

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, JUNE 4, 2012

SESSION OF 2012

196TH OF THE GENERAL ASSEMBLY

No. 35

HOUSE OF REPRESENTATIVES

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

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

PRAYER

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

Gracious God, we bow our heads in praise. Thank You for this day and the wisdom that comes from Your Word.

In Sirach You call us to rob not the poor man of his livelihood nor force the eyes of the needy to turn away; grieve not a hungry man nor delay to give to the needy; avert not our eyes from the face of the poor nor let justice be repugnant to You.

As Your stewards in the budget process, help us remember that You are present in the face of the poor, the sick, and the hungry, and that whatever we do for the least of Your people that we do unto You.

Bless the sorrowing and bless the sacrifice of those who continue to protect our freedom, and all God's children said "Amen."

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Thursday, May 24, 2012, will be postponed until printed.

JOURNALS APPROVED

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

Tuesday, February 14, 2012;
Wednesday, February 15, 2012; and
Monday, March 12, 2012.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 745 By Representatives GEORGE, GOODMAN, V. BROWN, CALTAGIRONE, CARROLL, D. COSTA, DONATUCCI, FABRIZIO, HALUSKA, HORNAMAN, JAMES, KORTZ, MAHONEY, MARSHALL, MULLERY, MURPHY, PASHINSKI, STABACK, STURLA, WATERS, YOUNGBLOOD and MURT

A Resolution urging the Department of Environmental Protection to establish an evaluation and approval process for the use of acid mine drainage in the extraction of natural gas.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 31, 2012.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2313 By Representatives MYERS, D. EVANS, THOMAS, V. BROWN, PARKER, YOUNGBLOOD, WHEATLEY, PAYTON, BROWNLEE, BRIGGS, COHEN, DAVIS, FREEMAN, GEORGE, GOODMAN, HANNA, HARKINS, HORNAMAN, JOSEPHS, KORTZ, LONGIETTI, MCGEEHAN, MULLERY, MURPHY, SABATINA, SAMUELSON, SANTONI, M. SMITH, STURLA, DERMODY, FRANKEL, MANN, K. SMITH, SANTARSIERO, PASHINSKI, WATERS, MIRABITO, VITALI, M. O'BRIEN, BISHOP, BARBIN, FABRIZIO, DePASQUALE, SAINATO, DEASY, ROEBUCK, KAVULICH, GERBER, PRESTON, BRENNAN, P. COSTA, DALEY, KIRKLAND, CARROLL, RAVENSTAHL, BUXTON, BRADFORD, STABACK, GIBBONS, B. BOYLE, DELISSIO, MATZIE, HALUSKA, K. BOYLE, MUNDY, GERGELY, CURRY, READSHAW, MAHONEY, KOTIK, MARKOSEK, CONKLIN, DONATUCCI, CALTAGIRONE and WILLIAMS

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preliminary provisions, further providing for definitions; in the Secretary of the Commonwealth, repealing provisions relating to requirements relating to voter identification; in preparation for and conduct of primaries and elections, further providing for manner of applying to vote, persons entitled to vote, voter's certificates, entries to be made in district register, numbered lists of voters and challenges; in voting by qualified absentee electors, further providing for applications for official absentee ballots, for approval of application for absentee ballot, for delivering or mailing ballots, for canvassing of official absentee ballots and for public records; in penalties, repealing provisions relating to enforcement; and making a related repeal.

Referred to Committee on STATE GOVERNMENT, May 24, 2012.

No. 2407 By Representatives HACKETT, HENNESSEY, BISHOP, BOYD, CONKLIN, P. COSTA, DAVIS, DONATUCCI, GINGRICH, GODSHALL, HARHART, HESS, KAUFFMAN, KILLION, KORTZ, LAWRENCE, MARSICO, MICOZZIE, MILLARD, MILLER, MURPHY, MURT, PICKETT, QUINN, RAPP, ROSS, SAYLOR, CULVER, STEPHENS, TAYLOR, TRUITT, VULAKOVICH and WATSON

An Act amending the act of November 6, 1987 (P.L.381, No.79), known as the Older Adults Protective Services Act, in criminal history for employees, further providing for information relating to prospective facility personnel.

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 24, 2012.

No. 2408 By Representatives EVERETT, MIRABITO, BAKER, CALTAGIRONE, COHEN, GINGRICH, GODSHALL, HESS, MILLARD, MYERS, PICKETT, SCHMOTZER, STEVENSON, SWANGER, GEIST, VULAKOVICH and MURT

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to West Branch Regional Authority, certain lands situate in Clinton Township, Lycoming County.

Referred to Committee on STATE GOVERNMENT, May 24, 2012.

No. 2410 By Representatives MARSHALL, CHRISTIANA, BOYD, CALTAGIRONE, DENLINGER, DIGIROLAMO, FARRY, GIBBONS, HUTCHINSON, KILLION, KOTIK, LAWRENCE, MATZIE, McGEEHAN, MICCARELLI, MUSTIO, M. O'BRIEN, PETRI, QUIGLEY, READSHAW, REED, SACCONI, SANTONI, TAYLOR and VULAKOVICH

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for local option.

Referred to Committee on LIQUOR CONTROL, May 31, 2012.

No. 2411 By Representatives SAINATO, BARRAR, NEILSON, GOODMAN, BISHOP, BRENNAN, BROOKS, CALTAGIRONE, FABRIZIO, FARRY, HALUSKA, HORNAMAN, KORTZ, KOTIK, LONGIETTI, MILLER, MIRABITO, O'NEILL, PRESTON, READSHAW, SWANGER, SCHMOTZER, TOEPEL, EVERETT, JAMES, KULA, WATERS, GIBBONS, GILLEN, MURT, D. COSTA and DALEY

An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, further providing for the payment of death benefits to members of the Pennsylvania Civil Air Patrol.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 31, 2012.

No. 2412 By Representatives DERMODY, HANNA, GEORGE, WHITE, FREEMAN, STURLA, DeLUCA, K. BOYLE, BRADFORD, BRENNAN, BRIGGS, BROWNLEE, CALTAGIRONE, CARROLL, COHEN, CONKLIN, D. COSTA, DAVIS, DEASY, DONATUCCI, FABRIZIO, GERBER, GOODMAN, HARKINS, JOSEPHS, KIRKLAND, KOTIK, KULA, MAHER, MARKOSEK, MATZIE, MIRABITO, MULLERY, MUNDY, MURPHY, MURT, M. O'BRIEN, SANTARSIERO, STABACK, VITALI, WATERS, YOUNGBLOOD, SCHMOTZER, PASHINSKI, HORNAMAN, WILLIAMS, ROEBUCK, RAVENSTAHL and STEPHENS

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in local ordinances relating to oil and gas operations, further providing for uniformity of local ordinances.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 31, 2012.

No. 2413 By Representatives HANNA, DERMODY, DeLUCA, BRENNAN, BRIGGS, BROWNLEE, CALTAGIRONE, CARROLL, D. COSTA, DAVIS, FABRIZIO, GEORGE, GOODMAN, HALUSKA, HARKINS, HORNAMAN, JOSEPHS, KIRKLAND, MARKOSEK, MIRABITO, MULLERY, MUNDY, MURPHY, M. O'BRIEN, SANTARSIERO, STABACK, STURLA, WATERS, YOUNGBLOOD, KULA, WILLIAMS and ROEBUCK

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in unconventional gas well fee, further providing for definitions, for fee, for administration, for well information, for duties of the Department of Environmental Protection and the Pennsylvania Public Utility Commission, for enforcement, for enforcement orders, for administrative penalties, for recordkeeping, for examinations, for distribution of fee and for Statewide initiatives; providing for duties of the Department of Revenue; and making editorial changes.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 31, 2012.

No. 2414 By Representatives SANTARSIERO, DERMODY, GEORGE, MATZIE, STURLA, M. O'BRIEN, BRIGGS, FRANKEL, MURPHY, MUNDY, MAHER, FREEMAN, BROWNLEE, STEPHENS, HANNA, STABACK, TRUITT, HORNAMAN, CALTAGIRONE, MULLERY, DEAN, JOSEPHS, CARROLL, DeLUCA, WILLIAMS, QUINN, ROEBUCK, MARKOSEK, BRADFORD and RAVENSTAHL

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in development, further providing for well permits, for comments by municipalities and storage operators, for well location restrictions, for protection of water supplies, for well reporting requirements, for bonding and for criminal and civil penalties.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 31, 2012.

No. 2415 By Representatives BRADFORD, BRENNAN, BRIGGS, CALTAGIRONE, CARROLL, DAVIS, DeLUCA, DERMODY, FABRIZIO, FREEMAN, GEORGE, HORNAMAN, JOSEPHS, MAHONEY, MARKOSEK, MULLERY, M. O'BRIEN, PAYTON, QUINN, ROEBUCK,

SABATINA, DEAN, TRUITT, WILLIAMS, YOUNGBLOOD, MUNDY and DALEY

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in development, further providing for hydraulic fracturing chemical disclosure requirements.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 31, 2012.

No. 2416 By Representatives MUNDY, GEORGE, BRADFORD, BRIGGS, BROWNLEE, CALTAGIRONE, CARROLL, CONKLIN, DERMODY, FABRIZIO, FRANKEL, FREEMAN, GERBER, HANNA, HORNAMAN, JOSEPHS, KIRKLAND, MARKOSEK, MULLERY, MURPHY, MYERS, M. O'BRIEN, PASHINSKI, QUINN, READSHAW, ROEBUCK, K. SMITH, STABACK, STURLA, VITALI, WATERS, WHITE, YOUNGBLOOD, DEAN, MURT and RAVENSTAHL

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in development, further providing for definitions, for well permits and for well location restrictions; and providing for disposal of wastewater from oil and gas activities targeting unconventional shale formations and for cumulative impacts study.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 31, 2012.

No. 2418 By Representatives GINGRICH, CREIGHTON, ROSS, FREEMAN and SANTARSIERO

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for reimbursement of district attorney compensation.

Referred to Committee on LOCAL GOVERNMENT, May 31, 2012.

No. 2419 By Representatives GINGRICH, CREIGHTON, ROSS, FREEMAN and SANTARSIERO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the Criminal Justice Enhancement Account.

Referred to Committee on JUDICIARY, May 31, 2012.

No. 2420 By Representatives GINGRICH, CREIGHTON, ROSS, FREEMAN and SANTARSIERO

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for exemptions from taxation, for notices, appeals and certification of values and for appeals to court and providing for grantees of real property to register deed with chief assessor.

Referred to Committee on LOCAL GOVERNMENT, May 31, 2012.

No. 2421 By Representatives TRUITT, DALEY, KNOWLES, ROCK, ROSS, HESS, VULAKOVICH, EVERETT, PICKETT, CALTAGIRONE and GEIST

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, in officers, directors and members, further providing for manner of giving notice.

Referred to Committee on COMMERCE, May 31, 2012.

No. 2422 By Representatives FRANKEL, DERMODY, HANNA, BRENNAN, BRIGGS, BROWNLEE, CALTAGIRONE, DAVIDSON, DeLUCA, BARBIN, DONATUCCI, FABRIZIO, FREEMAN, GEORGE, GERBER, GOODMAN, BISHOP, HARKINS, JAMES, JOSEPHS, KORTZ, MANN, MUNDY, MURT, MYERS, NEILSON, PARKER, PASHINSKI, PAYTON, PRESTON, READSHAW, ROEBUCK, SANTONI, DEAN, STURLA, THOMAS, SCHMOTZER, WATERS, WHEATLEY, WILLIAMS, YOUNGBLOOD, GIBBONS, VULAKOVICH, D. COSTA and DALEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for issuance and content of driver's license.

Referred to Committee on TRANSPORTATION, May 31, 2012.

No. 2423 By Representatives FRANKEL, DERMODY, HANNA, BRENNAN, BRIGGS, BROWNLEE, CALTAGIRONE, DAVIDSON, DeLUCA, BARBIN, DONATUCCI, FABRIZIO, FREEMAN, GEORGE, GERBER, GOODMAN, BISHOP, HARKINS, JAMES, JOSEPHS, KORTZ, MANN, MUNDY, MURT, MYERS, NEILSON, PARKER, PASHINSKI, PAYTON, PRESTON, READSHAW, ROEBUCK, SANTONI, DEAN, STURLA, THOMAS, SCHMOTZER, WATERS, WHEATLEY, WILLIAMS, YOUNGBLOOD, GIBBONS, D. COSTA and DALEY

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for requirements relating to voter identification.

Referred to Committee on STATE GOVERNMENT, May 31, 2012.

No. 2424 By Representatives FRANKEL, DERMODY, HANNA, BRENNAN, BRIGGS, BROWNLEE, CALTAGIRONE, DAVIDSON, DeLUCA, BARBIN, DONATUCCI, FABRIZIO, FREEMAN, GEORGE, GERBER, GOODMAN, BISHOP, HARKINS, JAMES, JOSEPHS, KORTZ, MANN, MUNDY, MURT, MYERS, NEILSON, PARKER, PASHINSKI, PAYTON, PRESTON, READSHAW, ROEBUCK, SANTONI, DEAN, STURLA, THOMAS, SCHMOTZER, WATERS, WHEATLEY, WILLIAMS, YOUNGBLOOD, GIBBONS, D. COSTA and DALEY

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, further providing for methods of voter registration; providing for electronic voter registration application; and further providing for preparation and distribution of applications.

Referred to Committee on STATE GOVERNMENT, May 31, 2012.

