let us turn it back to the committee," to me kind of shirks our responsibility. We have the option today to vote "yes" if you support it and "no" if you do not. But every time we do not like something, to kick it back to another committee, to me, just kicks the can down the road on an issue that we have heard from both sides of the chamber for year after year after year. Many people wanted to close the so-called Delaware loophole on both sides of the aisle when they were in power; nothing happened. The reality is, this is the first bill that has come out of committee, has come to the floor and given each of us as members duly elected to represent our people, to vote "yes" or "no" on a proposal to make these changes.

The reality is, some of the tax reductions in here will eventually allow businesses to hire more people, create more jobs, let those individuals pay taxes and help stimulate our economy. The government does not create jobs, business does. And if we truly want to boost our economy and try to get our friends, family, and neighbors back in employment, this is the first great step.

Do not kick it back to committee. Vote "no" to recommitment and then give yourself the opportunity to represent your people. If you are for the bill, vote "yes," if you are not, then vote "no." Thank you.

### LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence of the gentleman from Huntingdon County, Mr. Fleck, on the floor. His name will be added back to the master roll call.

### CONSIDERATION OF HB 2150 CONTINUED

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Allegheny County, Mr. Markosek, for the second time.

Mr. MARKOSEK. Thank you, Mr. Speaker.

I get up again I think in most, in my mind anyway, I am just trying to put my hands around this issue. I see two issues here. I see the Delaware loophole and then a barrelful of other loopholes. I think that recommitting this to Finance and doing whatever is appropriate, relative to the process and the legislative rules, etc., to separate out the Delaware loophole – which I think would pass pretty handily, probably in a bipartisan nature – and set aside that big bushel, barrelful of all of these other loopholes, many of which are based on speculation and many of them which are based on some science that I am not sure even works and most people here do not understand. I do not think it has to be this difficult. You know, maybe we ought to just try to do it the simplest way: Send it back, let us get a measure on the floor that deals with the Delaware loophole and set all the other stuff aside and have our debates and bills put in and everything else. And maybe some of those will pass, maybe some will not, but it all just seems like we are doing this in a very, very complicated fashion just for expediency, and I am not even sure whose expediency it is,

because the Governor does not seem too excited about it and the Secretary does not seem to be too excited about it.

Thank you, Mr. Speaker.

The SPEAKER. On the motion to recommit, the Speaker recognizes the gentleman from Clinton County, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the motion to recommit. Mr. Speaker, recommitting and holding a public hearing or hearings in light of the new evidence which has surfaced in the last 2 days is not procedural, that is just smart legislating. What new evidence has surfaced? As a result of the bill being amended, we now have competing fiscal notes, both of which acknowledge that the bill costs us money over the long term of the bill. But they still come up with competing amounts, so we have two competing fiscal notes. That is new evidence that warrants a public hearing that the Finance Committee could hold.

What other new evidence do we have? We now have a quote from the Revenue Secretary, from the administration, which quite frankly is very, very clear in saying, "...frankly, in a period when revenues are sensitive and budget challenges are great, the timing is not right to enter into a new program in tax reform that can create uncertainty...." To paraphrase, the Revenue Secretary is telling you that he has now had an opportunity to review your proposal and that he does not believe that the timing is correct for doing it. That certainly is a clear indication that a Finance Committee hearing, where he has an opportunity to address his concerns, testify before the committee, address his concerns, is in order. So, Mr. Speaker, it just makes sense. It would be good legislating at this point to send it back to the Finance Committee, to deal with this new evidence, to deal with the competing fiscal notes, and to deal with the administration's deep concerns with this proposal.

So, Mr. Speaker, I urge everyone to rerefer this to the Finance Committee so that that new evidence can be reviewed and analyzed and considered before we move forward with something which could create great uncertainty for our budgetary concerns. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-78

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

NAYS-108

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

NOT VOTING-0

EXCUSED-10

Cohen	George	Hess	Roebuck
Davis	Gerber	Murphy	Swanger
Frankel	Grell		

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

On the question recurring,  
Shall the bill pass finally?

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, would the majority chair of Appropriations or the majority chair of Finance stand for interrogation?

The SPEAKER. One moment, please.

The gentleman from Delaware County, Mr. Adolph, indicates he will stand for interrogation.

The gentleman, Mr. Thomas, may proceed.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, let me just say upfront that I have a lot of respect for the majority chairman of Appropriations. I think that when he says something, he knows what he is talking about. And so, Mr. Speaker, help me to be able to go back home and talk with some degree of predictability. What is it in 2150 that will provide or will result in job creation? Where, when, and under what circumstances? And if it is possible, only if it is possible, I have a population of young people between 18 to 24 years of age in my district, some of them with degrees, that are unemployed. I have a population of folks in my district who are structurally underemployed. They are without the skills necessary to participate in the current job market. And overall,

there is a lot of transformation that is going on in terms of businesses and jobs. And so to that end, help me, tell me, what can we expect from 2150 if it becomes law on the issues of job creation, retention, and expansion?

Mr. ADOLPH. Thank you, Mr. Speaker, and I certainly appreciate the kind words you had.

Basic taxation policy, when you are trying to attract businesses – and I am going to use ConocoPhillips' sale that just happened this week in Delaware County, a sale of a refinery that could not make ends meet for various reasons – overregulation, tax policies – which at times we were told by the management down there tied their hands in order to make the necessary changes to upgrade their facility. As a result of this, ConocoPhillips made a corporate decision to close that facility. Delta Air Lines made a decision, a unique decision that received nationwide coverage, to buy the facility so they can refine jet fuel. This administration stepped forward, and through the behind-the-scenes work of the Secretary of DCED (Department of Community and Economic Development), Secretary of DEP (Department of Environmental Protection), along with the Governor's action team, local, county, and State officials, put together a tax package. I am sure you supported that KOZ (keystone opportunity zone) legislation that came over from the Senate. Four hundred jobs will come into that refinery. These are new jobs, and I will tell you why they are new jobs, because ConocoPhillips is closed.

Come September 1, 400 Pennsylvania residents are going to be working in that refinery. When Delta Air Lines officials came to my office and talked about tax policy, that KOZ legislation had a lot to do with it. The corporate tax structure that we have here in Pennsylvania is ranked anywhere between 35 to 50, depending on what business magazine you want to read. By lowering taxes, it gives companies the ability to use their profits, number one, to hire employees and expand. Expanding businesses are good for Pennsylvania. Jobs are good for Pennsylvania. You cannot hire folks when your corporate tax rate is one of the highest in the nation, if not the highest. By lowering your corporate tax rate, that will generate new jobs. Those employees that get hired, and I use Delta Air Lines as an example, will be paying Pennsylvania income tax, 3.07. They are now collecting an unemployment check. When they are back to work along the riverfront there, they are going to go to breakfast, they are going to go to lunch. When they work overtime, they are going to go to dinner. They are going to pay the 6-percent sales tax. This little, small business diner that is located in Marcus Hook, Pennsylvania, which was afraid of losing 70 percent of their customers now has a chance of survival.

