

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JUNE 26, 2012

SESSION OF 2012

196TH OF THE GENERAL ASSEMBLY

No. 49

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (SAMUEL H. SMITH) PRESIDING

PRAYER

The SPEAKER. This morning the prayer will be offered by Rabbi Joshua Gruenberg, Congregation Beth El, Yardley, Pennsylvania.

RABBI JOSHUA Z. GRUENBERG, Guest Chaplain of the House of Representatives, offered the following prayer:

Thank you very much, Mr. Speaker, and thank you for this opportunity.

In my most recent visit to Israel, there was a bumper sticker on the back of many cars that caught my eye. The bumper sticker may surprise you in two ways. It said, "WWMD." The first surprise being it had nothing to do with weapons of mass destruction. The second surprise may be that in Israel the bumper stickers tell a story not only of sports affiliation but political affiliation as well, which I know is very foreign to us in this country.

But what did the letters stand for? The letters stand for, "What Would Moses Do?" It is a question Israelis are finding themselves asking, as Moses, one of our great Biblical leaders for people of all faiths, really continues to be our paradigm for leadership. This coming week, Jews around the world will read the Torah portion, the piece of the Old Testament where Moses is punished for his sin of hitting the rock instead of talking to it. Many of us think that it is an unfair punishment. Moses who did so much makes one little mistake and yet is punished by not being allowed to enter the Promised Land.

And yet if we take a step back, we see that the lesson is very clear, that leadership in all its forms not only comes with tremendous privilege, but it also comes with tremendous responsibility. Moses teaches us something else. Moses teaches us that human beings are most divine, most created in God's image when they self-surpass. Remember, Moses did not think of himself as a great leader. In fact, when he received his call from God, he said to God, I cannot do this; I cannot speak; I am not the guy. Yet God had faith in Moses, and Moses turned out to be this great leader.

So we are most divine, we learn from Moses, when we self-surpass, when we accomplish what we did not think we could possibly accomplish. Leadership has tremendous, tremendous privilege but also great responsibility. The work

that you do here on a daily basis is the most holy work that we can engage in, because at its heart, at its core, it is work about making life better, happier, and more viable for all of our citizens and for all people in the great Commonwealth of Pennsylvania.

So as we say in Hebrew, (Speaking in Hebrew) with great luck, with great strength, with great (Speaking in Hebrew), and with God's lesson and God's guidance, may the work that you do here be a shining light and example for all of us. Amen.

Thank you.

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 Monday, June 25, 2012, will be postponed until printed.

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

HB 2187, PN 3830 (Amended)

By Rep. MARSICO

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions, establishing the Pennsylvania Interagency Council on Inmate Reentry.

JUDICIARY.

HB 2354, PN 3831 (Amended)

By Rep. HARHART

An Act amending the act of May 26, 1947 (P.L.318, No.140), known as the CPA Law, further providing for certificate requirements, for equivalency practice for individuals and for equivalency practice for firms and entities.

PROFESSIONAL LICENSURE.

HB 2485, PN 3784

By Rep. MARSICO

An Act amending Title 13 (Commercial Code) of the Pennsylvania Consolidated Statutes, in transfers of funds, further providing for exclusion of consumer transactions governed by Federal law; and making an editorial change.

JUDICIARY.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

SB 1147, PN 1912

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in fees, further providing for annual hauling permits; and, in size, weight and load, further providing for conditions and security and for permit for movement during course of manufacture and providing for egg movement permits.

TRANSPORTATION.

SB 1465, PN 2059

By Rep. GEIST

An Act designating a portion of State Route 3 in West Chester Borough, Chester County, as the Senator Robert J. Thompson Highway; and designating the Pottstown Pike Bridge over the French Creek in South Coventry Township, Chester County, as the Representative Sam Morris and Eleanor Morris Memorial Bridge.

TRANSPORTATION.