No. 2425 By Representatives SWANGER, CALTAGIRONE, D. COSTA and GINGRICH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for reports by police.

Referred to Committee on TRANSPORTATION, May 31, 2012.

No. 2426 By Representatives KRIEGER, MARSICO, SACCONI, PYLE, EVANKOVICH, DUNBAR, AUMENT, DALEY, RAPP, STERN, PETRARCA, YOUNGBLOOD and DENLINGER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for licenses.

Referred to Committee on JUDICIARY, May 31, 2012.

SENATE BILLS FOR CONCURRENCE

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

SB 1263, PN 1627

Referred to Committee on FINANCE, May 24, 2012.

SB 1398, PN 2163

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 24, 2012.

SB 1492, PN 2197

Referred to Committee on EDUCATION, May 24, 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 lady, Ms. QUINN, from Bucks County for the day; the gentleman, Mr. STEVENSON, from Mercer County for the day; the gentleman, Mr. CREIGHTON, from Lancaster County for the week. Without objection, the leaves will be granted.

The Speaker recognizes the minority caucus chairman, who requests a leave of absence for the lady, Miss MANN, from Lehigh County for the day, and the gentleman, Mr. HANNA, from Clinton County for the day. Without objection, the leaves will be granted.

GUESTS INTRODUCED

The SPEAKER. I would like to recognize a couple of the guests that are with us.

Located in the rear of the House, we would like to welcome Peter and Marie Satterthwaite and William and Janet Hartmaier, and they are here today as the guests of Representative Stephens. Will our guests please rise. Welcome to the hall of the House.

Located in the well of the House, we would like to welcome some guest pages: Christopher Govus and Felix Warren. Christopher is a student at Pocono Mountain East Junior High School. He just became a Life Scout in the Boy Scouts and is a member of the school's marching band and jazz and concert bands. Felix is an eighth grade student at Pocono Mountain West Junior High School. He also just became a Life Scout and is a member of the National Honor Society. His father, David, is sitting in the gallery. They are here today as the guests of Representative Scavello. Will our guests please rise. Welcome to the hall of the House.

The Speaker is about to take the master roll call. Will the members please report to the floor.

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—196

Adolph	Dunbar	Kirkland	Pyle
Aument	Ellis	Knowles	Quigley
Baker	Emrick	Kortz	Rapp
Barbin	Evankovich	Kotik	Ravenstahl
Barrar	Evans, D.	Krieger	Readshaw
Bear	Evans, J.	Kula	Reed
Benninghoff	Everett	Lawrence	Reese
Bishop	Fabrizio	Longiatti	Roae
Bloom	Farry	Mackenzie	Rock
Boback	Fleck	Maher	Roebuck
Boyd	Frankel	Mahoney	Ross
Boyle, B.	Freeman	Major	Sabatina
Boyle, K.	Gabler	Maloney	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	Metcalf	Schmotzer
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	Sturla
Conklin	Haluska	Mullery	Swanger
Costa, D.	Harhai	Mundy	Tallman
Costa, P.	Harhart	Murphy	Taylor
Cox	Harkins	Murt	Thomas
Cruz	Harper	Mustio	Tobash
Culver	Harris	Myers	Toepel
Curry	Heffley	Neilson	Toohil
Cutler	Helm	Neuman	Truitt
Daley	Hennessey	O'Brien, M.	Turzai
Davidson	Hess	O'Neill	Vereb
Davis	Hickernell	Oberlander	Vitali
Day	Hornaman	Parker	Vulakovich
Dean	Hutchinson	Pashinski	Waters
Deasy	James	Payne	Watson
DeLissio	Josephs	Payton	Wheatley
Delozier	Kampf	Peifer	White
DeLuca	Kauffman	Perry	Williams

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

Creighton	Mann	Quinn	Stevenson
Hanna			

LEAVES ADDED—2

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

If I could have the members' attention. If they would kindly take their seats and hold the conversations down, please.

The House will come to order. We have a couple of citation presentations to do. I would appreciate if the members would kindly hold the conversations down. If I could have the members' attention, please.

PENNSBURY HIGH SCHOOL CHEERLEADING TEAMS PRESENTED

The SPEAKER. I would like to invite Representative Santarsiero and Representative Galloway to the rostrum for the purpose of presenting a citation to the Pennsbury Cheerleading Teams.

The gentleman, Mr. Santarsiero, may proceed.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

It is indeed an honor for Representative Galloway and me to welcome the Pennsbury Varsity and JV (Junior Varsity) Cheerleading Teams here today. It is once again an opportunity for us to recognize the outstanding achievements of students at Pennsbury High School.

Today the varsity and junior varsity teams, as I said, have joined us in the hall of the House to be recognized for their accomplishments. On March 17 and 18 of this year, both squads capped their competitive seasons by winning their respective national titles at AmeriCheer Internationals at the Walt Disney World Resort in Florida. Overall, the varsity team won eight competitions, which also included the American Masters National Championships in January. The JV team also won the American Masters National Championships.

Joining me at the rostrum, along with Representative Galloway, are varsity coach Dotty Kerr; junior – you can go ahead; that is fine – junior varsity coach Nicole Roberts; varsity captains Melissa Petty, Lindsay Zajdel, and Kourtne Strong.

You know, next week, as is the case at high schools across Pennsylvania, it will be commencement day for Pennsbury, and I know we have three seniors up here today and I know a number of seniors are with the group in the back of the hall of

the House. I just want to say, as a former teacher myself and as a dad with kids in the Pennsbury system, that I want to wish those graduating seniors the very best as they go forth and to tell them always to do their best and to never lose sight of their goals, because as this experience has shown, they are perfectly capable of achieving them.

So I would ask for all of you to join us in congratulating the entire Pennsbury varsity and junior varsity cheerleading squads. Thank you.

The SPEAKER. The gentleman, Mr. Galloway, is recognized for additional comments.

Mr. GALLOWAY. Thank you, Mr. Speaker. I appreciate it.

And as a Pennsbury graduate, it is always a great pleasure to recognize the achievements of Pennsbury High School students. I graduated from Pennsbury – I always get stuck on this one – a long time ago. It was a long time ago, 1977, and it is great to see the Pennsbury students up here.

I would like to second everything that Representative Santarsiero said. The list of competitions won by Pennsbury is quite impressive: first place and grand champions at the Gloucester Township Athletic Association; first place, Villanova University Wildcat Blue Devil Challenge; first place, National Champions and Highest Score of All Schools, Judges Choice Award for Overall Performance at American Masters National Championships; first place and grand champions at the Cupid Cheer Challenge; first place at the Sweetheart Extreme Cheerleading Competition; first place and grand champions at the Garden State Championships; first place at the Gotta Cheer Cheerleading Competition; and first place and national champions at AmeriCheer Internationals.

Congratulations to all you girls. Thanks a lot for coming up. Let us give them a big round of applause, and let us go Falcons. I appreciate it. Thank you.

The SPEAKER. Will all of our guests from the teams please stand and be recognized. Please stand. Welcome to the hall of the House, girls.

GREAT VALLEY HIGH SCHOOL BOYS INDOOR TRACK TEAM PRESENTED

The SPEAKER. We would like to invite Representative Milne to the rostrum for the purpose of presenting a citation to the Great Valley High School Indoor Track Team.

The gentleman, Mr. Milne, may proceed.

Mr. MILNE. Thank you, Mr. Speaker.

I rise this afternoon to proudly welcome members of the Great Valley Boys Indoor Track and Field Team. It always gives me great pleasure to welcome teams from Great Valley High School, not only because on this Friday evening at graduation we will be celebrating the 50th anniversary of a graduating class from Great Valley, but also because – and this is why I say "we" – because these gentlemen will soon be joining me in the alumni ranks of being a Great Valley High School graduate.

What brings this team up here to Harrisburg today is to celebrate and mark its winning the State title in the distance medley at the Pennsylvania Track and Field Coaches Association State Track and Field Championships.

Now, for those who may not be familiar with a distance medley, it is a little bit different than a standard track relay

where you may think of everybody running the same distance. In a distance medley, each of the team members runs a different distance, so it is a careful calibration of getting the right combination of speed and stamina on the team.

The first leg is a 1200-meter leg, followed by a 400-meter leg, an 800-meter leg, and culminating with a 1600-meter leg. That is about 4,000 meters – that is 4,000 meters – just under 2.5 miles. And this team set their time at 10 minutes 23.77 seconds at that meet to win the State title.

Now, this team kept driving on, though, and at the Philadelphia Area Track and Field Coaches Association "Meet of Champions," they won this same event, and that earned them a spot on the All-State Team in Pennsylvania. So we are very, very proud of their accomplishments.

And what I would like to do is introduce the members of the team up here. We have with us today Ned Willig – if you would raise your hand – Demetrius McCary, Matt Willig, and Billy Wolffe. They are joined by coach Nicole Jones, and in the back of the hall we have coaches Emily Bonnem, Mike Kelly, and Paul Hadzor.

The SPEAKER. Will our additional guests in the rear please stand. Welcome to the hall of the House.

Mr. MILNE. Mr. Kelly and Mr. Hadzor were coaches and teachers when I was at Great Valley, so they have been around a few years. But it is great to see them as always.

Having lunch with these young men, I can tell you that we have some great outstanding athletes here who have a really good balance between academics and their athletic performance, and you are going to see them be really successful graduates of Great Valley and contribute much to the future of Pennsylvania.

Let me just note that we have two seniors up here with us. First we have Demetrius, who will be going to the University of Delaware to study chemical engineering, which I told him was above my pay grade, but it is great that we have somebody interested in engineering in this country. And over here we have Ned Willig, who will be studying political science at Brown University, and I have assured him there is a future in politics for him.

So with that, one more round of applause for the Great Valley Boys Indoor Track Team. Go Patriots.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2316, PN 3375 By Rep. CLYMER

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

EDUCATION.

SB 1133, PN 1788 By Rep. CLYMER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in State System of Higher Education, further providing for purposes and general powers.

EDUCATION.

SB 1322, PN 1743

By Rep. CLYMER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in State System of Higher Education, further providing for purposes and general powers.

EDUCATION.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. MATZIE called up **HR 637, PN 3275**, entitled:

A Resolution designating the week of June 18 through 24, 2012, as "Pollinator Week" in Pennsylvania.

* * *

Ms. PICKETT called up **HR 656, PN 3323**, entitled:

A Resolution designating July 22, 2012, as "Veterans Appreciation Day" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—196

Adolph	Dunbar	Kirkland	Pyle
Aument	Ellis	Knowles	Quigley
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	Mackenzie	Rock
Boback	Fleck	Maher	Roebuck
Boyd	Frankel	Mahoney	Ross
Boyle, B.	Freeman	Major	Sabatina
Boyle, K.	Gabler	Maloney	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	Schmotzer
Burns	Gillespie	Metzgar	Simmons
Buxton	Gingrich	Miccarelli	Smith, K.
Caltagirone	Godshall	Micozzie	Smith, M.
Carroll	Goodman	Millard	Sonney
Causser	Grell	Miller	Staback
Christiana	Grove	Milne	Stephens
Clymer	Hackett	Mirabito	Stern
Cohen	Hahn	Moul	Sturla
Conklin	Haluska	Mullery	Swanger
Costa, D.	Harhai	Mundy	Tallman
Costa, P.	Harhart	Murphy	Taylor
Cox	Harkins	Murt	Thomas
Cruz	Harper	Mustio	Tobash
Culver	Harris	Myers	Toepel
Curry	Heffley	Neilson	Toohil
Cutler	Helm	Neuman	Truitt

Daley	Hennessey	O'Brien, M.	Turzai
Davidson	Hess	O'Neill	Vereb
Davis	Hickernell	Oberlander	Vitali
Day	Hornaman	Parker	Vulakovich
Dean	Hutchinson	Pashinski	Waters
Deasy	James	Payne	Watson
DeLissio	Josephs	Payton	Wheatley
Delozier	Kampf	Peifer	White
DeLuca	Kauffman	Perry	Williams
Denlinger	Kavulich	Petrarca	Youngblood
DePasquale	Keller, F.	Petri	
Dermody	Keller, M.K.	Pickett	Smith, S.,
DiGirolamo	Keller, W.	Preston	Speaker
Donatucci	Killion		

NAYS—0

NOT VOTING—0

EXCUSED—5

Creighton	Mann	Quinn	Stevenson
Hanna			

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

RULES AND APPROPRIATIONS COMMITTEE MEETINGS

The SPEAKER. Are there any committee or caucus announcements?

The Speaker recognizes the gentleman, Mr. Adolph, from Delaware County for the purpose of a committee announcement.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce a Rules Committee meeting in the Appropriations conference room. That is immediate. And then at 1:45 there will be an Appropriations Committee meeting in the majority caucus room. Thank you.

The SPEAKER. Rules will meet immediately in the Appropriations conference room, and Appropriations will meet at 1:45 in the majority caucus room.

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus at 2 p.m. I would ask our Republican members to please report to our caucus room at 2, and we would be prepared to come back on the floor at 3:30.

Thank you, Mr. Speaker.

DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.
Democrats will caucus at 2 p.m. Democrats will caucus at 2 p.m. Thank you.

ANNOUNCEMENT BY MRS. BROOKS

The SPEAKER. For what purpose does the lady from Mercer County, Mrs. Brooks, rise?

Mrs. BROOKS. Unanimous consent, Mr. Speaker.

The SPEAKER. The lady may proceed under unanimous consent.