When you lower taxes – because we have the employees in southeast Pennsylvania and throughout the Commonwealth of Pennsylvania. They want to work. We have to give them an opportunity to find a job. HB 2150 gives those folks an opportunity to find a job. I was so proud to stand there with both Republicans and Democrats and management and labor just yesterday. We made that happen. We put \$30 million of hard-earned tax dollars from the Commonwealth of Pennsylvania into that deal to make it work.

Mr. THOMAS. Mr. Speaker—

Mr. ADOLPH. That is how it works.

Mr. THOMAS. I hear you. And I had a chance to catch some of the news flash, and I heard the Governor, and I heard some of the other people. And so going back to my original question,

because I know that 30 million of taxpayers' dollars are going into the ConocoPhillips deal. I know that 400 people who lost jobs will be able to come back and work, but the last time I checked, and maybe you can help me, a large number of those 400 people are not necessarily Pennsylvania residents. Some of them are in Pennsylvania.

Mr. ADOLPH. A majority— I hate to interrupt. When I met with the Delta Air Lines officials just last week, the majority of those that will be applying for those jobs and coming back are Pennsylvania residents. Now, when you live in a tristate area like we do and you can go to the State of Delaware in 15 minutes and the State of New Jersey by crossing the bridge there, you are obviously going to have tristate employees.

Mr. THOMAS. Mr. Speaker, that is true, but I guess what the good homeowners and workers and people of the 181st, what they say to me is, Representative Thomas, yes, I heard the Governor talk about the \$30 million investment, and I heard about the ancillary other benefits associated with this \$30 million investment, which could probably end up getting close to a \$100 million investment. And I am glad that the 400 people are coming back to jobs, but within the context of HB 2150 and the people of Philadelphia County that have been out of work for more than 6 months, businesses in the 181, people in the 181 that are structurally unemployed without skills, how does the ConocoPhillips deal and HB 2150, how will it impact that, that reality, because that is a reality that I look at every day that I drive back and forth to Philadelphia County? The unemployment in my area of Philadelphia County, and I know probably in Northumberland County it is also problematic. How do we say HB 2150, with a flag over the ConocoPhillips deal, how would that improve the lives of those folks who are suffering?

Mr. ADOLPH. The basic rule when you lower your tax rates, it gives an incentive to those job creators, those employers, to take a look at this Commonwealth of Pennsylvania, because we have the universities, because we have the workforce. Our energy cost has been decreasing as a result of the natural gas industry coming. This will be another asset as we phase out the capital stock and franchise tax, which as you know, Mr. Speaker, is not a tax on profits; it is a tax on assets, which stifles job creation. You can lose money and still owe taxes.

As a small businessman, I saw many times – and I had small businesses, mom-and-pop businesses throughout the Philadelphia area – I saw firsthand when a county or a city would raise taxes, a mercantile tax or a business privilege tax on that business. Before long that business was looking for another location. Well, that same process also works when you lower taxes. And I am sure, and I am sure, because I know folks that live in New Jersey and live in Maryland, and when they retire, they would like to move to Pennsylvania. Why? Because of our taxes for senior citizens. You have to trust the system of free enterprise. And when you give the job creators the ability to create jobs and not stifle them with the highest corporate net income tax in the nation, those jobs will come to your district, and those folks will be employed. What Delta Air Lines is going to do, we are so excited about that. If you are going to refine the jet fuel at their location, do not be surprised if they are not down the road looking at Philadelphia as one of their major hubs. I know you are familiar with all the jobs that are at the airport. You do not have to have a Ph.D. to work at the Philadelphia Airport. You can be a mechanic. You can work the luggage. You can work the sales lines. Another major hub to the

Philadelphia area would be wonderful. Watch it work. Trust the system. It works all the time.

Mr. THOMAS. Mr. Speaker, I have concluded my interrogation, and I have just some closing comments.

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

Mr. THOMAS. Mr. Speaker, to the majority chairman, he did a good job. I just still cannot take it back to where I come from. Mr. Speaker, I have been here for 23 years, and the desire to be here for 23 years has not been an easy route. It has been a difficult route. But, Mr. Speaker, during that 23 years I have watched more and more corporate welfare and people punishment. Every time we see benefits, we end up spending money in the wrong direction. One of our most prized possessions in Pennsylvania is our people, and that is all of our people. And we have probably more than our neighboring States, have more college-degree graduates that are unemployed, and we cannot connect the dots. We can engage in regressive-type policy decisions, but we cannot connect it to the people, the young people graduating from Temple, from La Salle, from St. Joe's, from the University of Pennsylvania, that are unemployed after having spent almost \$100,000 to get the paper. And then on top of that, we have this rising population of young people who could not get into college but went on to try and develop a trade or try to make a living, but the opportunities are not there.

I am not young enough or old enough to say that these ConocoPhillips opportunities are good only for a select group of people. I am always optimistic about the benefits arising out of opportunities like ConocoPhillips, but at some point, at some point, we as a body — Democrats and Republicans, Independents, nonregistered, members of this General Assembly — at some point, we have to connect the dots so that we make sense out of the decisions that we make, because we have too many people. This State should not have the third highest level of poverty in America. This keystone, this beautiful State should not carry that label when we talk about the kinds of deals and tax policy that we are engaging in. If we are the star of the east, then we need to act like it with the business that we do, and right now we cannot do that. I cannot tell those young people at Temple University — and they are wearing my BlackBerry out today saying to me that the affordability and accessibility to higher education will be nonexistent if we adopt the Governor's proposed budget. They are saying to me that it almost looks hopeless for their future.

And so, Mr. Speaker, I applaud you and the others who crafted HB 2150, but, Mr. Speaker, to somebody like me, it just looks like voodoo, because I cannot connect the dots in a way that I can make sense out of 2150 to the people that I represent. I cannot even make sense out of it for people that I do not represent, let alone those that I do represent. It is complicated, convoluted, unpredictable, uncertain, and the consequences are as speculative as the so-called benefits. And so to that end, I do not have anything that I can take back, but I am hoping that in our conversation, whether HB 2150 passes or fails, let us all make a commitment today to do something about a structural problem in our great State with the best prize that we have, which is our young people and our institutions of learning and our small businesses. I do not know of any small businesses in my district that are going to benefit from HB 2150. And if it does, I cannot explain how it connects with those small businesses on Broad Street, Girard Avenue, Fifth Street, especially those who came to this great State from other

countries believing that there was hope and believing that there was a chance.

Before all of this is over with, we have to connect it in a way that it makes sense. The conditions of the people will not change until the people change the conditions within themselves. It is from the inside that we can do something about what is happening on the outside. So to that end, we cannot go forward with this or anything else unless we can find a way to connect the dots and make sense out of what it is that we are talking about.

Thank you, Mr. Speaker. I hope I have not taken too much time.

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

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

Mr. DENLINGER. Thank you, Mr. Speaker.