SB 1535, PN 2299

By Rep. MARSICO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in rules of evidence, further providing for subpoena of records.

JUDICIARY.

SB 1546, PN 2331 (Amended)

By Rep. CREIGHTON

An Act amending the act of June 27, 1996 (P.L.403, No.58), known as the Community and Economic Development Enhancement Act, codifying the State Tax Equalization Board Law into the act; and making a related repeal.

LOCAL GOVERNMENT.

SB 1551, PN 2332 (Amended)

By Rep. GEIST

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in scenic byways, providing for the designation of the 8.6 mile U.S. Route 202 Parkway between State Route 63 (Welsh Road) and State Route 611 in Montgomery and Bucks Counties as a scenic byway; and designating a bridge on that portion of U.S. Route 202 Parkway over Pennsylvania Route 309, Montgomery Township, Montgomery County, as the Chief Richard J. Brady Bridge.

TRANSPORTATION.

RESOLUTION REPORTED FROM COMMITTEE

HR 351, PN 3832 (Amended)

By Rep. MARSICO

A Resolution memorializing the Supreme Court of Pennsylvania to adopt proposed Rules of Criminal Procedure 113, 513 and 513.1 and their comments.

JUDICIARY.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 17, PN 2466**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED SENATE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **HB 823, PN 3792**.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 970, PN 3493**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 100, PN 2272; SB 157, PN 2289; SB 449, PN 2248; and SB 1478, PN 2244**.

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 17, PN 2466

An Act designating the Pickertown Road Bridge carrying Pickertown Road over the U.S. Route 202 Parkway in Warrington Township, Bucks County, as the Robert V. Cotton Bridge.

SB 100, PN 2272

An Act amending Titles 18 (Crimes and Offenses), 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, further providing for the offense of burglary; in other offenses, further providing for drug trafficking sentencing and penalties; in Pennsylvania Commission on Sentencing, further providing for powers and duties and for publication of guidelines; in sentencing, further providing for sentences for second and subsequent offenses; in sentencing, providing for sentencing for certain paroled offenders; in sentencing, further providing for sentencing generally, for disposition under guilty but mentally ill, for partial confinement, for total confinement and for proceedings and location; in sentencing, providing for court-imposed sanctions for offenders violating probation; in county intermediate punishment, further providing for definitions and for programs; in correctional institutions administration, further providing for drug distribution definitions; in inmate confinement visitation, further providing for Gubernatorial visitors, for official visitors and for rights of official visitors; in inmate confinement prerelease plans, further providing for establishment of prerelease centers, for prerelease plan for inmates, for regulations and for compensation of inmates; in inmate confinement motivational boot camps, further providing for definitions and for selection of inmate participants; in inmate confinement State intermediate punishment, further providing for definitions and for referral to State intermediate punishment program; in inmate confinement recidivism risk reduction incentive, further providing for definitions; in inmate confinement community corrections facilities, further providing for definitions; in inmate confinement, providing for safe community reentry and for community corrections centers and community corrections facilities; in probation and parole administration, further providing for certain offenders residing in group-based homes, for administrative powers over parolees, for general court criteria for parole, for parole power, for parole violation and for parole procedure; in probation and parole administration, providing for early parole subject to Federal order; making a related repeal; and abrogating regulations.

SB 157, PN 2289

An Act establishing a task force within the Department of Education, providing for its powers and duties and providing for administrative support.

SB 449, PN 2248

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for child abuse recognition and reporting training.

SB 1308, PN 1732

An Act authorizing the State System of Higher Education and its employees to enter into certain economic development agreements; providing for approval and notice, for reports and for limitations; and making an inconsistent repeal.

SB 1321, PN 2237

An Act amending the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act, further providing for definitions, for contents, for plan not affected by certain collective bargaining agreements or settlements, for filing municipal debt adjustment under Federal law and for collective bargaining agreements, furlough of employees and disputes.

SB 1322, PN 1743

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.