Mrs. BROOKS. Thank you, Mr. Speaker.

I would just like to take a moment to congratulate my daughter on her high school graduation and earning the rank of valedictorian, and also congratulate all the other seniors this year.

Thank you, Mr. Speaker.

The SPEAKER. Congratulations to you as well.

RECESS

The SPEAKER. Seeing no further business at this time, this House stands in recess until 3:30, 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 665, PN 3263

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, further providing for income tax returns.

APPROPRIATIONS.

HB 1310, PN 1486

By Rep. ADOLPH

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions; and limiting number of retail licenses to be issued in each county.

APPROPRIATIONS.

HB 2018, PN 2773

By Rep. ADOLPH

An Act designating the bridge crossing the Lackawanna River along 8th Avenue, also known as U.S. Business Route 6, in downtown Carbondale, Lackawanna County, as the 109th Infantry Bridge.

APPROPRIATIONS.

HB 2319, PN 3606

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 educational improvement tax credit, further providing for definitions and for limitations.

APPROPRIATIONS.

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 804, PN 3561

By Rep. TURZAI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for exemptions from jury duty.

RULES.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 2428 By Representatives PYLE, BARRAR, GEIST, SAINATO, McGEEHAN, BENNINGHOFF, PAYNE, ADOLPH, AUMENT, BAKER, BEAR, BOBACK, BOYD, BRENNAN, BRIGGS, BROOKS, R. BROWN, BURNS, CALTAGIRONE, CAUSER, CHRISTIANA, CLYMER, CREIGHTON, CUTLER, DALEY, DAVIS, DUNBAR, ELLIS, EVANKOVICH, EVERETT, FARRY, FLECK, GABLER, GEORGE, GERGELY, GILLEN, GINGRICH, GODSHALL, GOODMAN, GROVE, HARHART, HEFFLEY, HESS, HICKERNELL, HORNAMAN, HUTCHINSON, KAUFFMAN, KAVULICH, F. KELLER, M. K. KELLER, KORTZ, KOTIK, KULA, MACKENZIE, MAJOR, MALONEY, MARSHALL, MASSER, METCALFE, MICOZZIE, MOUL, MURPHY, OBERLANDER, PASHINSKI, PEIFER, PETRARCA, PICKETT, QUIGLEY, QUINN, RAPP, READSHAW, REED, REESE, SACCONI, SAYLOR, SCAVELLO, SONNEY, STEPHENS, STERN, STEVENSON, SWANGER, TALLMAN, TOBASH, TOEPEL, TOOHL, TRUITT, TURZAI, VEREB, VULAKOVICH, WATERS and HELM

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for issuance and content of driver's licenses.

Referred to Committee on TRANSPORTATION, June 4, 2012.

No. 2429 By Representatives SANTONI, TAYLOR, FRANKEL, BRENNAN, GIBBONS, HARHAI, HARKINS, KORTZ, KOTIK, LONGIETTI, STURLA, DALEY, PAYNE, M. O'BRIEN and VULAKOVICH

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, providing for special permits for breweries.

Referred to Committee on LIQUOR CONTROL, June 4, 2012.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1472, PN 2066**, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2012, to June 30, 2013, and

for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

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

* * *

The House proceeded to second consideration of **SB 1473, PN 2067**, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

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

* * *

The House proceeded to second consideration of **SB 1474, PN 2068**, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

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

* * *

The House proceeded to second consideration of **SB 1475, PN 2069**, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2012, to June 30, 2013.

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

* * *

The House proceeded to second consideration of **SB 1476, PN 2070**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

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

* * *

The House proceeded to second consideration of **SB 1477, PN 2071**, entitled:

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

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

* * *

The House proceeded to second consideration of **SB 1478, PN 2072**, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

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

BILL RECOMMITTED

The SPEAKER. The Speaker recognizes the majority leader, who moves that SB 1478, PN 2072, on page 3 of today's House calendar be recommitted to the Committee on Appropriations.

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

* * *

The House proceeded to second consideration of **SB 1479, PN 2073**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

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 468, PN 479**, entitled:

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, further providing for filing of claim.

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

The SPEAKER. The House will be at ease for a few minutes.

The House will come to order.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 750 By Representatives GODSHALL, CUTLER, EVERETT, KOTIK, MARSHALL, MILLARD, PICKETT, QUIGLEY, SAYLOR and SWANGER

A Resolution memorializing the President and the Congress of the United States to provide for the storage of used nuclear fuel.

Referred to Committee on STATE GOVERNMENT, June 4, 2012.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2430 By Representatives MURT, CALTAGIRONE, HARPER, MICOZZIE, KULA, SCAVELLO and SWANGER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for school bus requirements.

Referred to Committee on TRANSPORTATION, June 4, 2012.

No. 2431 By Representatives MURT, CREIGHTON, GRELL, GROVE, HARRIS, HORNAMAN, LAWRENCE, MILNE, MOUL, SWANGER, TOEPEL, TRUITT and VULAKOVICH

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 rate and amount of compensation.

Referred to Committee on LABOR AND INDUSTRY, June 4, 2012.

No. 2433 By Representatives DeLUCA, BRADFORD, BRENNAN, CALTAGIRONE, DEASY, HARHAI, HORNAMAN, JOSEPHS, KOTIK, KULA, LONGIETTI, MICOZZIE, MUNDY, MYERS, O'NEILL, READSHAW, STABACK and YOUNGBLOOD

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 Commonwealth reimbursements for charter schools and cyber charter schools.

Referred to Committee on EDUCATION, June 4, 2012.

No. 2435 By Representatives DeLUCA, D. COSTA, JOSEPHS, KOTIK, MILLER, MUNDY, MURT, M. O'BRIEN, PRESTON, VULAKOVICH, WATERS, WHITE and SCHMOTZER

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 limitations on certain unreserved fund balances.

Referred to Committee on EDUCATION, June 4, 2012.

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 Bedford County, Mr. HESS, 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 2223, PN 3145**, entitled:

An Act amending the act of January 19, 1967 (1968 P.L.992, No.442), entitled, as amended, "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," further providing for local taxing options.

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

Mr. **HENNESSEY** offered the following amendment No. **A10804**:

Amend Bill, page 2, lines 21 and 22, by striking out "in an amount up to twenty-five percent of the annual" in line 21 and "revenue" in line 22 and inserting

annually, up to 25% of the accumulated balance of the fund

Amend Bill, page 2, line 24, by inserting after "benefits" , or alternatively, for purposes of allocation, the local government unit may create a maintenance fund into which the local government unit may deposit in an amount up to 25% of the annual revenue from the levy authorized by referendum, to maintain property acquired pursuant to this act for an open space benefit or benefits

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

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

Mr. HENNESSEY. Thank you, Mr. Speaker.

This amendment seeks to cover situations where townships over the years have accumulated substantial amounts of open space and find in a particular year that 25 percent of that year's revenue from the open space tax would not be sufficient to do the maintenance that has either been deferred or is necessary for the substantial acreage they have already accumulated. It would give them, give the townships the opportunity of keeping the 25-percent limit to simply use more than 1 year's revenue, or 25 percent of 1 year's revenue, for the maintenance needs that they have for that particular year.

It would also create a situation where they could, if they wished, take up to 25 percent each year and put it into a maintenance fund and essentially consider that as having spent the maintenance, that money allowed in that given year, even though all they had done was put it into a maintenance fund for future use.

This has been agreed to by the maker of the amendment, and after the committee meeting we talked to a number of the groups involved and they were in favor of the amendment as well. So I ask the members' approval.

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

On the amendment, the Speaker recognizes the lady from Lebanon County, Mrs. Gingrich.

Mrs. GINGRICH. Thank you, Mr. Speaker.

I just wanted to take a moment to add that the amendment from my colleague in Chester County does add clarity to the intent of the bill, so I would also recommend support for the amendment, and thank you.

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

The following roll call was recorded:

YEAS—195

Adolph	Dunbar	Kirkland	Pyle
Aument	Ellis	Knowles	Quigley
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	Mackenzie	Rock
Boback	Fleck	Maher	Roebuck
Boyd	Frankel	Mahoney	Ross
Boyle, B.	Freeman	Major	Sabatina
Boyle, K.	Gabler	Maloney	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	Schmotzer
Burns	Gillespie	Metzgar	Simmons
Buxton	Gingrich	Miccarelli	Smith, K.
Caltagirone	Godshall	Micozzie	Smith, M.
Carroll	Goodman	Millard	Sonney
Causser	Grell	Miller	Staback
Christiana	Grove	Milne	Stephens
Clymer	Hackett	Mirabito	Stern
Cohen	Hahn	Moul	Sturla
Conklin	Haluska	Mullery	Swanger
Costa, D.	Harhai	Mundy	Tallman
Costa, P.	Harhart	Murphy	Taylor
Cox	Harkins	Murt	Thomas
Cruz	Harper	Mustio	Tobash
Culver	Harris	Myers	Toepel
Curry	Heffley	Neilson	Toohil
Cutler	Helm	Neuman	Trutt
Daley	Hennessey	O'Brien, M.	Turzai
Davidson	Hickernell	O'Neill	Vereb
Davis	Hornaman	Oberlander	Vitali
Day	Hutchinson	Parker	Vulakovich
Dean	James	Pashinski	Waters
Deasy	Josephs	Payne	Watson
DeLissio	Kampf	Payton	Wheatley
Delozier	Kauffman	Peifer	White
DeLuca	Kavulich	Perry	Williams
Denlinger	Keller, F.	Petrarca	Youngblood
DePasquale	Keller, M.K.	Petri	
Dermody	Keller, W.	Pickett	Smith, S.,
DiGirolamo	Killion	Preston	Speaker
Donatucci			

NAYS-0

NOT VOTING-0

EXCUSED-6

Creighton	Hess	Quinn	Stevenson
Hanna	Mann		

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

On the question,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2319, PN 3606**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-195

Adolph	Dunbar	Kirkland	Pyle
Aument	Ellis	Knowles	Quigley
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	Mackenzie	Rock
Boback	Fleck	Maher	Roebuck
Boyd	Frankel	Mahoney	Ross
Boyle, B.	Freeman	Major	Sabatina
Boyle, K.	Gabler	Maloney	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	Schmotzer
Burns	Gillespie	Metzgar	Simmons
Buxton	Gingrich	Miccarelli	Smith, K.
Caltagirone	Godshall	Micozzie	Smith, M.
Carroll	Goodman	Millard	Sonney
Causser	Grell	Miller	Staback
Christiana	Grove	Milne	Stevens
Clymer	Hackett	Mirabito	Stern
Cohen	Hahn	Moul	Sturla
Conklin	Haluska	Mullery	Swanger
Costa, D.	Harhai	Mundy	Tallman
Costa, P.	Harhart	Murphy	Taylor
Cox	Harkins	Murt	Thomas
Cruz	Harper	Mustio	Tobash
Culver	Harris	Myers	Toepel
Curry	Heffley	Neilson	Toohil
Cutler	Helm	Neuman	Truitt
Daley	Hennessey	O'Brien, M.	Turzai
Davidson	Hickernell	O'Neill	Vereb
Davis	Hornaman	Oberlander	Vitali
Day	Hutchinson	Parker	Vulakovich
Dean	James	Pashinski	Waters
Deasy	Josephs	Payne	Watson
DeLissio	Kampf	Payton	Wheatley
Delozier	Kauffman	Peifer	White
DeLuca	Kavulich	Perry	Williams
Denlinger	Keller, F.	Petrarca	Youngblood
DePasquale	Keller, M.K.	Petri	
Dermody	Keller, W.	Pickett	Smith, S.,
DiGirolamo	Killion	Preston	Speaker
Donatucci			

NAYS-0

NOT VOTING-0

EXCUSED-6

Creighton	Hess	Quinn	Stevenson
Hanna	Mann		

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 665, PN 3263**, 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 income tax returns.

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.

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 665 CONTINUED

On the question recurring, Shall the bill pass finally?

The following roll call was recorded:

YEAS-194

Table listing names of members who voted 'YEAS' for HB 665, including Adolph, Aument, Baker, Barbin, Barrar, Bear, Benninghoff, Bishop, Bloom, Boback, Boyd, Boyle, B., Boyle, K., Bradford, Brennan, Briggs, Brooks, Brown, R., Brown, V., Brownlee, Burns, Buxton, Caltagirone, Carroll, Causer, Christiana, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Cruz, Culver, Curry, Cutler, Daley, Davidson, Davis, Day, Dean, Deasy, DeLissio, Delozier, DeLuca, Denlinger, DePasquale, Dermody, DiGirolamo, Donatucci, Dunbar, Ellis, Emrick, Evankovich, Evans, D., Evans, J., Everett, Fabrizio, Farry, Fleck, Frankel, Freeman, Gabler, Galloway, Geist, George, Gerber, Gergely, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Goodman, Grell, Grove, Hackett, Hahn, Haluska, Harhai, Harhart, Harkins, Harper, Harris, Heffley, Helm, Hennessey, Hickernell, Hornaman, Hutchinson, James, Josephs, Kampf, Kauffman, Kavulich, Keller, F., Keller, M.K., Keller, W., Killion, Kirkland, Knowles, Kortz, Kotik, Krieger, Kula, Lawrence, Longietti, Mackenzie, Maher, Mahoney, Major, Maloney, Markosek, Marshall, Marsico, Masser, Matzie, McGeehan, Metcalfe, Metzgar, Miccarelli, Micozzie, Millard, Miller, Milne, Mirabito, Moul, Mullery, Mundy, Murt, Mustio, Myers, Neilson, Neuman, O'Brien, M., O'Neill, Oberlander, Parker, Pashinski, Payne, Payton, Peifer, Perry, Petrarca, Petri, Pickett, Preston, Pyle, Quigley, Rapp, Ravenstahl, Readshaw, Reed, Reese, Roae, Rock, Roebuck, Ross, Sabatina, Saccone, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schmotzer, Simmons, Smith, K., Smith, M., Sonney, Staback, Stephens, Stern, Sturla, Swanger, Tallman, Taylor, Thomas, Tobash, Toepel, Toohil, Truitt, Turzai, Vereb, Vitali, Vulakovich, Waters, Watson, Wheatley, White, Williams, Youngblood, and Smith, S., Speaker.