I appreciate the opportunity to make a few comments on HB 2150, and I appreciate the nature of the discussion, the debate that we have had thus far. I think it is constructive and positive to debate something that really I never dreamed we would face on this floor. For the whole time that I have been in office, going back some years, frankly, it was the other side of the aisle that raised the issue of the Delaware loophole. And the idea that we are even considering that here today is a very significant and I would say even historic step for this whole chamber. We face today the concerns over the tax strategies of certain C corporations and the ability to shift revenue and the taxation thereof to other places, and we come realizing that one person's loophole is another person's carefully considered, carefully devised tax strategy. But this takes the majority caucus to a different place than we have been before, and I think it is a very worthy debate that we take up. It is at times unusual to see one side challenge those certain sacred cows, we will say, within its own governing structure.

Today we consider challenging the status quo. We consider challenging long-held tax policy benefits that have been held by a few. And, Mr. Speaker, frankly, it took me some time to warm up to this idea. When the prime sponsor of this bill came forward with the Delaware measure, I opposed it for a period of time, but frankly, Mr. Speaker, he won me over based on the economic arguments that are behind his piece of legislation. Mr. Speaker, I stand here as a pro-business legislator, someone who has, frankly, very high rankings with those outside agencies, the chamber, other groups that are very central in our nation's economic life and the economic life of Pennsylvania. But sometimes, Mr. Speaker, we need to take bold steps, I believe; bold steps based on sound economic logic to strengthen, and yes, Mr. Speaker, to reform the business environment of our Commonwealth. Sometimes, Mr. Speaker, those steps need to be taken even if it means challenging the status quo of one's own support base.

Our goal in moving this legislation forward, Mr. Speaker, as expressed capably by the prime sponsor, is to level the playing field, to take away some of those cherished tax policy line items in law, and thereby lower the rate and level the playing field and open up economic opportunity for a broader cross section of our State's businesses. I hope my colleagues on both sides of the aisle will join me in this bold step, taking this bold step forward to level the playing field, and again, let the free marketplace, the free enterprise system decide who is going to win and who is going to lose. Let the marketplace sort that out and not let tax lawyers and tax strategists be the ones who make those

decisions. Let us let the marketplace rule and the marketplace decide.

Mr. Speaker, it is a challenge to face this issue in certain ways, but I think it is a bold and courageous step and an appropriate step for this Assembly. I strongly encourage my friends, my colleagues on both sides of the aisle, to step forward in this bold way with us and cast an affirmative vote for HB 2150. Thank you.

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

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

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

I wonder if I could ask the Appropriations chairman for brief interrogation? Is the chairman here, sir?

The SPEAKER. He must have stepped off the floor for a moment.

Mr. PASHINSKI. The Finance chairman may be appropriate.

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

Mr. PASHINSKI. Thank you very much, and thank you very much for standing for interrogation.

Just to bring this whole discussion back, the idea here, I believe, is that we are trying to balance out fairness. Most of the people that have a job, their taxes are automatically taken out of their paycheck. They do their duty, they file their taxes, and as a result, those taxes then go to pay for the other things that we need in Pennsylvania.

The idea behind closing the loophole, I believe, the Delaware loophole, was to make sure that we had Pennsylvania companies that were doing business in Pennsylvania that set up a corporate mailbox in Delaware to circumvent paying their taxes here in Pennsylvania. That was the purpose of eliminating the Delaware loophole. So it was not to stifle business whatsoever.

In addition to that, the idea was Pennsylvania had the highest corporate net income tax at 9.9 percent, and to make sure that we balance this, we all agree that we should reduce Pennsylvania's corporate net income tax from 9.9 percent down to our 6.9 percent. We all agree that by doing that we have an opportunity to attract more business to Pennsylvania and make it a more business-friendly climate. Would you agree to that?

Mr. BENNINGHOFF. I think that is the overall goal of the bill, is to make a business-friendly climate, absolutely, by reducing the rates.

Mr. PASHINSKI. And we are in concert on that. Both sides of the House definitely want to bring business to Pennsylvania. We want to be fair to business in Pennsylvania, but we also want to make sure that everyone pays their fair share.

Now, yesterday I had asked several questions, and we never really got to the bottom of it, so I am hoping that we are able to get that answer out today.

If we were to approach this, as the gentlelady from Luzerne did, by doing the combined reporting and lowering the corporate net income tax over that 8-year period, what was the net gain for the people of Pennsylvania and for the revenue of the State of Pennsylvania?

Mr. BENNINGHOFF. I think we are here answering questions specific to this bill and not combined reporting.

Mr. PASHINSKI. Okay. Then let us take this bill. In this bill you have presented a 2-year projection, and then beyond the 2 years, we have heard, we have received several estimates that the total loss of dollars, if everything stayed the same, if all the

businesses remained where they are – no one left, no businesses came in – if we reduced our corporate net income tax from 9.9 down to 6.9, and over that 8-year period, the estimates have been a loss to the revenue of Pennsylvania of \$2.5 to \$3.3 billion; that is what I am trying to find the answer for.

Mr. BENNINGHOFF. If I am listening to you correctly, I think you are only talking about part of the equation, too. Part of the goal is to be changing the overall atmosphere in Pennsylvania business, and as we reduce this burden, we get these companies to pay what it is that is owed to the Commonwealth. They are also having the ability to then reinvest money to be hiring more employees, who ultimately pay other taxes in our Commonwealth, and therefore, the Commonwealth's economics balance out by those revenues coming in versus the taxes that may have been paid out.

Mr. PASHINSKI. And I appreciate that and I totally support that basis, because I, as you do, believe that if we are going to lower the corporate net income tax, as we are all suggesting, we are going to inspire more business, more entrepreneurship, and possibly attract more people in, and that hopefully will balance it out.

But I am still looking for the answer to the question that I had asked yesterday; I ask it again today. And the reason I ask the question is, if we are going to make a law that is going to remove \$2.5 billion from our State revenue, that has to be made up somewhere, and I do not know where you are going to make up \$2.5 billion, and that is what I am asking you. Please clarify those numbers.

Mr. BENNINGHOFF. I think you have to look at history, and we see when we have lowered the capital stock and franchise tax in Pennsylvania, our other revenues have come up. If you look through the Reagan years, I think it was eloquently spoken yesterday, by his tax policies, reducing the rates, it gave the country some of the greatest economic boom ever, and I think that is the overall goal to do this. You are only looking at the reduction, but I do not think you are looking at the stimulus that is going to occur in the economy otherwise.

Mr. PASHINSKI. I agree with you. I agree with you, Mr. Speaker; I really do. I believe if we lower the corporate net income tax and we were to close the Delaware loophole, I believe we would spur new growth, new growth in business. We would attract other businesses here to Pennsylvania.

But my question was, if we maintain – and those of you that are sharing your information with the chairman – if we maintain the same business climate we have today and reduce the corporate net income tax from 9.9 to 6.9, the question is, what will that do to the overall income of those business taxes? And if you are reducing it from 9.9 down to 6.9 in 8 years, that means you are reducing the amount of income to the State of Pennsylvania. You are balancing that out with new growth and potential new growth and potential new businesses coming in paying 6.9 percent.