SB 1464, PN 2238

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for reinsurance credits, for definitions, for acquisition of control of or merger or consolidation with domestic insurer, for acquisitions involving insurers not otherwise covered, for registration of insurers, for standards and management of an insurer within a holding company system and for examination; providing for supervisory colleges and for group-wide supervision for international insurance groups; and further providing for confidential treatment, for rules and regulations, for injunctions and certain prohibitions and for sanctions.

SB 1478, PN 2244

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.

SB 1528, PN 2213

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

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

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the majority whip has no requests for leaves of absence.

The Speaker recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. O'BRIEN, from Philadelphia County for the day. Without objection, the leave will be granted.

**TRINITY HIGH SCHOOL BOYS
RELAY TEAM PRESENTED**

The SPEAKER. If I could have the members' attention, I want to introduce some of the guests that are with us today.

First, located to the left of the rostrum, we would like to welcome the Trinity High School Boys Relay Team. Team members Danny Jackson, Chris Lenz, and Brandon Kuntz are with us today, and they are part of the team that won the Class AA boys 400-meter relay during the 2012 PIAA State Track and Field Championship. Danny Jackson also won the Class AA boys long jump. The students are here with their parents and coaches, who are seated in the rear of the House. They are the guests of Representative Delozier and Representative Grell. Will our guests please rise. Welcome to the hall of the House. Family members please rise, too. Family in the back; the boys in the front.

STATEMENT BY MS. DELOZIER

The SPEAKER. The lady, Ms. Delozier, is seeking recognition under unanimous consent relative to her guests. She may proceed.

Ms. DELOZIER. Thank you, Mr. Speaker.

Today Representative Grell and I are pleased to join some of the fastest men in Pennsylvania, as the Speaker mentioned: Danny Jackson, Chris Lenz, Brandon Kuntz, and Robert Sutliff. While Robert could not be with us, we want to congratulate the young men on their great accomplishment for Trinity High School. While Trinity is located in the 88th District, we are lucky to have people from all around our area located there. That is why Representative Grell and I get to share this accomplishment with Trinity High School.

The team won its third consecutive Class A boys 400-meter relay event. The Shamrock boys posted a winning mark of 42.23 seconds, shattering the previous State record set by Harriton High School in 1995. So it was a record that was overdue in being broken. Danny Jackson, we also get to have a double State champion going here. Danny also was the State champ for the long jump event, and he won gold with a jump of 23 feet 1.25 inches.

So we want to congratulate both teams as well as the capability of saying that we want to thank our coaches because the boys certainly have their athletic accomplishments, but we could not be here without the support of family and friends. And the relay team was coached by Sam Turpin, Gary Bricker, Skip Brownyard, and the long jump coaches are Jan Kiker and Sherri Patton. I just want to say thank you. It was a team effort, certainly, in bringing home the gold. We want to be proud of our Trinity guys. And thank you for all of your accomplishments and your hard work, both the team and the coaches.

Mr. Speaker, please join me in congratulating our State champions.

GUESTS INTRODUCED

The SPEAKER. Also located to the left of the rostrum, we would like to welcome Brittany Rieker. Brittany is an intern with Capital BlueCross, and she is shadowing Representative Quinn for the day. She is a constituent of Representative Scott Perry. Brittany, please rise. Welcome to the hall of the House; over here in the far corner.

Also located to the left of the rostrum, as a guest of Representative Davis, we would like to welcome Gabrielle Antonello. Gabrielle, please stand. Welcome to the hall of the House.

As a summer intern in Representative Daley's office, also over here to the left of the rostrum, we would like to welcome Paige Hisiro. Paige, welcome to the hall of the House. Please rise.

And as a guest of Representative Toohil, we would like to welcome April Laurie Whitley, also located here to the left of the House. Welcome to the hall of the House, April.

And in the rear of the House, we would like to welcome the members of the Greater Hazleton Area Chamber of Commerce. They are here today as the guests of Representative Toohil. Will our guests please rise; over here to the left. Welcome to the hall of the House.