NAYS-0

NOT VOTING-0

EXCUSED-7

Table listing names of members who were excused: Creighton Hanna, Hess Mann, Murphy Quinn, and Stevenson.

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 1310, PN 1486, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions; and limiting number of retail licenses to be issued in each county.

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 Bucks County, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I just want to get the attention of the members on this legislation. My comment will be very brief. I hope that when the bill passes that the skiers do not say to the bartender, "I'll take one for the road," because that may be quite an adventure for that skier to be up on the slope coming down at a very fast speed and the snow mogul is there and he does not quite know what direction to go, and, you know, you get the picture.

So I just wanted to bring it to the attention of the members. Thank you.

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-173

Table listing names of members who voted 'YEAS' for HB 1310, including Adolph, Baker, Barbin, Barrar, Benninghoff, Bishop, Bloom, Boback, Boyle, B., Ellis, Evankovich, Evans, D., Evans, J., Everett, Fabrizio, Farry, Fleck, Frankel, Krieger, Kula, Longietti, Mackenzie, Maher, Mahoney, Major, Maloney, Markosek, Ravenstahl, Readshaw, Reed, Reese, Roae, Rock, Roebuck, Ross, Sabatina, and Smith, S., Speaker.

Boyle, K.	Gabler	Marshall	Saccone
Bradford	Galloway	Marsico	Sainato
Brennan	Geist	Masser	Samuelson
Briggs	George	Matzie	Santarsiero
Brown, R.	Gerber	McGeehan	Santoni
Brown, V.	Gergely	Metcalfe	Saylor
Brownlee	Gibbons	Miccarelli	Scavello
Burns	Gillespie	Micozzie	Schmotzer
Buxton	Gingrich	Millard	Simmons
Caltagirone	Godshall	Miller	Smith, K.
Carroll	Goodman	Mirabito	Smith, M.
Causser	Grell	Moul	Sonney
Christiana	Grove	Mullery	Staback
Cohen	Hackett	Mundy	Stephens
Conklin	Hahn	Murt	Stern
Costa, D.	Harhai	Mustio	Sturla
Costa, P.	Harhart	Myers	Taylor
Cox	Harkins	Neilson	Thomas
Cruz	Harper	Neuman	Tobash
Culver	Harris	O'Brien, M.	Toepel
Curry	Heffley	O'Neill	Toohil
Daley	Helm	Oberlander	Turzai
Davidson	Hennessey	Parker	Vereb
Davis	Hornaman	Pashinski	Vitali
Day	James	Payne	Vulakovich
Dean	Josephs	Payton	Waters
Deasy	Kampf	Peifer	Watson
DeLissio	Kauffman	Perry	Wheatley
Delozier	Kavulich	Petrarca	White
DeLuca	Keller, M.K.	Petri	Williams
DePasquale	Keller, W.	Pickett	Youngblood
Dermody	Killion	Preston	
DiGirolamo	Kirkland	Pyle	Smith, S.,
Donatucci	Knowles	Quigley	Speaker
Dunbar	Kortz	Rapp	

NAYS—21

Aument	Denlinger	Hickernell	Metzgar
Bear	Emrick	Hutchinson	Milne
Boyd	Freeman	Keller, F.	Swanger
Brooks	Gillen	Kotik	Tallman
Clymer	Haluska	Lawrence	Truitt
Cutler			

NOT VOTING—0

EXCUSED—7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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 2018, PN 2773**, entitled:

An Act designating the bridge crossing the Lackawanna River along 8th Avenue, also known as U.S. Business Route 6, in downtown Carbondale, Lackawanna County, as the 109th Infantry Bridge.

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

(Bill analysis was read.)

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

On that question, the Speaker recognizes the gentleman from Lackawanna County, Mr. Kavulich.

Mr. KAVULICH. Thank you, Mr. Speaker.

Mr. Speaker, I rise to speak out on HB 2018, which would designate the bridge crossing the Lackawanna River along 8th Avenue in downtown Carbondale, Lackawanna County, as the "109th Infantry Bridge."

The 109th Infantry Regiment makes up one of four regiments in the 55th Heavy Brigade Combat Team within the 28th Infantry Division. The regiment formed as part of the Scranton City Guards Battalion of the National Guard of Pennsylvania. It traces its origins back to the American Revolution and had involvement within all of our nation's wars.

One of the regiment's most impressive and heroic acts came early in December of 1944 when the German Army launched a vicious, well-planned attack that became known as the Battle of the Bulge. For 11 days the 109th Regimental Combat Team had frustrated the offensive efforts of the German Army to seize key terrain and establish a firm southern defense line for the main offensive thrust to seize Antwerp. By the end of the month, it helped eliminate two highly regarded German divisions and ensured an Allied victory not only in the battle but also in the war. We stand here today with liberty and equality for all, thanks to the sacrifice, both ultimate and otherwise, given for our country by members of the 109th Infantry Regiment.

Mr. Speaker, I feel greatly honored to request the members of the House to join me in supporting HB 2018 – 2018 – to rename the bridge crossing the 8th Avenue Bridge in Carbondale as the "109th Infantry Bridge."

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—194

Adolph	Donatucci	Killion	Pyle
Aument	Dunbar	Kirkland	Quigley
Baker	Ellis	Knowles	Rapp
Barbin	Emrick	Kortz	Ravenstahl
Barrar	Evankovich	Kotik	Readshaw
Bear	Evans, D.	Krieger	Reed
Benninghoff	Evans, J.	Kula	Reese
Bishop	Everett	Lawrence	Roae
Bloom	Fabrizio	Longietti	Rock
Boback	Farry	Mackenzie	Roebuck
Boyd	Fleck	Maher	Ross
Boyle, B.	Frankel	Mahoney	Sabatina
Boyle, K.	Freeman	Major	Saccone
Bradford	Gabler	Maloney	Sainato
Brennan	Galloway	Markosek	Samuelson
Briggs	Geist	Marshall	Santarsiero
Brooks	George	Marsico	Santoni
Brown, R.	Gerber	Masser	Saylor
Brown, V.	Gergely	Matzie	Scavello

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2217, PN 3588**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for Gold Star Family plate.

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—194

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2191, PN 3511**, entitled:

An Act amending Titles 7 (Banks and Banking) and 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in Title 7, providing for short-term loan protection; and, in Title 18, further providing for deceptive or fraudulent business practices and providing for unlicensed short-term lending.

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

Mr. **THOMAS** offered the following amendment No. **A10365**:

Amend Bill, page 41, line 10, by striking out "Three years" and inserting

One year

Amend Bill, page 41, line 10, by inserting after "chapter"
, and annually thereafter

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

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

Mr. **THOMAS**. Mr. Speaker, I am withdrawing this amendment.

The **SPEAKER**. Is the gentleman, Mr. Thomas, seeking recognition?

Mr. **THOMAS**. There is an agreement around this amendment, and so I ask my colleagues, both sides, to support it.

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

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

Mr. **ROSS**. Thank you, Mr. Speaker.

And I, too, agree with this amendment, which requires reporting by the department on an annual rather than every 3-year basis, which I think is a good idea and I support it, and I appreciate my colleague bringing it to our attention.

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

The following roll call was recorded:

YEAS—191

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

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

NAYS—3

Gillen	Hutchinson	Metcalf
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NOT VOTING—0

EXCUSED—7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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

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

Mr. **PRESTON** offered the following amendment No. **A10382**:

Amend Bill, page 15, line 9, by striking out "100" and inserting
1,000

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

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

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

This amendment will extend from 100 to 1,000 feet on the facilities that are enclosed in this bill dealing with race locations and some of the other extensions, Federal hospitals and slot machine facilities. And my understanding is it is agreed to, and I would ask for an affirmative vote.

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

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

Mr. ROSS. Thank you, Mr. Speaker.

And I agree that this is a good amendment, providing a little extra separation from these kinds of facilities, and I support it and urge a positive vote.

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

The following roll call was recorded:

YEAS—190

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

NAYS—4

Gillen Hutchinson Metcalfe Roae

NOT VOTING—0

EXCUSED—7

Creighton Hess Murphy Stevenson
Hanna Mann Quinn

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

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

Mr. THOMAS offered the following amendment No. A10417:

Amend Bill, page 25, line 15, by striking out "5141. Penalties." and inserting
5141. Whistleblower protection.
5142. Penalties.

Amend Bill, page 39, by inserting between lines 26 and 27
§ 5141. Whistleblower protection.

(a) Adverse action prohibited.—No employer may discharge, threaten or otherwise discriminate or retaliate against an employee regarding the employee's compensation, terms, conditions, location or privileges of employment because the employee makes a good faith report or is about to report, verbally or in writing, to the employer or appropriate authority an instance of wrongdoing under section 5128 (relating to licensee duties with respect to military personnel) or any other violation of this chapter.

(b) Remedies.—The remedies, penalties and enforcement procedures for violations of this section shall be as provided in the act of December 12, 1986 (P.L.1559, No.169), known as the Whistleblower Law.

(c) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Appropriate authority." A Federal, State or local government body, agency or organization having jurisdiction over criminal law enforcement, regulatory violations, professional conduct or ethics, or waste; or a member, officer, agent, representative or supervisory employee of the body, agency or organization. The term includes, but is not limited to, the Office of Attorney General, the Department of the Auditor General, the Treasury Department, the General Assembly and committees of the General Assembly having the power and duty to investigate criminal law enforcement, regulatory violations, professional conduct or ethics or waste.

"Employee." A person who works for a licensee.

"Employer." A licensee.

"Good faith report." A report of conduct that alleges wrongdoing or waste which is made by a person without malice or consideration of personal benefit and which the person has reasonable cause to believe is true.

"Public body." All of the following:

(1) A State officer, agency, department, division, bureau, board, commission, council, authority or other body in the executive branch of State government.

(2) A county, city, township, regional governing body, council, school district, special district or municipal corporation, or a board, department, commission, council or agency.

(3) Any other body which is created by the

Commonwealth or a political subdivision authority or which is funded in any amount by or through Commonwealth or political subdivision authority or a member or employee of that body.

"Whistleblower." A person who witnesses or has evidence of wrongdoing or waste while employed and who makes a good faith report of the wrongdoing or waste, verbally or in writing, to one of the person's superiors, to an agent of the employer or to an appropriate authority.

"Wrongdoing." A violation which is not of a merely technical or minimal nature of a Federal or State statute or regulation, of a political subdivision ordinance or regulation or of a code of conduct or ethics designed to protect the interest of the public or the employer.

Amend Bill, page 39, line 27, by striking out "5141" and inserting

5142

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

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to encourage support for my colleagues, both sides of the aisle, to provide a whistleblower protection in this particular bill, and that whistleblower protection will add a little bit more security to this whole prescription.

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

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

Mr. ROSS. Thank you, Mr. Speaker.

And this will provide protection from any of the licensees that have employees that see wrongdoing. It will be able to find out that wrongdoing more promptly and make sure that those people report it so that we can prosecute any licensee that is misbehaving and not following the law.

So I support it. I think it is a good additional protection. I appreciate its addition and urge the members to vote positively on this.

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

The following roll call was recorded:

YEAS—194

Adolph	Donatucci	Killion	Pyle
Aument	Dunbar	Kirkland	Quigley
Baker	Ellis	Knowles	Rapp
Barbin	Emrick	Kortz	Ravenstahl
Barrar	Evankovich	Kotik	Readshaw
Bear	Evans, D.	Krieger	Reed
Benninghoff	Evans, J.	Kula	Reese
Bishop	Everett	Lawrence	Roae
Bloom	Fabrizio	Longietti	Rock
Boback	Farry	Mackenzie	Roebuck
Boyd	Fleck	Maher	Ross
Boyle, B.	Frankel	Mahoney	Sabatina
Boyle, K.	Freeman	Major	Sacone
Bradford	Gabler	Maloney	Sainato
Brennan	Galloway	Markosek	Samuelson
Briggs	Geist	Marshall	Santarsiero
Brooks	George	Marsico	Santoni
Brown, R.	Gerber	Masser	Saylor
Brown, V.	Gergely	Matzie	Scavello
Brownlee	Gibbons	McGeehan	Schmotzer

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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

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

Mr. PRESTON offered the following amendment No. **A10384**:

Amend Bill, page 13, line 25, by striking out "(b) (Reserved)." and inserting

(b) Annual limit.—A consumer is prohibited from receiving more than six loans from one or more licensees in a single calendar year. A licensee is prohibited from making a loan to a consumer if making that loan would result in a consumer receiving more than six loans from one or more licensees in a single calendar year.

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

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

Mr. PRESTON. Thank you, Mr. Speaker.