Mr. BENNINGHOFF. And I think history has shown that that is what will happen and that is our anticipation, but you are saying that the environment stays the same. It cannot be staying the same if we are reducing the rate. The whole goal is to try to make Pennsylvania attractive to our neighboring States. Right now when people look at us, whether they are in State or out of State, they have to deal with two corporate taxes. It makes us very unattractive. By lowering the rate alone changes from what we are currently doing. So you cannot say that the atmosphere is still the same.

Mr. PASHINSKI. Okay.

Mr. BENNINGHOFF. Lowering that rate makes us different, makes us more competitive, and makes us a heck of a lot more attractive—

Mr. PASHINSKI. Then I am with you.

Mr. BENNINGHOFF. —to other businesses, sir.

Mr. PASHINSKI. I am with you and I agree with you, and I understand that by lowering the tax rate, I understand that that whole business climate will change.

I will wait until the chairman is listening.

Mr. Speaker?

Mr. BENNINGHOFF. I apologize.

Mr. PASHINSKI. No; that is quite all right.

Mr. BENNINGHOFF. To be able to hear both debates.

Mr. PASHINSKI. All right. Here is the point that I am making to you, sir, and to the rest of the members of our House. I agree and I understand the concept, as do all of us in here, that if we lower the corporate net income tax, we are going to create a better business climate, more businesses will reinvest, and we will have a better potential of attracting more businesses to Pennsylvania. I agree.

Mr. BENNINGHOFF. Then let us both vote for it.

Mr. PASHINSKI. The point that I am making to you, sir, is under HB 2150, by reducing from 9.9 to 6.9, not knowing what the variable will be, there will be a loss of income to the State of Pennsylvania of between \$2.5 billion and \$3.3 billion. If we went with combined reporting, as we had tried to get across here, we would have had an overall net gain of \$580 million with no loss of revenue and still the same potential of business growth. That is the difference, and that is why HB 2150 is still a wing and a prayer, because we are hoping that we are going to be able to attract enough people, attract enough business that we are going to be able to make up that difference of \$2.5 billion to \$3 billion.

And I thank you very much. I have concluded my interrogation, and I will speak on the bill. Thank you, Mr. Speaker.

Mr. BENNINGHOFF. If I may, just a quick response, Mr. Speaker.

The SPEAKER. The gentleman may respond.

Mr. BENNINGHOFF. Thank you.

Briefly, I just wanted to say thank you much for your diligence on the questioning. I think there may be just some—I do not want to argue you in your numbers and what you feel maybe those overall losses are going to be, but I think the fact that we have a consensus between each other and members here that this is about job creation, this is about stimulating growth, stimulating our economy, why would we not want to do this?

I think it is important that the people of Pennsylvania know that we are changing things here in Pennsylvania. Many of you have wanted to address this for many years. Here is the opportunity to do this. History has shown over and over and over, when you reduce the rates, the income will come in through other avenues, and frankly, I am less concerned with the money that the government is going to have to spend versus putting money in the public's pockets and those workers in Pennsylvania through their new employment, through the gentleman from Philadelphia who was worried about getting some of his constituents employed.

Businesses have told us time and time again on some of the visits we have had, whether it is through the Finance Committee or as individual members, they are not looking for handouts.

They are not asking us to give them grants to create jobs. They are asking us to quit taxing them to death, quit regulating them to death, and they will do their job at creating more jobs, because that revenue will be there for them to do that. And I think you and I share that common interest, and I would ask you to give us that opportunity by voting and supporting 2150. Thank you.

The SPEAKER. The gentleman, Mr. Pashinski, is in order on the bill.

Mr. PASHINSKI. Thank you very much, Mr. Speaker, and I do appreciate the chairman's comments.

There is no doubt that by reducing the corporate net income tax, the potential for growth on the business side is great, and if history does repeat itself, and we certainly hope it will, there will be improvements and more businesses will come to Pennsylvania.

The clarity that I attempted to establish here in my questioning was to show the difference between losing \$2.5 billion to \$3.3 billion before you can make up the difference with the new revenue of the new business, as compared to the proposal that the gentlelady from Luzerne County made, where we would have a net gain of \$580 million plus the new income at 6.9 percent of all the new businesses that would come to Pennsylvania. This is a major contrast between both bills, and as a result, I have no other choice but to vote against 2150, because it does not do what the intent was. The intent was to have Pennsylvania businesses pay their fair share by establishing their main office in Pennsylvania and not avoiding that amount of taxes.

It is our patriotic duty for all of us to pay a fair share to provide the kinds of services that all of us take advantage of, require, and need to maintain our quality of life. Although it is a great attempt forward and many will be able to say, "I voted to close the Delaware loophole," in the hearts and minds of people over time, the truth shall permeate through and it will establish the fact that this was not closing the Delaware loophole and it did not establish what everyone attempted to do.

I thank you, Mr. Speaker, and I request everyone vote "no." Thank you.

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

On that question, the Speaker recognizes the gentleman from Clinton County, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to HB 2150.

Mr. Speaker, it is clear to me after yesterday's debate that the majority party is even uncertain what this bill is trying to accomplish. While the prime sponsor of the bill said one thing, the majority leader contradicted him by saying the main intent of the legislation is not really about closing the Delaware loophole but rather it is about corporate tax cuts. So let us be clear about that point upfront: This bill is not about closing the Delaware loophole; it is about giving huge multistate corporations a tax cut while the average mom-and-pop small business on Main Street receives nothing.

The cost of this bill was made even higher due to an amendment that was adopted yesterday which removed language dealing with the vendor discount that was added by the gentleman from Erie County in committee. Now more than 80 percent of Pennsylvania corporations would not have if—Originally, under the gentleman from Erie's amendment, more than 80 percent of Pennsylvania corporations would not have been affected by the vendor discount cap, because their annual

taxable sales would not reach the half-million dollar threshold. With that tax fairness provision now gone from this bill due to yesterday's amendment, HB 2150 will result in a net loss to Pennsylvania taxpayers starting next year and growing exponentially in future years. That takes the cost of this corporate tax giveaway bill to over \$3 billion.

Mr. Speaker, I am further concerned why the majority party is pushing through this unnecessary and costly \$3 billion measure when Governor Corbett's Revenue Secretary was quoted yesterday saying the administration opposes the bill. The Revenue Secretary's quote from that article is very clear. It says, "Frankly, in a period when revenues are sensitive and budget challenges are great, the timing is not right to enter into a new program in tax reform that can create uncertainty." Let me repeat the end of that, "...the timing is not right to enter into a new program in tax reform that can create uncertainty." Mr. Speaker, I do not often say this, but I have to agree with the Corbett administration on this one.

We are spending considerable time this week talking about a piece of legislation that not only does not accomplish what it claims to be doing, but it will cost the Commonwealth \$3 billion over the next 8 years, and the Corbett administration said the time is not right for it.

Mr. Speaker, rather than cutting taxes for large multistate corporations, we should be working on a plan to repair our crumbling roads and bridges. Doing that would not only create thousands of good-paying jobs, it would address the number one public safety issue in this Commonwealth.

Mr. Speaker, I encourage a "no" vote on HB 2150. The small businesses in my district and the taxpayers across Pennsylvania simply cannot afford this multistate corporate tax giveaway. Mr. Speaker, I urge a "no" vote on HB 2150. Thank you, Mr. Speaker.