Up in the balcony, as guests of Representative Metzgar, we would like to welcome Ben Duppstadt and Alex Charlton. Up in the balcony, if they are here, we can spot them maybe. Please rise. Welcome to the hall of the House. I see you are with that bigger group. Let me just go ahead and get the whole group then. They are participants in the Keystone Boys State Program. So will all of our guests in the balcony please rise. Welcome to the hall of the House.

And as a guest page, single guest page, located in the well of the House, we would like to welcome Representative Toohil's goddaughter, Alexandria Wagner, who is serving as a guest page today.

And from Representative Toohil's district also is Dyllan Ogurkis. Welcome to the hall of the House.

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—200

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

O'Brien, M.

LEAVES ADDED—3

Barbin	Buxton	Frankel
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LEAVES CANCELED—2

Frankel	O'Brien, M..
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The SPEAKER. Two hundred members having voted on the master roll call, a quorum is present.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. CLYMER called up **HR 788, PN 3797**, entitled:

A Resolution honoring the 100th anniversary of Pittsburgh Public Schools in the City of Pittsburgh.

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Mr. ROSS called up **HR 790, PN 3817**, entitled:

A Resolution recognizing the 27th annual Kennett Square Mushroom Festival taking place on September 8 and 9, 2012, and the tremendous positive impact of the mushroom on the economy of this Commonwealth, and encouraging the citizens of Pennsylvania to consume locally grown and harvested mushrooms.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—1

O'Brien, M.

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

STATEMENT BY MR. CLYMER

The SPEAKER. The gentleman, Mr. Clymer, from Bucks County is seeking recognition under unanimous consent relative to one of the resolutions just adopted.

Mr. CLYMER. Thank you, Mr. Speaker.

I would like to make some comments on HR 788 that we just passed.

The SPEAKER. The gentleman is in order under unanimous consent.

Mr. CLYMER. Thank you.

I rise to recognize the 100th anniversary of Pittsburgh Public Schools in the City of Pittsburgh. Over the years, its solid record of student achievement is one that we can all be proud of. Under the direction of its current superintendent, Dr. Linda Lane, I know this legacy of academic success will continue into the next generation. So again, congratulations to the Pittsburgh Public Schools on this, their 100th anniversary.

Thank you, Mr. Speaker.

LEAVE OF ABSENCE

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

APPROPRIATIONS COMMITTEE MEETING

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to call an immediate Appropriations Committee meeting in the majority caucus room. Thank you.

The SPEAKER. There will be an immediate meeting of the Appropriations Committee in the majority caucus room

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus this afternoon at 3 p.m. I would ask our Republican members to please report to our caucus room at 3 p.m. We would be prepared to come back to the floor at 5 o'clock. Thank you, Mr. Speaker.

DEMOCRATIC CAUCUS

The SPEAKER. The Speaker recognizes the gentleman from Allegheny County, Mr. Dermody, for the purpose of a caucus announcement.

Mr. DERMODY. Thank you, Mr. Speaker.

The Democrats will also caucus at 3 o'clock. We will caucus at 3 o'clock. Thank you, Mr. Speaker.

RECESS

The SPEAKER. This House stands in recess until 5 p.m., 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 955, PN 3843 (Amended) By Rep. ADOLPH

An Act amending Titles 4 (Amusements) and 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in amusements, further providing for transfers from the State Gaming Fund; in Commonwealth services, further providing for the Volunteer Companies Loan Fund; in grants to volunteer fire companies and volunteer services, revising preliminary provisions, revising volunteer

fire company grant provisions on establishment, publication and notice, award of grants and consolidation incentive, revising volunteer ambulance service grant provisions on establishment, publication and notice and award of grants; revising grant funding provisions on allocation of appropriations; revising miscellaneous provisions on expiration and specificity; prohibiting transfers from the State Gaming Fund; and making a related repeal.