Over the last few days I have heard from quite a few people who have raised the issue in dealing from a consumer standpoint about the amount of loans in this current bill that

would be allowed. Under this amendment, 10384, it would include six loans, and anything more than that would not be allowed by the law should this amendment pass.

I think if we care about those people who are concerned about borrowing something every other month, there is no prohibition here between the days after a loan is paid, and I would ask for an affirmative vote.

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

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

Mr. ROSS. Thank you, Mr. Speaker.

And I recognize the good intent of the maker of this amendment and his sincerity; however, I must reluctantly oppose the amendment. There is really no reason to assume that six loans in a year are going to be all right and seven loans would somehow become a problem.

And what I think the maker is really attempting to address is the question of cycle of debt, which I take very seriously in these kinds of loans. And I think we have adequately addressed the issue he is trying to raise with provisions in the underlying legislation to require a borrower to pay back a loan with a fee and stay out of the product until the check is cleared to make sure that they have sufficient funds to be able to meet the obligation. And then for those borrowers who feel they are beginning to get into that cycle of debt, the provisions for an extended payment plan of four additional pay periods at no cost to the borrower, with free credit counseling also available to the borrower, is critical.

We need to work with those that are recognizing that they may have a problem and give them the tools they need to address that problem. But the artificial limit on those that do not see a problem is not going to work and will, unfortunately, be unsuccessful. So I reluctantly urge a "no" vote on this amendment.

FORMER MEMBER WELCOMED

The SPEAKER. The Speaker pauses for a moment to introduce a guest that is with us. Former Representative Tom Gannon from Delaware County is over here talking to the Parliamentarian. Tom, welcome back to the floor of the House.

CONSIDERATION OF HB 2191 CONTINUED

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

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

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in support of the amendment by the Representative from Allegheny County. The whole underlying basis of the bill is to avoid a consumer taking out these loans one right after the other. The problem with the bill up to this point has been if a consumer is taking out a loan every month or so, then the average annual percentage rate is going to be very high. So if you do not have this amendment in the bill, then all of those arguments that have been brought to bear from all the interest groups that have come and said "Why are we doing this bill?" they are going to come to fruition.

The problem with the bill is if somebody keeps doing this over and over. Six times getting a loan with these higher fees is enough. If you do not have this protection in there, you are going to have a problem with people getting into the cycle of debt that we are supposed to be avoiding with the language of the bill.

So I ask for the support of this amendment.

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

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

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

Very briefly, and again, this comes from hearing from people back in the area. This means, in a 24-month period, it would prohibit individuals from borrowing 12 times. I did not put any days in between that. If they want to – January, February, March, April, or January, March, October, and November – that is their prerogative, and I just thought it was just a way of safekeeping, and I would encourage an affirmative vote. Thank you.

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

The following roll call was recorded:

YEAS—88

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

NAYS—106

Adolph	Farry	Lawrence	Rapp
Aument	Fleck	Mackenzie	Reed
Baker	Gabler	Maher	Reese
Barrar	Geist	Major	Roae
Bear	Gillen	Maloney	Rock
Benninghoff	Gillespie	Marshall	Ross
Bloom	Gingrich	Marsico	Saccone
Boback	Godshall	Masser	Saylor
Boyd	Grell	Metcalfe	Scavello
Brooks	Grove	Metzgar	Simmons
Brown, R.	Hackett	Miccarelli	Sonney
Causar	Hahn	Micozzie	Stephens
Christiana	Harhart	Millard	Stern
Clymer	Harper	Miller	Swanger
Cox	Harris	Milne	Tallman

Culver	Heffley	Moul	Taylor
Cutler	Helm	Murt	Tobash
Day	Hennessey	Mustio	Toepel
DeLozier	Hickernell	O'Neill	Toohil
Denlinger	Hutchinson	Oberlander	Truitt
DiGirolamo	Kampf	Payne	Turzai
Dunbar	Kauffman	Peifer	Verab
Ellis	Keller, F.	Perry	Vulakovich
Emrick	Keller, M.K.	Petri	Watson
Evankovich	Killion	Pickett	
Evans, J.	Knowles	Pyle	Smith, S.,
Everett	Krieger	Quigley	Speaker

NOT VOTING—0

EXCUSED—7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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

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

The SPEAKER. It is the Speaker's understanding that the gentleman, Mr. Preston, has withdrawn amendment A10383? The Speaker thanks the gentleman.

Additionally, it is the Speaker's understanding that the gentleman, Mr. Thomas, has withdrawn amendment A10364 and A10366. The Speaker thanks the gentleman.

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

Mr. THOMAS. Correction, Mr. Speaker.

Mr. Speaker, 10366 was withdrawn, and 10364 – we agree to disagree – but I want to move forward with it.

The SPEAKER. The Speaker apologizes. The information I had was that that had been withdrawn, but we will come back to that then.

The House will be at ease for a moment.

The House will come to order.

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

Mr. STURLA offered the following amendment No. **A10404**:

Amend Bill, page 25, by inserting between lines 1 and 2 § 5129.1. Anti-money laundering requirements.

A person licensed by the department under this act shall:

(1) Comply with all Federal and State statutes and rules relating to the detection and prevention of money laundering, including 31 CFR §§ 103.20 (relating to reports by money services businesses of suspicious transactions), 103.22 (relating to reports of transactions in currency), 103.23 (relating to reports of transportation of currency or monetary instruments), 103.27 (relating to filing of reports), 103.28 (relating to identification required), 103.29 (relating to purchases of bank checks and drafts, cashier's checks, money orders and traveler's checks), 103.33 (relating to records to be made and retained by financial

institutions), 103.37 (relating to additional records to be made and retained by currency dealers or exchangers) and 103.41 (relating to registration of money services businesses).

(2) Maintain an anti-money laundering program in accordance with 31 CFR § 103.125 (relating to anti-money laundering programs for money services businesses). The program must be reviewed and updated as necessary to ensure that it continues to be effective in detecting and deterring money laundering activities in the licensee's short-term loan business.

(3) Comply with United States Treasury Interpretive Release 2004-1.

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would require payday lenders to comply with all State and Federal laws and rules relating to the detection and prevention of money laundering and maintain an anti-money laundering program in accordance with Federal regulations.

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

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

Mr. ROSS. Thank you, Mr. Speaker.

I believe that these Federal laws and State laws would apply anyway, but in order to be additionally cautious, it probably is beneficial to repeat that so that there is no doubt in anyone's mind.

So I will support this amendment and urge a positive vote on it.

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

The following roll call was recorded:

YEAS—194

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

Clymer	Grove	Milne	Stern
Cohen	Hackett	Mirabito	Sturla
Conklin	Hahn	Moul	Swanger
Costa, D.	Haluska	Mullery	Tallman
Costa, P.	Harhai	Mundy	Taylor
Cox	Harhart	Murt	Thomas
Cruz	Harkins	Mustio	Tobash
Culver	Harper	Myers	Toepel
Curry	Harris	Neilson	Toohil
Cutler	Heffley	Neuman	Truitt
Daley	Helm	O'Brien, M.	Turzai
Davidson	Hennessey	O'Neill	Vereb
Davis	Hickernell	Oberlander	Vitali
Day	Hornaman	Parker	Vulakovich
Dean	Hutchinson	Pashinski	Waters
Deasy	James	Payne	Watson
DeLissio	Josephs	Payton	Wheatley
DeLozier	Kampf	Peifer	White
DeLuca	Kauffman	Perry	Williams
Denlinger	Kavulich	Petrarca	Youngblood
DePasquale	Keller, F.	Petri	
Dermody	Keller, M.K.	Pickett	Smith, S.,
DiGirolo	Keller, W.	Preston	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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

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

Mr. STURLA offered the following amendment No. A10408:

Amend Bill, page 34, by inserting between lines 25 and 26
(e) Background checks.—The department shall require a criminal background check for all compliance system providers.

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

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

Mr. STURLA. Thank you, Mr. Speaker.
This amendment simply requires a criminal background check for all compliance system providers.

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

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

Mr. ROSS. Mr. Speaker, I agree that the compliance providers will have sensitive information, and it is, I think, a good idea for the background checks to be conducted to make sure that they have hired people that are trustworthy and are not going to abuse the borrowers. I hope that the department will be

able to flesh this out a little bit more and describe exactly which employees and under what circumstances the background checks will be applied.

But in an interest of getting this idea moving forward, I do support this amendment and will ask for a positive vote on it.

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

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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

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

RULES SUSPENDED

The SPEAKER. The Speaker recognizes the gentleman from Lancaster County, Mr. Sturla, who moves to suspend the rules for the immediate consideration of amendment A10539.

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

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

Mr. STURLA. Thank you, Mr. Speaker.

I believe this is agreed to. It would require that a report be submitted to the General Assembly 3 years after the act's effective date and include information on the effectiveness of credit counseling.

The SPEAKER. On the motion to suspend the rules, the Speaker recognizes the gentleman from Chester County, Mr. Ross.

Mr. ROSS. Thank you, Mr. Speaker.

And I support a suspension of the rules for consideration of amendment A10539.

The SPEAKER. The question is, will the House suspend the rules for the immediate consideration of amendment A10539?

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

The following roll call was recorded:

YEAS—173

Adolph	DiGirolamo	Kirkland	Readshaw
Aument	Donatucci	Knowles	Reed
Baker	Ellis	Kortz	Reese
Barbin	Evankovich	Kotik	Rock
Barrar	Evans, D.	Kula	Roebuck
Bear	Evans, J.	Longiotti	Ross
Benninghoff	Everett	Maher	Sabatina
Bishop	Fabrizio	Mahoney	Saccone
Bloom	Farry	Major	Sainato
Boback	Fleck	Maloney	Samuelson
Boyd	Frankel	Markosek	Santarsiero
Boyle, B.	Freeman	Marshall	Santoni
Boyle, K.	Galloway	Marsico	Saylor
Bradford	Geist	Masser	Scavello
Brennan	George	Matzie	Schmotzer
Briggs	Gerber	McGeehan	Simmons
Brooks	Gergely	Miccarelli	Smith, K.
Brown, R.	Gibbons	Micozzie	Smith, M.
Brown, V.	Gillespie	Millard	Sonney
Brownlee	Gingrich	Miller	Staback
Burns	Godshall	Milne	Stephens
Buxton	Goodman	Mirabito	Stern
Caltagirone	Grove	Moul	Sturla
Carroll	Hackett	Mundy	Swanger
Christiana	Hahn	Murt	Tallman

Clymer	Haluska	Mustio	Taylor
Cohen	Harhai	Myers	Thomas
Conklin	Harhart	Neilson	Tobash
Costa, D.	Harkins	Neuman	Toepel
Costa, P.	Harper	O'Brien, M.	Toohil
Cox	Harris	O'Neill	Turzai
Cruz	Heffley	Parker	Vereb
Culver	Helm	Pashinski	Vitali
Curry	Hennessey	Payne	Vulakovich
Daley	Hickernell	Payton	Waters
Davidson	Hornaman	Peifer	Watson
Davis	James	Perry	Wheatley
Day	Josephs	Petrarca	White
Dean	Kampf	Petri	Williams
Deasy	Kauffman	Pickett	Youngblood
DeLissio	Kavulich	Preston	
DeLuca	Keller, F.	Pyle	Smith, S.,
DePasquale	Keller, W.	Quigley	Speaker
Dermody	Killion	Ravenstahl	

NAYS—21

Causer	Gabler	Krieger	Mullery
Cutler	Gillen	Lawrence	Oberlander
Delozier	Grell	Mackenzie	Rapp
Denlinger	Hutchinson	Metcalfe	Roae
Dunbar	Keller, M.K.	Metzgar	Truitt
Emrick			

NOT VOTING—0

EXCUSED—7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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

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

Mr. **STURLA** offered the following amendment No. **A10539**:

Amend Bill, page 42, line 4, by inserting after "(6)" Information on the effectiveness of credit counseling pursuant to section 5129 (relating to licensee duty to offer credit counseling), including all of the following:

(i) Identification by name and address of third-party credit counselors approved by the agency.

(ii) The geographic locations in this Commonwealth where credit counseling is available to consumers.

(iii) Information on the number of consumers who participated in credit counseling, including demographic data associated with such consumers.

(iv) Information on the instructional format used by third-party credit counselors to provide financial and educational credit counseling.

(v) Number of participating third-party certified credit counselors.

(vi) Identification by licensee of the consumers who participated in credit counseling.

Amend Bill, page 42, line 6, by inserting before "Other"

(7)

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I think I pretty much gave a description of it. It would get into some information, detailed information, that would come back to the House so that we could look at this 3 years from now. Thank you.

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

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

Mr. ROSS. Thank you, Mr. Speaker.

And the provision of credit counseling for people who have taken out short-term lending is very important and it is a critical part of the underlying bill. It is very important for people that might be getting in trouble with these kinds of loans to get access to free credit counseling, as we have provided for in the underlying bill.

I appreciate my colleague from Lancaster County's suggestion as embodied by this amendment that we find out more about the kind of credit counseling that is available out there. I am familiar with several good agencies that are currently operating in the southeast region and also up in the Allentown area, but I think it is important to make sure that it is readily available throughout the State and that we do everything we can to make sure anybody who is starting to get in trouble with these loans has access to that credit counseling.

So therefore, I urge a positive vote on amendment A10539.