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

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

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, as we have heard time and time again, this bill does not close the Delaware loophole. We also heard many, many times that our estimates, at least, say that this bill will cost Pennsylvania's taxpayers \$3.3 billion over the next 8 years. Mr. Speaker, at a time when we are cutting higher education by 50 percent, making it harder and harder for the children of working families to be able to go to college, to access a good quality education here in Pennsylvania, we should not be giving \$3.3 billion back to some of the wealthiest corporations in the world.

Over the last 2 years we will have cut public education by over \$1 billion; 14,000 school district personnel have been laid off, property taxes are going up in school districts across the Commonwealth, and school districts are charging fees to participate in extracurricular activities, and we are here today and you want to vote on a bill that gives \$3.3 billion back to the wealthiest corporations in the world.

These last two budgets will cut human services in an unprecedented manner. Programs for senior citizens, the disabled, children, will be cut and cut drastically. We are balancing this budget on the backs of the most vulnerable citizens in this State, and we are here today to vote on a bill that gives \$3.3 billion back to the richest corporations of the world. Two hundred thousand children have been kicked off Medicaid,

and here we are giving \$3.3 billion back to the richest corporations of the world.

Yesterday a bill or an amendment that would have given tax credits to cats and dogs did not violate the single-subject rule and we were allowed to debate and vote that amendment. Today the majority leader says Democrats are trying to duck tough votes because we tried to recommit this bill to the Finance Committee to make some sense of it. Only yesterday we had three or four amendments that would have given every Pennsylvanian a break on their property taxes, but we were out of order, they were out of order, those amendments were out of order. We were not allowed to talk about property taxes for regular property tax cuts for everyday Pennsylvanians – regular, hardworking Pennsylvanians – but we are here today to talk about giving \$3.3 billion back to the richest corporations in the world.

This is not about tax fairness. If it was about tax fairness, you would have voted for Representative Mundy's amendments that would have implemented combined reporting, you would have closed the Delaware loophole, and you would have made all of those corporations pay their fair share. They should pay their fair share. They should be part of our plan to help the folks of Pennsylvania, educate our children, take care of the most vulnerable citizens in this State. That is not about what we are doing here today.

Mr. Speaker, what we should be doing is addressing the needs of real Pennsylvanians. We should be working together to make sure that these budgets, that our Tax Code, and our tax policy make everybody pay their fair share so that we can do the right thing for all Pennsylvanians. That means you must vote "no" on HB 2150. Thank you, Mr. Speaker.

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

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

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

Family-sustaining jobs. I would ask each of you to think about your neighbors and to think about those families where the parents are working hard each and every day, and in fact they are contributing to their communities, because not only are they working and have a family-sustaining job, but they also are the ones who are helping the Little Leagues and they are helping the YMCA and the United Way and their churches. They are the same individuals that are making sure that their customers are well taken care of in a market economy yet they have to compete with other businesses in this State, in this country, and in the world, and they are relying on those family-sustaining jobs to be able to do their best for their family and for their community and for their church. And guess what? Those people work for companies, for businesses, because the fact of the matter is, good jobs in the private sector make it work. They allow us to help those out in need. They allow us to take care of our kids. They allow us to make sure that we are doing something meaningful for our community, and also to be a part of a market economy providing a good product and a good service. If you want a flourishing economy, you want a flourishing private sector where entrepreneurs and employers start up here, stay here, expand here, locate here, that is a good thing.

Now, we all know those in unfortunate times that have had to in fact accept unemployment compensation or maybe even had to rely on the State with respect to welfare, but many of those folks, what they really want is the ability to take care of

themselves and to take care of their families and to contribute to the economy and to contribute back to their communities and churches, and what they want is a private-sector family-sustaining job so that they know that they are doing good. And they are often proud of the companies that they work for and the services and the products that they produce.

So in the end, the bottom line is this: What can we do to make Pennsylvania job-friendly? How do we make Pennsylvania, in a global competitive environment, a great environment for those employers to flourish? Well, when Pennsylvania gets ranked 50th, the worst in the nation, in employer tax burdens, according to the Location Matters report by the Tax Foundation in KPMG, you probably need to do something. When Pennsylvania is ranked 39th overall out of 50 States, according to the CEO magazine's Best/Worst States for Business, then you probably need to do something. When Pennsylvania is ranked in the bottom for businesses and careers in Forbes magazine, you need to do something, because we want the private sector to flourish. It helps our families. It helps our communities. It helps our churches.

Now, our focus has been on private-sector job creation, and that includes making a fair but competitive employer tax rate environment. That is what we need to do and we all know it. We all know it. And when you have the highest corporate net income tax rate in the nation – yes, Iowa is the only other State that has it higher, but it is graduated. Pennsylvania is right across the board at 9.99 percent – you probably need to do something.

There is this thing called net operating losses. When the Federal government and 45 out of 47 States allow you to use those losses against your profits uncapped and you are only 1 of 2 States that actually caps it, hurting manufacturing companies like U.S. Steel or technology companies that are starting up throughout our State, you probably want to try to change it so that they can employ more people and they can flourish in a global economy. And when you have a tax rate that takes into account not just sales but your payroll located in this State and your assets located in this State, guess what? You probably ought to do something.

Now, we just came into the majority this session. We have been in the minority the prior two sessions, for 4 years, and we have heard a lot of rhetoric about the Delaware loophole and about helping jobs, but we did not see much action.

Let me just say this: We have reformed our utility infrastructure so we can have new pipeline, new electric lines, and we can do it by letting private-sector jobs expand. We actually addressed our growing natural gas industry to create additional regulations that are appropriate, and we applied an impact fee so that we can have predictability and stability to let that industry flourish, providing average jobs of 75,000 or more. We did tort reform with the Fair Share Act. We brought equity to the unemployment comp system so that people actually have to go out and look for a job while extending benefits, and we helped small employers by adopting workers' compensation opportunities for sole proprietors. And with respect to the housing industry that needs the opportunity to start up and expand, we repealed the mandatory sprinkler mandate and reformed how the building code is to be changed in the future.

This important legislation is part of a private-sector jobs, jobs, jobs package so that moms and dads throughout this State can have personal dignity and take care of their families themselves. We in fact, over time, removed the cap on these net operating losses—

The SPEAKER. Will the gentleman suspend for a moment.

### POINT OF ORDER

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

Mr. VITALI. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state his point of order.

Mr. VITALI. The majority leader is just going down the Republican agenda, with sprinkler systems and Marcellus Shale and on and on. It is not on the bill. I would ask that he be directed to speak to the bill.

The SPEAKER. Certainly I would not disagree that the majority leader may have veered a little bit away from the pure subject of the bill. It has been the practice of the House to give the floor leaders a little bit of leeway. So I take your question seriously and would ask the majority leader to refocus on the bill.

Mr. VITALI. Thank you, Mr. Speaker.

Mr. TURZAI. And with respect to net operating losses, the piece of legislation in front of us allows us to take off that cap on net operating losses, allowing us to give manufacturers in our State and technology companies in our State to actually use those additional moneys to invest in capital or their employees. It over time reduces the corporate net income tax rate from 9.99 percent to 6.99 percent over 6 years, and it gets us finally to a 100-percent sales factor so that we are not penalizing our homegrown companies that provide family-sustaining jobs and allows us to compete with competitor States.

Now, much is made out of the, quote, unquote, "Delaware loophole." Well, the other side had the Governor's Office and had the majority in this House for 4 years, and they wanted to do this thing called combined reporting that takes a sledgehammer and wipes out legal, valid business transactions as opposed to narrowing in laser-like fashion to the true issue at hand. That term, in many ways, is a misnomer, because they are strategies that are not designed to exploit loopholes in the law. They are using structural aspects of the tax system in ways to limit tax liability, and the use of those strategies is not confined to Delaware, as the same effect may have been achieved in any State where an affiliate entity's income could not be taxed, like Nevada. We need to address that inequity. We need to do it in an appropriate fashion so as not to send jobs out of Pennsylvania but to keep those jobs in Pennsylvania. So to fairly address this, we have done it in a laser-like approach, and I would say that contrasts significantly with the other side when they were in the majority when it never got addressed or signed into law by their Governor.

The opportunity to make real reform in an appropriate manner so as to not ship jobs out of State and to improve the climate for employers in this State is before us now in HB 2150. We talked about it for years and we have never had it in whole in front of us. Well, Mr. Speaker, we are about solutions. We are about governing. We are about taking advantage of our opportunity to lead and seizing it. This is the opportunity to stand up for working families throughout the State and for those individuals who would just love to have a good-paying private-sector job because some corporation, business filled with people, decided to stay here, expand here, locate here, or start up here.

Vote "yes" on HB 2150.

### LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence on the floor of the gentleman from Cumberland County, Mr. Grell. His name will be added back to the master roll call.

### CONSIDERATION OF HB 2150 CONTINUED

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

On that question, the Speaker recognizes the gentleman from York County, Mr. DePasquale.

Mr. DePASQUALE. Thank you, Mr. Speaker.

This legislation is about two key principles: closing the Delaware loophole that has many Pennsylvanians frustrated, and lowering the corporate net income tax rate, which everyone has recognized for almost two decades is way too high in Pennsylvania. Those two principles separately would have been very difficult to accomplish in separate bills. Legislation simply to close the Delaware loophole would have been very challenging to accomplish. In the same token, if you would have just tried to lower the corporate net income tax rate, that itself would also be very difficult to accomplish, but only putting them together in one package made this possible. And how do I know that? Because groups from both the left and the right really are not jumping up and down in support of this legislation. Why? Because at some level it makes both of them probably a little bit uncomfortable. But I think that this legislation is a solid attempt at threading that needle and making sure that everybody in Pennsylvania is paying their fair share, while at the same time lowering our corporate net income tax rate so that we can promote greater investment in Pennsylvania.

Lowering the rate and broadening the base will reward investment in our State, improve our job climate, remove the black eye that we have at having the highest corporate net income tax rate in the country. By uncapping the net operating loss provision will again reward continued investment in Pennsylvania.

And is this legislation perfect, like any other complicated tax bill? No, it is not. I am sure if the prime sponsor from Indiana or myself were writing this legislation purely on our own, it would look different, but that is not how our system works. It is about trying to find a way to get something done that has proven to be very difficult over the last 6 years, and that is removing the loophole and lowering the rate. I believe this legislation does that. I believe this legislation will help us keep many of our Pennsylvania businesses in this State. I think it would also help us get increased revenue from people that have been avoiding Pennsylvania taxes, and it will also make our State more attractive for investment in the future, and for that I ask people to vote "yes" on HB 2150. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Indiana County, Mr. Reed.

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

With the state of the national economy and the Commonwealth's economy over the last 4 years, as our citizens and our communities have struggled with recessionary conditions, we have all become very aware and very focused on one issue: the issue of jobs. Jobs have dominated the political and governmental landscape in this country over the last

4 years. We all – Republican, Democrat, Independent; rural, suburban, urban – talk about the need to create jobs. We talk about the need not only to create jobs but to make sure that they are good family-sustaining jobs, and I wholeheartedly agree that there is no single issue more important to our citizens, our community, or our Commonwealth than providing our citizens with a good family-sustaining job. But the more we talk, the more we delay, the more we debate the same issues over and over and over again, year after year, it is the more time we waste and it is the more opportunities lost to put our citizens back to work.

As we have looked at the national economy, as we have tried different methodologies of economic development over the last number of years, we have found that we still have an unemployment rate that hovers around 7, 8, 9, 10 percent. We still have far too many families that are struggling to put food on their dinner table. It is evident that the economic recovery that was promised to be right around the corner in 2008, 2009 has been slower than expected, and it means that we need to try new and bold opportunities more now today than perhaps ever before in our lifetimes.

HB 2150 may not be perfect, but HB 2150 is an opportunity. It is an opportunity presented before this House today, and I may remind the members that it is an opportunity that is historic from the perspective that this is the first time we have the opportunity as a House to pass a bill that creates a level playing field and closes the Delaware loophole all at the same time. It is an opportunity to create an environment in this State where businesses can grow, they can compete, and they can create jobs for our citizens that so desperately need them, the same jobs we have been talking about, the family-sustaining, economy-growing kind of jobs we all desire for our communities. We must offer our job creators, our businesses, our employers an environment that supports them, not one that allows government to pick winners and losers and overtaxes them. We have tried the Keynesian model to economic development. We have tried bailouts. We have tried stimulus packages. We have tried big cardboard checks ad nauseam. The time has come to level the playing field so all can compete.

Pennsylvania is considered one of the most expensive States in the nation to hire workers, one of the most expensive States in the nation to headquarter your business, and this reputation cannot be faulted when we have the most burdensome business tax structure in the country, including the second highest corporate net income tax. And to add insult to injury, a study released recently by the Tax Foundation found that Pennsylvania ranked last – dead last, 50th – in a competitive business tax structure. The facts are everywhere. The writing is on the wall. The question is, what are we as 203 members of this body representing the people of Pennsylvania willing to stand up and do about it?

I think we would all agree that in order to be competitive and to provide a welcoming environment for job creators, we need to make significant changes. Today we have an opportunity to take a bold step in making those changes with HB 2150, a bipartisan proposal that will responsibly enact changes to our tax structure to make our State more competitive and close the Delaware loophole first and foremost.

Right now Pennsylvania's tax structure acts as a roadblock as opposed to the roadmap we need to provide for businesses to succeed. Some businesses have to bear the brunt of our

burdensome tax structure, while others take advantage of a tax code that allows them to artificially reduce their tax liability.

A successful business is not based upon who can avoid paying the most taxes. A successful business is based upon hard work, on its employees, on innovation, on technology, and on a good, solid business model. A business should succeed or it should fail, but it should do so on its own merits, not because of flawed tax policy at the State level. This policy sends a troubling message and a mixed message to all job creators, those who are here today and those who may be thinking of coming here tomorrow. It is our job to change that message.