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

The following roll call was recorded:

YEAS—191

Adolph	Donatucci	Kirkland	Quigley
Aument	Dunbar	Knowles	Rapp
Baker	Ellis	Kortz	Ravenstahl
Barbin	Emrick	Kotik	Readshaw
Barrar	Evankovich	Krieger	Reed
Bear	Evans, D.	Kula	Reese
Benninghoff	Evans, J.	Lawrence	Roae
Bishop	Everett	Longiatti	Rock
Bloom	Fabrizio	Mackenzie	Roebuck
Boback	Farry	Maher	Ross
Boyd	Fleck	Mahoney	Sabatina
Boyle, B.	Frankel	Major	Saccone
Boyle, K.	Freeman	Maloney	Sainato
Bradford	Gabler	Markosek	Samuelson
Brennan	Galloway	Marshall	Santarsiero
Briggs	Geist	Marsico	Santoni
Brooks	George	Masser	Saylor
Brown, R.	Gerber	Matzie	Scavello
Brown, V.	Gergely	McGeehan	Schmotzer
Brownlee	Gibbons	Metzgar	Simmons
Burns	Gillespie	Miccarelli	Smith, K.
Buxton	Gingrich	Micozzie	Smith, M.
Caltagirone	Godshall	Millard	Sonney
Carroll	Goodman	Miller	Staback
Causar	Grell	Milne	Stephens
Christiana	Grove	Mirabito	Stern
Clymer	Hackett	Moul	Sturla
Cohen	Hahn	Mullery	Swanger
Conklin	Haluska	Mundy	Tallman

Costa, D.	Harhai	Murt	Taylor
Costa, P.	Harhart	Mustio	Thomas
Cox	Harkins	Myers	Tobash
Cruz	Harper	Neilson	Toepel
Culver	Harris	Neuman	Toohil
Curry	Heffley	O'Brien, M.	Truitt
Cutler	Helm	O'Neill	Turzai
Daley	Hennessey	Oberlander	Vereb
Davidson	Hickernell	Parker	Vitali
Davis	Hornaman	Pashinski	Vulakovich
Day	James	Payne	Waters
Dean	Josephs	Payton	Watson
Deasy	Kampf	Peifer	Wheatley
DeLissio	Kauffman	Perry	White
DeLozier	Kavulich	Petrarca	Williams
DeLuca	Keller, F.	Petri	Youngblood
Denlinger	Keller, M.K.	Pickett	
DePasquale	Keller, W.	Preston	Smith, S.,
Dermody	Killion	Pyle	Speaker
DiGirolamo			

NAYS—3

Gillen	Hutchinson	Metcalfe
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NOT VOTING—0

EXCUSED—7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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

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

Mr. STURLA offered the following amendment No. A10407:

Amend Bill, page 7, line 6, by inserting after "agreement" which shall be provided to the consumer in English and Spanish

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

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

Mr. STURLA. Thank you, Mr. Speaker.

This amendment will require payday lenders to provide loan agreements in English and Spanish. For those of us in particular who represent large constituencies whose first language is Spanish, this is something that I believe is absolutely necessary and would encourage a positive vote.

Thank you, Mr. Speaker.

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

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

Mr. ROSS. Thank you, Mr. Speaker.

It is absolutely essential that the borrower understands the agreement in order for the agreement to be effective, but there is

no reason to assume that Spanish is a critical language for all borrowers. There is no reason to assume that English and Spanish alone are sufficient languages for that to happen. So we may have Russian speakers; we may have a variety of other languages in Philadelphia and throughout the State that would need to understand the terms of the agreement. That must be done for the agreement to be effective anyway, and I believe that this language is therefore unnecessary because we have already covered it by making it a requirement for the lender to properly explain the terms of the agreement.

Thank you. I urge a negative vote on the amendment.

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, in one sense, I guess, a negative vote would be a way for my Spanish-speaking constituents to not have to abide by the rules of their agreement. As was just described by this gentleman, if they do not fully understand, then the terms of the agreement are null and void. So when somebody goes to charge them 369 percent, all they need to do is say "no comprende" and I guess the terms are off.

I am trying to help with this bill to try and make it worthwhile, but if we want to try and cut out a whole bunch of people who have a legal way to get out of their loan, knock yourselves out.

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

The following roll call was recorded:

YEAS—80

Barbin	Davis	Josephs	Preston
Bishop	Dean	Kavulich	Ravenstahl
Boyle, B.	Deasy	Keller, W.	Readshaw
Boyle, K.	DeLissio	Kirkland	Roebuck
Bradford	DeLuca	Kortz	Sabatina
Brennan	DePasquale	Kotik	Samuelson
Briggs	Dermody	Kula	Santarsiero
Brown, V.	DiGirolamo	Mahoney	Santoni
Brownlee	Donatucci	Markosek	Smith, K.
Buxton	Evans, D.	Matzie	Smith, M.
Caltagirone	Fabrizio	McGeehan	Staback
Carroll	Frankel	Mirabito	Sturla
Cohen	Freeman	Mundy	Taylor
Conklin	Galloway	Murt	Thomas
Costa, D.	George	Myers	Vitali
Costa, P.	Gerber	Neilson	Waters
Cruz	Gergely	O'Brien, M.	Wheatley
Curry	Harkins	Parker	White
Daley	Hornaman	Pashinski	Williams
Davidson	James	Payton	Youngblood

NAYS—114

Adolph	Gabler	Lawrence	Quigley
Aument	Geist	Longietti	Rapp
Baker	Gibbons	Mackenzie	Reed
Barrar	Gillen	Maher	Reese
Bear	Gillespie	Major	Roae
Benninghoff	Gingrich	Maloney	Rock
Bloom	Godshall	Marshall	Ross
Boback	Goodman	Marsico	Saccone
Boyd	Grell	Masser	Sainato
Brooks	Grove	Metcalfe	Saylor

Brown, R.	Hackett	Metzgar	Scavello
Burns	Hahn	Miccarelli	Schmotzer
Causser	Haluska	Micozzie	Simmons
Christiana	Harhai	Millard	Sonney
Clymer	Harhart	Miller	Stephens
Cox	Harper	Milne	Stern
Culver	Harris	Moul	Swanger
Cutler	Heffley	Mullery	Tallman
Day	Helm	Mustio	Tobash
Delozier	Hennessey	Neuman	Toepel
Denlinger	Hickernell	O'Neill	Toohil
Dunbar	Hutchinson	Oberlander	Truitt
Ellis	Kampf	Payne	Turzai
Emrick	Kauffman	Peifer	Vereb
Evankovich	Keller, F.	Perry	Vulakovich
Evans, J.	Keller, M.K.	Petrarca	Watson
Everett	Killion	Petri	
Farry	Knowles	Pickett	Smith, S.,
Fleck	Krieger	Pyle	Speaker

NOT VOTING—0

EXCUSED—7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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

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

Mr. STURLA offered the following amendment No. A10398:

Amend Bill, page 11, line 16, by striking out "(a) General rule.—
A short-term lender LICENSEE may not make" and inserting

(a) Limitations.—

(1) A licensee may not make

Amend Bill, page 11, by inserting between lines 24 and 25

(2) A licensee may not make a second loan to a

consumer until 60 days after the first loan is made and may not make more than six loans in a calendar year with the same consumer.

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would require that a licensee may not make a second loan to a consumer until 60 days after the first loan is made and no more than six annually.

Now, earlier there was an amendment that passed that said no more than six annually, but it did not specify time periods in between. What we know is that it is the repetition of payday lending, these short-term, high-interest loans, that gets people into trouble. So while I would like to believe that if the limit is six, which it now is under the previous amendment from the gentleman from Allegheny County, that somebody would wait 2 months before they did their second one and they would wait 2 months before they did their third one and they would wait

2 months and— They would do six a year, and they would be evenly spaced out and they would not be getting themselves into any trouble. But six annually means that you can walk in in the middle of November and take out a payday loan and a week later take out another payday loan and a week later take out another payday loan, and you can get six in in November and December of one year, and then in January and February of the next year, you can get in six more, and 4 months' worth of short-term payday lending loans gets you into a heap of trouble, and what this amendment does is disallows that heap of trouble from ever happening.

I would ask for a positive vote on the amendment. Thank you.

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

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

Mr. ROSS. Mr. Speaker, I share the concern about the cycle of debt, and I had talked about it earlier and of course we are going to be talking about it at great length on third. Certainly we want to avoid the cycle of debt, but I would submit that if someone takes out two loans in the entire year and takes them out 45 days apart, that they are not trapped in a cycle of debt. I would suggest that this micromanages to a degree that is going to increase the likelihood that the abuse of Internet lenders will continue to survive in Pennsylvania, because people that are only going to take out two loans in an entire year would now be barred from being able to do that if they had even 45 days in between those two loans.

So I would take this to be a negative amendment that is actually counterproductive and an attempt to micromanage in a way that is well beyond our needs and what is appropriate here, and I urge a negative vote.

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

The following roll call was recorded:

YEAS-90

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

NAYS-104

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

NOT VOTING-0

EXCUSED-7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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

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

Mr. STURLA offered the following amendment No. A10386:

- Amend Bill, page 11, by inserting between lines 13 and 14
- (d) Rate limitation.—
- (1) Notwithstanding any other provision of this chapter, a licensee may not charge on each loan interest of more than 36% annually.
- (2) As used in this subsection, the term "interest" means all charges payable directly or indirectly, including interest and all fees in connection with or as a condition of a loan or renewal loan made under this chapter.

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment will ensure that the fees and finance charges permitted by small-dollar loans under the bill

do not exceed 36 percent APR (annual percentage rate). This is lower than the 369 percent APR permitted under HB 2191. It is the same rate, however, recommended by the U.S. Department of Defense and which President George Bush signed into law for military families after finding that rates higher than that threaten the military's readiness of our Armed Forces.

This amendment would prevent excessive Internet rates from undermining our veterans, seniors, and all Pennsylvania families as well.

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

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

Mr. ROSS. Mr. Speaker, while this is well-intended, unfortunately it falls on the same problem of trying to calculate an APR, annual percentage rate, on a fee short-term loan, something which is clearly confusing and misleading to the average citizen who is looking for these loans. The effect of this amendment on a \$100 2-week loan, an unsecured 2-week loan, would be that the lender would have to do business at \$1.38, \$1.38 to cover his costs on an unsecured 2-week loan, to cover his expenses, filing, personnel, everything to do with that loan.

Now, that is less than I am frequently charged at an automatic teller machine to access money that is in my account. That is an unreasonable charge that is sort of a backhanded way of saying we are really not going to seriously offer an alternative to the citizens here in Pennsylvania, and it would effectively eliminate any regulated in-State operations here in Pennsylvania. It would defeat the entire purpose of trying to provide these consumer protections to the citizens that we have in this bill.

It is absolutely unacceptable, and I urge strongly a "no" vote on this amendment.

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

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

Mr. STURLA. Thank you, Mr. Speaker.

The reason I speak in terms of an annual percentage rate is because the Federal Truth in Lending Act requires it of all loans in any State anywhere in these United States. It is the way we understand how much you are getting charged. You watch television and you see about a car that you can buy and the percentage rates that they are offering. They talk about the APR. Anytime you are given credit and lent money, that is the way you have to describe it by Federal law.

In terms of unsecured loans, as I read this bill anyway, somebody gets to tap my paycheck if I take out one of these. That is not like the loan shark on the corner of the street that only threatens to break my knees; this guy gets to tap my paycheck.

The 36 percent APR is certainly reasonable, well above any credit card rate that gives me more flexible terms in terms of repayment if I am borrowing on my credit card. This is a fixed-term ability to tap my paycheck. And I guess what I would say is if 36 percent is too high, what is reasonable, because I really do not think 369 percent is reasonable.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—89

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

NAYS—105

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

NOT VOTING—0

EXCUSED—7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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

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

Mr. **STURLA** offered the following amendment No. **A10385**:

Amend Bill, page 11, by inserting between lines 13 and 14

(d) Rate limitation.—

(1) Notwithstanding any other provision of this chapter, a licensee may not charge on each loan interest of more than 99% annually.

(2) As used in this subsection, the term "interest" means all charges payable directly or indirectly, including interest and all fees in connection with or as a condition of a loan or renewal loan made under this chapter.

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

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

Mr. **STURLA**. Thank you, Mr. Speaker.

If 36 percent is not high enough, how about 99 percent? A 100-percent markup on your product. It seems like any businessman worth his salt could do business at a 100-percent markup rate. This amendment ensures that the fees and finance charges permitted by small-dollar loans under the bill do not exceed 99 percent APR. This, again, is lower than the 369 percent APR permitted in this bill, but it makes small-dollar loans available at rates higher than the State's existing limit of about 24 percent APR, four times higher than is currently allowed for people who are still making payday loans; four times higher, 99 percent.

If you look at small loans worldwide, Muhammad Yunus, a Nobel Peace Prize winner who started the Grameen Bank, which loans small amounts of money to people in Bangladesh — they actually make loans to street beggars — they do it for less than 70 percent. Talk about unsecured — loans to street beggars at less than 70 percent. This would allow it to be 99 percent instead of the 369 percent allowed in this bill.

Why would you want your constituents to pay 369 percent when you could say they cannot pay more than 99 percent? The guy lending them the money cannot require that you pay back more than double.

Thank you, Mr. Speaker.

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

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

Mr. **ROSS**. Thank you, Mr. Speaker.

And I want to begin by correcting something that was perhaps an unintentional mistake that was uttered earlier on the floor but I did not want to leave it go unchallenged. The payback on these is not a tapping into the paycheck. It is not a garnishment. The payment has to be made independent of the employer by the borrower directly to the lender. The employer is not involved. I just wanted to clear that point.