HB 2150 takes a targeted approach to eliminating a corporation's ability to artificially avoid paying taxes through the Delaware loophole by employing an addback mechanism that we have discussed a great deal over the last 2 days. And even more importantly, it would enact gradually a phasedown of corporate taxes to level the playing field that has been long advocated by our State's job creators and Republican members and Democratic members alike of this body for decades.

Even though sometimes it is difficult, it is sometimes difficult for us to learn from the past, history has shown us that lowering the tax burden on those who create the jobs can and will spur economic activity.

In 1962 President John F. Kennedy, confronted with the struggling economy and budget deficits, stated, and I quote, "It is a paradoxical truth that tax rates are too high" today "and tax revenues are too low and the soundest way to raise the revenues in the long run is to cut the rates now.... Cutting taxes now is not to incur a budget deficit, but to achieve the more prosperous, expanding economy which can..." lead to "...a budget surplus." The words not of Ronald Reagan, not of George Bush; of John F. Kennedy in 1962. The outcome of President Kennedy's across-the-board tax reductions on job creators was a revenue increase from \$94 billion in 1961 to \$153 billion in 1968.

We can even learn from our own experiences here in Pennsylvania. When the Commonwealth began phasing down and phasing out the capital stock and franchise tax in the year 2000, the total corporate tax revenue in this State was \$4.192 billion. The total tax revenue today, with the tax almost completely phased out, is actually \$700 million more today than when the rate was fully in effect: \$4.892 billion. The increased economic activity, the increase in job creation as a result of lowering the rates, that is the ultimate goal of this proposal, that is the ultimate goal of this economic philosophy.

HB 2150 represents accumulation of a lot of conversations, a lot of conversations with people who want to close the loophole, people who do not want to close the loophole, and a whole lot of folks in between. With their combined guidance, with their leadership, I believe we have reached the point where we have a reasonable compromise that allows us to move forward with the business of putting our citizens back to work in Pennsylvania. We all want to have a strong State. We all want to be a leader in economic growth. We all want to be a strong competitor in job creation for our workers. With this proposal, we have an opportunity on this day in May 2012 to say to the people of Pennsylvania, to say to the people of this nation, Pennsylvania will, Pennsylvania can be a leader again. We can be an economic powerhouse. We can compete. We can lead the nation and we can lead the world, that our destiny is not yet to be determined but our greater days are ahead of us.

So I ask the members today to join with me. Let us change Pennsylvania. Let us rebuild our economy. Let us provide a better future for our children and grandchildren and a more prosperous day ahead of us. Please join me in supporting HB 2150. Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

(Members proceeded to vote.)

### LEAVE OF ABSENCE

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

### LEAVE OF ABSENCE CANCELED

The SPEAKER. Additionally, the Speaker recognizes the presence on the floor of the gentleman from Allegheny County, Mr. Frankel. His name is added back to the master roll call.

### CONSIDERATION OF HB 2150 CONTINUED

On the question recurring,  
Shall the bill pass finally?

The following roll call was recorded:

#### YEAS—129

Adolph	Evans, J.	Kotik	Quigley
Aument	Everett	Krieger	Quinn
Baker	Farry	Lawrence	Rapp
Barrar	Fleck	Maher	Readshaw
Bear	Gabler	Major	Reed
Benninghoff	Galloway	Maloney	Reese
Bloom	Geist	Marshall	Rock
Boback	Gergely	Marsico	Ross
Boyd	Gibbons	Masser	Saccone
Brown, R.	Gillen	Matzie	Saylor
Burns	Gillespie	Metcalfe	Scavello
Caltagirone	Gingrich	Metzgar	Schroder
Carroll	Godshall	Miccarelli	Simmons
Causar	Goodman	Micozzie	Smith, K.
Christiana	Grell	Millard	Smith, M.
Clymer	Grove	Miller	Sonney
Conklin	Hackett	Milne	Stephens
Costa, D.	Hahn	Mirabito	Stern
Cox	Harhart	Moul	Stevenson
Creighton	Harper	Mullery	Tallman
Culver	Harris	Murt	Taylor
Cutler	Heffley	Mustio	Tobash
Day	Helm	Neuman	Toepel
Deasy	Hennessey	O'Neill	Toohil
Delozier	Hickernell	Oberlander	Truitt
DeLuca	Hutchinson	Payne	Turzai
Denlinger	Kampf	Peifer	Vereb
DePasquale	Kauffman	Perry	Vulakovich
DiGirolamo	Keller, F.	Petrarca	Watson
Dunbar	Keller, M.K.	Petri	
Ellis	Killion	Pickett	Smith, S.,

Emrick Evankovich	Knowles Kortz	Preston Pyle	Speaker
NAYS—58			
Barbin	Davidson	Keller, W.	Roae
Bishop	DeLissio	Kirkland	Sabatina
Boyle, B.	Dermody	Kula	Sainato
Boyle, K.	Donatucci	Longietti	Samuelson
Bradford	Evans, D.	Mahoney	Santarsiero
Brennan	Fabrizio	Mann	Santoni
Briggs	Frankel	Markosek	Staback
Brooks	Freeman	McGeehan	Sturla
Brown, V.	Haluska	Mundy	Thomas
Brownlee	Hanna	Myers	Vitali
Buxton	Harhai	O'Brien, M.	Waters
Costa, P.	Harkins	Parker	Wheatley
Cruz	Hornaman	Pashinski	White
Curry	Josephs	Ravenstahl	Youngblood
Daley	Kavulich		

NOT VOTING—0

EXCUSED—9

Cohen	Gerber	Murphy	Roebuck
Davis	Hess	Payton	Swanger
George			

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

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

**HB 65 RECONSIDERED**

The SPEAKER. The Speaker is in receipt of a motion to reconsider. Pursuant to rule 26, we the undersigned move that the vote by which the House passed HB 65 on final passage on the 2d day of May be reconsidered, signed by Representatives Dermody and Hanna.

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

The following roll call was recorded:

YEAS—177

Adolph	Donatucci	Keller, W.	Preston
Aument	Dunbar	Killion	Pyle
Baker	Ellis	Kirkland	Quigley
Barbin	Emrick	Knowles	Quinn
Barrar	Evans, D.	Kortz	Ravenstahl
Bear	Evans, J.	Kotik	Readshaw
Benninghoff	Everett	Krieger	Reed
Bishop	Fabrizio	Kula	Reese
Bloom	Farry	Lawrence	Roae
Boback	Fleck	Longietti	Rock
Boyd	Frankel	Maher	Ross
Boyle, B.	Freeman	Mahoney	Sabatina
Boyle, K.	Gabler	Major	Sainato
Bradford	Galloway	Maloney	Samuelson
Brennan	Geist	Mann	Santarsiero
Briggs	Gergely	Markosek	Santoni
Brooks	Gibbons	Marshall	Saylor