Secondly, the Grameen Bank loans are not for 2 weeks unsecured. And quite frankly, the APR is very appropriate when

you are considering loans that are going to last a year or several years, as a typical business loan such as the Grameen Bank makes for those that receive that.

We are really looking at this kind of a calculation and trying to understand it properly here on the floor today, and one of the challenges is that if the loan winds up being paid back after 7 days as opposed to 28 days, the interest rate changes dramatically. The fee is the same, but the interest rate changes dramatically. So therefore, if under my colleague from Lancaster County's amendment, if it were to be adopted, a lender could in good faith extend the 99 percent, if he could afford it — which he probably might not be able to, as I will show in a minute — and if he extended it at a month and the borrower paid back early, in a week, it would push the loan into a violation. So therefore, there is no way for a lender to allow a borrower to pay back early without being in violation. So we are actually condemning people to be in debt for a longer period of time.

Now, what would this 99 percent mean on a 2-week loan for \$100? It would mean \$3.80 on an unsecured 2-week loan. Again, it defeats the entire purpose of this bill to provide a competitive product that a lender will actually offer. So once again, although it is a little better than a dollar or so that we were offering a minute ago, \$3.80 is still too little to actually create a competitive alternative to the Internet with all the other consumer protections that we are offering in this bill. So therefore, I would ask a negative vote.

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

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

Mr. **STURLA**. Thank you, Mr. Speaker.

Ninety-nine percent is not a competitive rate — kind of hard to believe.

Now, I agree with the gentleman on any of these: Whether it is 99 percent or 369 percent, if you pay it off early, the number goes even higher. That 369 percent, if you pay it off early, is in the 700-, 800-, 900-percent range. That is not the point. The point is, are you going to say that a 99-percent interest rate, APR, is not enough to do business in this State and that no one will offer loans in this State if they can only collect 99 percent? If you believe that, if you think you can stand before a group of senior citizens the next time you are home and say, "You know what? A 99-percent interest rate just does not cut it," when they are getting one-quarter of 1 percent on their CD (certificate of deposit), go ahead. I actually think 99 percent is an outrageous rate, but it is better than 369 percent.

This is just unconscionable. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—46

Bishop	DeLissio	Kirkland	Preston
Boyle, B.	Dermody	Kula	Roebuck
Boyle, K.	Donatucci	Longiatti	Sabatina
Brown, V.	Evans, D.	Mahoney	Santoni
Brownlee	Frankel	McGeehan	Schmotzer

Buxton	George	Mirabito	Staback
Caltagirone	Gerber	Mundy	Sturla
Cohen	Haluska	Myers	Waters
Cruz	Hornaman	O'Brien, M.	White
Curry	James	Payton	Williams
Daley	Josephs	Petrarca	Youngblood
Dean	Keller, W.		

NAYS—148

Adolph	Evankovich	Kortz	Rapp
Aument	Evans, J.	Kotik	Ravenstahl
Baker	Everett	Krieger	Readshaw
Barbin	Fabrizio	Lawrence	Reed
Barrar	Farry	Mackenzie	Reese
Bear	Fleck	Maher	Roae
Benninghoff	Freeman	Major	Rock
Bloom	Gabler	Maloney	Ross
Boback	Galloway	Markosek	Saccone
Boyd	Geist	Marshall	Sainato
Bradford	Gergely	Marsico	Samuelson
Brennan	Gibbons	Masser	Santarsiero
Briggs	Gillen	Matzie	Saylor
Brooks	Gillespie	Metcalfe	Scavello
Brown, R.	Gingrich	Metzgar	Simmons
Burns	Godshall	Miccarelli	Smith, K.
Carroll	Goodman	Micozzie	Smith, M.
Causar	Grell	Millard	Sonney
Christiana	Grove	Miller	Stephens
Clymer	Hackett	Milne	Stern
Conklin	Hahn	Moul	Swanger
Costa, D.	Harhai	Mullery	Tallman
Costa, P.	Harhart	Murt	Taylor
Cox	Harkins	Mustio	Thomas
Culver	Harper	Neilson	Tobash
Cutler	Harris	Neuman	Toepel
Davidson	Heffley	O'Neill	Toohil
Davis	Helm	Oberlander	Truitt
Day	Hennessey	Parker	Turzai
Deasy	Hickernell	Pashinski	Vereb
Delozier	Hutchinson	Payne	Vitali
DeLuca	Kampf	Peifer	Vulakovich
Denlinger	Kauffman	Perry	Watson
DePasquale	Kavulich	Petri	Wheatley
DiGirolamo	Keller, F.	Pickett	
Dunbar	Keller, M.K.	Pyle	Smith, S., Speaker
Ellis	Killion	Quigley	
Emrick	Knowles		

NOT VOTING—0

EXCUSED—7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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

On the question recurring,

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

The SPEAKER. It is the Speaker's understanding that the other amendments on the system from the gentleman, Mr. Sturla, have been withdrawn.

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

Mr. COHEN offered the following amendment No. A10411:

Amend Bill, page 15, by inserting between lines 21 and 22
(4) A health care facility as defined in section 103 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

On the question,

Will the House agree to the amendment?

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment bans payday lending offices in health-care facilities. Health-care facilities are under pressure to collect money. They are pursuing more and more aggressive tactics. In Minnesota, the Attorney General got an injunction against one health-care system for its overly aggressive tactics. This says that when people are under the stress of health-care treatment and they are at a health-care facility, they should not be confronted with payday lending. The belief is that they may be agitated; they may be under deep stress; they may not be thinking completely rationally at the moment.

I think this is an amendment that ought to be supported universally. It is an amendment that stops people from being taken advantage of by their condition. I strongly urge support for this amendment.

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

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

Mr. ROSS. Thank you, Mr. Speaker.

It perhaps has not been noted that in the underlying bill there is a right to rescission for 24 hours to address exactly the kinds of concerns that my colleague represents. But I would suggest that someone who needs health care and does not have insurance, that is exactly the kind of time when they might need a short-term loan. It would perhaps be a problem for someone that they might not get medical treatment in a timely fashion because they did not have the means to pay for it, and I think that is really a terrible idea for us to adopt here in this legislation.

So I would urge a negative vote so that people who need medical treatment and do not have otherwise the funds in their account at the time will be able to have the opportunity to access that, and remember that we have a right of rescission in case someone is temporarily confused so that they will be protected in that way.

I urge a negative vote on the amendment.

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

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

Mr. COHEN. Mr. Speaker, the Hippocratic Oath requires the treatment of people regardless of payment. Further, there is Federal legislation requiring the treatment of people who cannot

afford to pay medical bills. Hospitals have legal obligations. Generally speaking, they meet these obligations. We ought not to be trying to hit patients up with outrageously high interest loans. We ought to be trying to help them in all ways. We ought to be trying to build trust for our hospital systems, and this is not the way to build up trust for health care in Pennsylvania.

I would urge support of this amendment.

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

The following roll call was recorded:

YEAS—88

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

NAYS—106

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

NOT VOTING—0

EXCUSED—7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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

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

Mr. COHEN offered the following amendment No. A10409:

Amend Bill, page 40, line 13, by striking out all of said line
Amend Bill, page 40, line 14, by striking out "5153" and inserting

5152

Amend Bill, page 40, lines 22 through 30; page 41, lines 1 through 8, by striking out all of said lines on said pages

Amend Bill, page 41, line 9, by striking out "5153" and inserting

5152

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

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment deals with preemption. This legislation has a ban on political subdivisions from "enacting and enforcing ordinances, resolutions and regulations expressly pertaining to the facilities of persons subject to this chapter," with the exception of zoning regulations.

This ban is unnecessary and counterproductive. We in the legislature deal with many, many subjects every week, every year, every session. Local elective bodies, whether township commissioners, city councils, county councils, deal with far less subjects in each of their sessions than we deal with in our sessions. They may well be able to craft regulations that strengthen the rights of their citizens. There is no compelling reason why we should be trying to take those rights away from local elective bodies who are closer to the people.

This is a strong vote for local government. This is a strong vote for consumer protection. This is a strong vote for fairness. I urge support of this amendment.

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

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

Mr. ROSS. Thank you, Mr. Speaker.

And as a former township supervisor, I have a great deal of respect for local government and their need to manage their affairs and regulate appropriately. However, this legislation as we have amended it today is very extensive in terms of the kinds of reporting that we are expecting and the kinds of regulations that we have imposed, and it is normal for the State to periodically take an area that requires special care and handling and impose those regulations at the State level. To then allow municipalities to create conflicting regulations and resolutions and have additional reporting standards when the municipality can get that information directly from the Department of Banking is, to me, cumbersome and negative. And I think that given the amount of detail we have gone into in this legislation, to duplicate it at the municipal level would be a serious mistake, and I urge a negative vote on this amendment.

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

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

Mr. THOMAS. Mr. Speaker, the Cohen amendment is correct. Mr. Speaker, we do good work when we collaborate and coordinate and cooperate with our local municipalities. The Commonwealth is a great State because we have good communities and governmental organizations at the local level throughout the Commonwealth of Pennsylvania.

And, Mr. Speaker, history has shown us, and I do not want to run off a list of legislative prescriptions where we have preempted local municipalities from participating, and I am an advocate for uniformity and I am an advocate for continuity, but not at the behest of local communities.

Mr. Speaker, the bill right now says that local communities' zoning ordinances do not have any input. They are preempted, so that you could have five or six payday lenders on the same block, at the same corner, in any one of our communities, because the bill is solid on cooperating or collaborating with local zoning laws.

Secondly, Mr. Speaker, and I said this some time ago and it runs to this issue of preemption, at some point we have to explain why in the Commonwealth of Pennsylvania we buy goods and services and we enter into agreements that give us at least 36 hours to rescind the contract. In this particular bill, this particular bill, you only have 24 hours in which to rescind your agreement, so whatever is the standard in Pennsylvania is preempted by this bill.

The Mark Cohen prescription is a good and reasonable prescription. Let us support it and make this bill better because of this amendment, not without this amendment.

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

The following roll call was recorded:

YEAS—87

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

NAYS—107

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

NOT VOTING—0

EXCUSED—7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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

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

The SPEAKER. On that question, the Speaker notes that amendment A10477, introduced by the gentleman from Montgomery County, Mr. Murt, is substantially similar to amendment A10386, which was already defeated and, therefore, is out of order.

For the information of the members, the other amendments have been withdrawn.

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **SB 1296, PN 2178**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in district superintendents and assistant district superintendents, further providing for eligibility, for manner of election or approval; providing for performance review; and further providing for election of assistant district superintendents, for term and salary of assistants and for removal; in school districts of the first class, further providing for superintendents of schools or buildings and of supplies; and making an editorial change.

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

Mr. **TALLMAN** offered the following amendment No. **A10590**:

Amend Bill, page 2, lines 28 through 30; page 3, line 1, by striking out "If the qualified district" in line 28, all of lines 29 and 30 on page 2 and "to exceed three years." in line 1 on page 3

Amend Bill, page 6, line 15, by inserting after "two"

(2)

Amend Bill, page 6, line 17, by inserting after "one"

(1)

Amend Bill, page 6, line 19, by inserting after "two"

(2)

Amend Bill, page 8, lines 10 through 13, by striking out "If the assistant district" in line 10 and all of lines 11 through 13

Amend Bill, page 8, line 14, by inserting after "Assistants.—"

(a)

Amend Bill, page 8, lines 19 through 22, by striking out "If the assistant district" in line 19, all of lines 20 and 21 and "contract shall be for a period not to exceed three years." in line 22

Amend Bill, page 8, line 25, by inserting before "At"

(b)

Amend Bill, page 9, lines 26 and 27, by striking out "the cause or reason" in line 26 and "for" in line 27

Amend Bill, page 9, line 27, by striking out "from office"

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

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

Mr. TALLMAN. Thank you, Mr. Speaker.

The School Administrators, School Boards Association, and Senator Piccola's Office agree with this amendment, so I would appreciate an affirmative vote.

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

(Members proceeded to vote.)

Mr. DERMODY. Mr. Speaker?

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

Mr. DERMODY. Mr. Speaker, I just wondered if I could ask for a description of the amendment, actually what is in the amendment.

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.
I believe the gentleman did speak to the amendment.
Mr. DERMODY. Thank you, Mr. Speaker.

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

On that question, the Speaker would recognize the gentleman from Adams County, Mr. Tallman, for a brief description of the amendment.

Mr. TALLMAN. Basically it gives our local school boards the ability to negotiate the contract as it is current in law, 3 to 5 years, and it also covers some of the disclosure provisions that were in the Senate bill. I believe it really enhances our local school districts' ability to negotiate when they are trying to hire a new superintendent.

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

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, what I wanted to say is that this is an agreed-to amendment. Thank you.

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

Mr. DERMODY. Yes, Mr. Speaker.

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

Mr. DERMODY. I guess right now I would like a definition of "agreed to."

BILL PASSED OVER TEMPORARILY

The SPEAKER. Apparently there has been some miscommunication. We are going to go over this bill temporarily.

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

Mr. THOMAS. Thank you, Mr. Speaker.

When things go wrong, we will speak about it right away, but we should do that also when things are done right. You made the right decision in holding this over. And as it is held over, to the author of the amendment, which is a good person, look at the language. The language can be very confusing, and so we can possibly do that while we hold it over.

So you made the right call, Mr. Speaker. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 165, PN 3560**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of cruelty to animals.