Brown, R.	Gillen	Marsico	Simmons
Brown, V.	Gillespie	Matzie	Smith, K.
Brownlee	Gingrich	McGeehan	Smith, M.
Burns	Godshall	Metzgar	Sonney
Buxton	Goodman	Miccarelli	Staback
Caltagirone	Grell	Micozzie	Stephens
Carroll	Grove	Millard	Stern
Christiana	Hackett	Miller	Stevenson
Clymer	Hahn	Milne	Sturla
Conklin	Haluska	Mirabito	Tallman
Costa, D.	Hanna	Moul	Taylor
Costa, P.	Harhai	Mullery	Thomas
Cox	Harhart	Mundy	Tobash
Cruz	Harkins	Murt	Toepel
Culver	Harper	Mustio	Toohil
Curry	Harris	Myers	Turzai
Cutler	Heffley	Neuman	Vereb
Daley	Helm	O'Brien, M.	Vitali
Davidson	Hennessey	O'Neill	Vulakovich
Day	Hickernell	Oberlander	Waters
Deasy	Hornaman	Parker	Watson
DeLissio	Hutchinson	Pashinski	Wheatley
DeLozier	Josephs	Payne	White
DeLuca	Kampf	Peifer	Youngblood
Denlinger	Kauffman	Perry	
DePasquale	Kavulich	Petrarca	Smith, S., Speaker
Dermody	Keller, F.	Petri	
DiGirolamo	Keller, M.K.	Pickett	

NAYS—10

Causar	Masser	Saccone	Schroder
Creighton	Metcalfe	Scavello	Truitt
Evankovich	Rapp		

NOT VOTING—0

EXCUSED—9

Cohen	Gerber	Murphy	Roebuck
Davis	Hess	Payton	Swanger
George			

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

On the question recurring,  
Shall the bill pass finally?  
The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

(Members proceeded to vote.)

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence of the gentleman from Philadelphia, Mr. Cohen, on the floor of the House. His name will be added back to the master roll call.

**CONSIDERATION OF HB 65 CONTINUED**

On the question recurring,  
Shall the bill pass finally?

The following roll call was recorded:

## YEAS—140

Adolph	Fabrizio	Kotik	Quinn
Aument	Fleck	Krieger	Rapp
Baker	Freeman	Kula	Ravenstahl
Barrar	Gabler	Lawrence	Readshaw
Bear	Galloway	Maher	Reed
Benninghoff	Geist	Mahoney	Reese
Bloom	Gergely	Major	Roae
Boback	Gillen	Maloney	Rock
Boyd	Gillespie	Mann	Ross
Bradford	Gingrich	Markosek	Saccone
Briggs	Godshall	Marshall	Samuelson
Brooks	Goodman	Marsico	Santarsiero
Brown, R.	Grell	Masser	Saylor
Burns	Grove	Matzie	Scavello
Buxton	Hackett	Metcalfe	Shroder
Caltagirone	Hahn	Miccarelli	Simmons
Causar	Haluska	Micozzie	Smith, K.
Christiana	Harhart	Millard	Sonney
Clymer	Harkins	Miller	Staback
Conklin	Harper	Milne	Stephens
Cox	Harris	Mirabito	Stern
Creighton	Heffley	Moul	Stevenson
Culver	Helm	Mullery	Tallman
Curry	Hennessey	Mundy	Tobash
Cutler	Hickernell	Mustio	Toepel
Davidson	Hornaman	O'Brien, M.	Toohil
Day	Hutchinson	Oberlander	Truitt
Deasy	Josephs	Pashinski	Turzai
Delozier	Kampf	Payne	Vereb
Denlinger	Kauffman	Peifer	Vitali
Dunbar	Keller, F.	Perry	Vulakovich
Ellis	Keller, M.K.	Petrarca	Watson
Emrick	Killion	Pickett	
Evankovich	Kirkland	Pyle	Smith, S., Speaker
Evans, J.	Knowles	Quigley	
Everett	Kortz		

## NAYS—48

Barbin	Daley	Harhai	Preston
Bishop	DeLissio	Kavulich	Sabatina
Boyle, B.	DeLuca	Keller, W.	Sainato
Boyle, K.	DePasquale	Longietti	Santoni
Brennan	Dermody	McGeehan	Smith, M.
Brown, V.	DiGirolamo	Metzgar	Sturla
Brownlee	Donatucci	Murt	Taylor
Carroll	Evans, D.	Myers	Thomas
Cohen	Farry	Neuman	Waters
Costa, D.	Frankel	O'Neill	Wheatley
Costa, P.	Gibbons	Parker	White
Cruz	Hanna	Petri	Youngblood

## NOT VOTING—0

## EXCUSED—8

Davis	Gerber	Murphy	Roebuck
George	Hess	Payton	Swanger

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

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

## STATEMENT BY MR. O'BRIEN

The SPEAKER. Is the gentleman, Mr. O'Brien, from Philadelphia County seeking recognition under unanimous consent? The gentleman is in order and may proceed.

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

Mr. Speaker, it is not very often that I find myself speechless, and I have to tell you, as I was walking through the Capitol today, I was stunned, I was shocked, and I was speechless. The Capitol Police, Mr. Speaker, were standing at the foot of the escalator and they were denying the people of the Commonwealth the opportunity to enter this Capitol. Again, Mr. Speaker, the Capitol Police were standing at the hallway, at the top of the escalator, and I was stopped. A member of the General Assembly was stopped and demanded to show identification, and I was told by Capitol Police that the Capitol, the Capitol had reached its legal occupancy and I could not proceed.

Mr. Speaker, fundamentally, this chamber, this chamber must proceed in open session, in open session. Mr. Speaker, maybe sometimes we do not like to hear what people have to say; we do not want to hear their voice, but, Mr. Speaker, we have to let the people into the People's House. And, Mr. Speaker, I would call on you as the chief constitutional officer of this chamber to work to keep this as an open place, to impose separation of powers, to let the administration know they are not the only folk here, and that we of the legislature must proceed in an open, open environment. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman and would just add a note of clarity that he was not referring to the House Security that are under the domain of the Speaker and the House. He was referring to the Capitol Police under the jurisdiction of the administration.

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

## BILLS RECOMMENDED

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

HB 1047;  
HB 1100;  
HB 1484;  
HB 1780; and  
SB 342.

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 1289;  
 HB 1767;  
 HB 2000;  
 HB 2199;  
 HB 2215; and  
 HB 2271.

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

#### **BILL REMOVED FROM TABLE**

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 1754 be removed from the tabled calendar and placed on the active calendar.

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

#### **BILL TABLED**

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 1754 be removed from the active calendar and placed on the tabled calendar.

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

#### **CALENDAR CONTINUED**

#### **BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1329**, **PN 3097**, entitled:

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, raising the threshold for applicability; further providing for specifications and for duty of secretary; and providing for protection of workmen.

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

#### **BILL TABLED**

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 1329 be removed from the active calendar and placed on the tabled calendar.

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

#### **BILL REMOVED FROM TABLE**

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 1329 be removed from the tabled calendar and placed on the active calendar.

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

#### **BILLS 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 this House, the Speaker recognizes the gentleman, Mr. Lawrence, from Chester County, who moves that this House do now adjourn until Monday, May 7, 2012, at 1 p.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 5:40 p.m., e.d.t., the House adjourned.