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

The SPEAKER. Moved by the gentleman, Mr. Evans, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Evans, for a brief description of Senate amendments.

Mr. J. EVANS. Thank you very much, Mr. Speaker.

Under the amended legislation, the owner of the attacking animal will be charged with a third-degree misdemeanor and be required to pay any veterinary bills, cost of training and replacing a deceased service animal, and a fine of up to \$15,000. The owner of the attacking animal may also be in need to reimburse the victim for loss of income due to inability to work because of the loss of a guide dog.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—189

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

NAYS—4

Evankovich Krieger Metzgar Vitali

NOT VOTING—1

Hutchinson

EXCUSED—7

Creighton Hess Murphy Stevenson
Hanna Mann Quinn

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

Ordered, That the clerk inform the Senate accordingly.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. For what purpose does the gentleman from Erie County, Mr. Evans, rise?

Mr. J. EVANS. Thank you, Mr. Speaker.

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

The SPEAKER. The Speaker thanks the gentleman.

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

Mr. J. EVANS submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.

And thank you for the opportunity to address my colleagues as we are set to consider, on concurrence, HB 165.

As many of you may know, this legislation is something that I have worked on for nearly a decade, and I believe it is very much needed to protect the valuable service animals that are relied upon by so many.

Mr. Speaker, we all know that service dogs are an incredible resource for those with physical limitations and disabilities. These animals allow their owners to have a greater quality of life by giving them more independence to live more fulfilling and productive lives.

Sadly, there are pet owners in Pennsylvania who let their animals freely run through their neighborhoods, especially when their animal has a history of reckless and violent behavior. This legislation simply seeks to put these owners on notice that there will be consequences of their pet's actions toward valuable service animals.

HB 165 will apply both criminal and civil penalties to owners of animals that recklessly and viciously kill or maim a service animal. The penalties will be applied to individuals who own or co-own a dog that kills, maims, or disfigures the guide dog of an individual who is blind, a hearing dog of an individual who is deaf or audibly impaired, or a service dog of an individual who is physically limited.

Since this legislation passed the House last year, it has been significantly amended by the Senate, and I want to make sure our colleagues are aware of those changes.

Under the amended legislation, the owner of the attacking animal will be charged with a third-degree misdemeanor and be required to pay any veterinary bills, the costs of training and replacing a deceased service animal, and a fine up to \$15,000. The owner of the attacking animal may also need to reimburse the victim for loss of income due to an inability to work because of the loss of the guide dog.

The criminal penalty will apply if the attack was unprovoked and if the animal's owner knew of their dog's propensity to attack other domestic animals or people and did not properly restrain the attacking animal.

Service animals are specifically trained not to fight back in an attack with another animal, and as a result, the injuries they suffer may be far more severe. Our intent with this legislation is not to prosecute or penalize responsible pet owners but to give State law some teeth when it comes to animal owners who show complete disregard for the actions of their pet.

Mr. Speaker, I would like to take a moment to thank everyone who contacted me about their support for this bill.

I would also like to personally and publicly thank Erie resident Passell Helmski, whose own experience with her service animals being attacked was the motivation behind this proposal. This legislation is designed so that Passell and other residents with disabilities can have a better peace of mind when it comes to the protection of their service animals.

Mr. Speaker, I would like to ask the membership for an affirmative vote on concurrence. Thank you.

SUPPLEMENTAL CALENDAR B

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 804, PN 3561**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for exemptions from jury duty.

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

The SPEAKER. Moved by the gentleman, Mr. Masser, that the House concur in the amendments inserted by the Senate.

The Speaker recognizes the gentleman, Mr. Masser, for a brief description of Senate amendments.

Mr. MASSER. Thank you, Mr. Speaker.

This is a pretty simple bill. Those who serve statewide grand juries for a term of 18 months would have a provision to get out of jury duty in the future if they so chose.

The SPEAKER. The Speaker thanks the gentleman.

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

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

The following roll call was recorded:

YEAS—194

Adolph	Donatucci	Killion	Pyle
Aument	Dunbar	Kirkland	Quigley
Baker	Ellis	Knowles	Rapp
Barbin	Emrick	Kortz	Ravenstahl
Barrar	Evankovich	Kotik	Readshaw
Bear	Evans, D.	Krieger	Reed
Benninghoff	Evans, J.	Kula	Reese
Bishop	Everett	Lawrence	Roae
Bloom	Fabrizio	Longietti	Rock
Boback	Farry	Mackenzie	Roebuck
Boyd	Fleck	Maher	Ross

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Creighton	Hess	Murphy	Stevenson
Hanna	Mann	Quinn	

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

Ordered, That the clerk inform the Senate accordingly.

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 165, PN 3560

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of cruelty to animals.

HB 804, PN 3561

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for exemptions from jury duty.

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

CALENDAR CONTINUED

CONSIDERATION OF SB 1296 CONTINUED

The SPEAKER. The Speaker returns to consideration of SB 1296, PN 2178, on page 4 of today's regular House calendar. Additionally, when we went over that bill, we had already called up amendment A10590.

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

The following roll call was recorded:

YEAS—175

Table listing names of members who voted 'YEAS' (175 total). Includes names like Adolph, Aument, Baker, Barbin, Barrar, Bear, Benninghoff, Bishop, Bloom, Boback, Boyd, Boyle, B., Boyle, K., Bradford, Brennan, Briggs, Brooks, Brown, R., Burns, Buxton, Caltagirone, Carroll, Causer, Christiana, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Cruz, Culver, Curry, Cutler, Daley, Davidson, Davis, Day, Dean, Deasy, Delozier, DeLuca, Denlinger, DePasquale, Dermody, DiGirolamo, Donatucci, Dunbar, Emrick, Evankovich, Evans, D., Evans, J., Everett, Fabrizio, Farry, Fleck, Frankel, Freeman, Gabler, Galloway, Geist, George, Gerber, Gergely, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Goodman, Grell, Hackett, Hahn, Haluska, Harhai, Harhart, Harkins, Harper, Harris, Heffley, Helm, Hennessey, Hickernell, Hornaman, Hutchinsson, Kampf, Kauffman, Kavulich, Keller, F., Keller, M.K., Keller, W., Killion, Kirkland, Knowles, Kortz, Kotik, Krieger, Kula, Lawrence, Longiotti, Mackenzie, Maher, Mahoney, Major, Maloney, Markosek, Marshall, Marsico, Masser, Matzie, McGeehan, Miccarelli, Micozzie, Millard, Miller, Milne, Mirabito, Moul, Mullery, Mundy, Murt, Mustio, Myers, O'Brien, M., O'Neill, Oberlander, Pashinski, Payne, Peifer, Perry, Petrarca, Petri, Pickett, Preston, Quigley, Ravenstahl, Readshaw, Reed, Reese, Roae, Rock, Roebuck, Ross, Sabatina, Saccone, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schmotzer, Simmons, Smith, K., Smith, M., Sonney, Staback, Stephens, Stern, Sturla, Swanger, Tallman, Taylor, Tobash, Toepel, Toohil, Truitt, Turzai, Vereb, Vitali, Vulakovich, Waters, Watson, Wheatley, and Smith, S., Speaker.

NAYS—19

Table listing names of members who voted 'NAYS' (19 total). Includes names like Brown, V., Brownlee, DeLissio, Ellis, Grove, James, Josephs, Metcalfe, Metzgar, Neilson, Neuman, Parker, Payton, Pyle, Rapp, Thomas, White, Williams, and Youngblood.

NOT VOTING—0

EXCUSED—7

Table listing names of members who were not voting or excused: Creighton Hanna, Hess Mann, Murphy Quinn, and Stevenson.

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

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

Mr. McGEEHAN offered the following amendment No. A10775:

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

Amend Bill, page 1, lines 19 through 21, by striking out all of said lines and inserting

Section 1. Section 696(h) and (i)(3) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended October 30, 2001 (P.L.828, No.83) and June 29, 2002 (P.L.524, No.88), are amended to read:

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

(h) The School Reform Commission shall be responsible for financial matters related to the distressed school district of the first class and:

(1) All taxes authorized to be levied by a school district of the first class or for a school district of the first class by a city or county of the first class on the date of the declaration of distress shall continue to be authorized and levied in accordance with this act and shall be transmitted to the school district. For the first fiscal year or part thereof and every fiscal year [thereafter] up to and including fiscal year 2010-2011 in which the school district is declared to be distressed, the amount appropriated or paid by the city or county to the school district and the tax authorized by the city or county to be levied for the school district or dedicated to the school district shall be an amount or tax not less than the highest amount paid by the city or county to the school district or authorized by the city or county to be levied for the school district or dedicated to the school district during any of the three full preceding fiscal years. In addition, the city of the first class shall provide to the school district of the first class all other available local non-tax revenue, including grants, subsidies or payments made during the prior year.

(2) In addition to the moneys collected under paragraph (1), the city of the first class shall remit to the school district of the first class for each year that the school district is declared distressed that portion of all other local tax revenue levied for a full fiscal year by a city or county of the first class coterminous with a school district of the first class that was allocated to the school district prior to the school district being declared distressed in accordance with section 691(c).

(3) All taxes collected on behalf of a school district of the first class by any person or entity, including a city or county of the first class, shall be promptly paid following collection to the School Reform Commission for the benefit of the school district.

(4) In the event the city or county of the first class does not meet the financial obligations prescribed in this subsection, the Commonwealth may apply to that obligation any amounts otherwise due from the Commonwealth to the city or county of the first class, including, but not limited to, grants, awards and moneys collected by the Commonwealth on behalf of the city or county of the first class. Funds withheld shall be maintained in a separate account by the State

Treasurer to be disbursed as determined by the Secretary of Education in consultation with the State Treasurer.

(5) The School Reform Commission shall adopt a budget.

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

* * *

(3) To suspend the requirements of this act and regulations of the State Board of Education except that the school district shall remain subject to those provisions of this act set forth in subsection (h)(1) and section 1732-A(a), (b) and (c) and section 1714-B and regulations under those [sections] provisions.

* * *

Section 1.1. Section 1003(b) of the act, amended June 30, 2011 (P.L.112, No.24), is amended to read:

Amend Bill, page 2, line 11, by striking out "1.1" and inserting
1.2

On the question,

Will the House agree to the amendment?

The SPEAKER. Those in favor of the amendment will vote "aye"; those opposed "nay." The members will— Pardon me. I skipped a step.

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

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. McGeehan, for a brief description of the amendment.

Mr. McGEEHAN. I was not seeking recognition, Mr. Speaker, but thank you.

Basically what this would do is end the practice of the maintenance of effort that requires the city of Philadelphia to continue to contribute the same amount every year to the school district. This does away with that mandate, and I believe it is an agreed-to amendment.

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

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

Mr. CLYMER. Mr. Speaker, it applies that flexibility for the city of Philadelphia so that they can make decisions on the dollar amounts for the school district, and so because of that, we do support this legislation and would ask for an affirmative vote.

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

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

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

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

Mr. VITALI. Thank you, Mr. Speaker.

I apologize. I am just not getting it. Could you just repeat what you said and maybe thresh it out a little bit?

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

Mr. Speaker, the amendment, what this would do is end what is commonly referred to as the "maintenance of effort," and what essentially that does, the city of Philadelphia, the School District of Philadelphia, is required under law now to maintain the same level of spending as it has done in prior years. So if the

city of Philadelphia spent \$2.5 billion this year, they would be required to spend that amount next year and then for subsequent years. What this does is frees up the district, frees up the city of Philadelphia, to spend less if circumstances arise. So it does away with that mandate.

Mr. VITALI. I just want to be clear: You are saying the city of Philadelphia, then you are saying the school district. Are you—

Mr. McGEEHAN. The school district.

Mr. VITALI. Okay. So one more time.

Mr. McGEEHAN. It is a term commonly referred to as the "maintenance of effort."

Mr. VITALI. Right.

Mr. McGEEHAN. Under current Pennsylvania law now, the Philadelphia School District, if they spend, for instance, this year \$2.5 billion, which is the current budget for the School District of Philadelphia, under Pennsylvania law, if they spend \$2.5 billion this year, they would have to spend that amount next year. They could not spend less. If circumstances arose in Philadelphia where it warranted spending less, they could not do that.

Under this amendment—

The SPEAKER. Will the gentleman suspend, please.

BILL PASSED OVER

The SPEAKER. Again it seems that there is still more misunderstanding about just what all is involved in these amendments and this bill, so we are going to go over the bill for the remainder of the day and iron out the rest of this later.

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

BILLS RECOMMITTED

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

HB 468;
HB 2191;
HB 2223;
SB 1472;
SB 1473;
SB 1474;
SB 1475;
SB 1476;
SB 1477; and
SB 1479.

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 645;
 HB 1539;
 HB 1820;
 HB 2015;
 HB 2135;
 HB 2366;
 HB 2371;
 HB 2372;
 HB 2373;
 HB 2374;
 HB 2375;
 SB 388;
 SB 1049;
 SB 1351;
 SB 1406; and
 SB 1433.

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 2028 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 2028 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 ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1972, PN 2965**, entitled:

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, providing for a research and development tax credit; and making related repeals.

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

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 1972 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 1972 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 the House, the Speaker recognizes the gentleman, Mr. Tobash, from Schuylkill County, who moves that this House do now adjourn until Tuesday, June 5, 2012, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
 Will the House agree to the motion?
 Motion was agreed to, and at 5:56 p.m., e.d.t., the House adjourned.