APPROPRIATIONS.

HB 2460, PN 3709

By Rep. ADOLPH

An Act designating State Route 233 from the western corporate limits of Newville Borough to State Route 11 in Cumberland County as the Marine Lance Corporal Nicholas B. Morrison Memorial Highway.

APPROPRIATIONS.

SB 351, PN 2326

By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, further providing for Good Samaritan civil immunity for use of automated external defibrillator and for nonmedical good Samaritan civil immunity.

APPROPRIATIONS.

SB 707, PN 694

By Rep. ADOLPH

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for educational leave of absence.

APPROPRIATIONS.

SB 866, PN 2270

By Rep. ADOLPH

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, further providing for the Volunteer Companies Loan Fund; in grants to volunteer fire companies and volunteer services, further providing for scope of chapter, definitions, establishment and award of grants, providing for additional funding and further providing for allocation of appropriated funds and for expiration of authority; and making editorial changes.

APPROPRIATIONS.

SB 1122, PN 2312

By Rep. ADOLPH

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

APPROPRIATIONS.

SB 1123, PN 2313

By Rep. ADOLPH

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh—Commonwealth Act, making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

APPROPRIATIONS.

SB 1124, PN 2314

By Rep. ADOLPH

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

APPROPRIATIONS.**SB 1125, PN 2315**

By Rep. ADOLPH

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

APPROPRIATIONS.**SB 1126, PN 2316**

By Rep. ADOLPH

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

APPROPRIATIONS.**SB 1386, PN 2247**

By Rep. ADOLPH

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for the Department of Environmental Protection; and repealing control of volatile organic compounds from gasoline-dispensing facilities.

APPROPRIATIONS.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 789 By Representatives COHEN, B. BOYLE, BRENNAN, V. BROWN, CALTAGIRONE, CLYMER, D. COSTA, DALEY, DiGIROLAMO, EVERETT, FABRIZIO, FREEMAN, GEORGE, GIBBONS, GOODMAN, HARKINS, HENNESSEY, JAMES, W. KELLER, MAHONEY, MANN,

McGEEHAN, MIRABITO, MURT, NEILSON, PARKER, READSHAW, SANTONI, SCHMOTZER, THOMAS, WILLIAMS and YOUNGBLOOD

A Resolution commemorating the 100th anniversary of the minimum wage law.

Referred to Committee on LABOR AND INDUSTRY, June 26, 2012.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2512 By Representatives TRUITT, CLYMER, EVERETT, GINGRICH, HORNAMAN and PAYTON

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 election of school directors.

Referred to Committee on EDUCATION, June 26, 2012.

No. 2513 By Representatives TALLMAN, CLYMER, GROVE, MILNE, PICKETT, ROCK and SWANGER

An Act amending Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in proceedings prior to petition to adopt, further providing for grounds for involuntary termination; and, in juvenile matters, further providing for disposition of dependent child.

Referred to Committee on JUDICIARY, June 26, 2012.

No. 2514 By Representatives TALLMAN, BROOKS, HESS, MOUL and WILLIAMS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in State Board of Education, further providing for membership and for powers and duties of the board.

Referred to Committee on EDUCATION, June 26, 2012.

LEAVES OF ABSENCE CANCELED

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

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

The House will come to order. I would appreciate if the members would please take their seats. The House will please come to order. Would the members kindly take their seats. If necessary, take the conversations out of the back. Will the members please clear the aisles and take their seats. The House will please come to order. Members will please take their seats. Members will clear the aisles.

I would appreciate the members' attention.

LEAVE OF ABSENCE

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

Members will please take their seats. I would like your attention. Will the members along the back row of the rail please break up.

GUEST INTRODUCED

The SPEAKER. In a moment, I am going to call up a House bill that is directly related to the guest I wanted to initially introduce. Located to the left of the rostrum, I would like to welcome Peggy Morrison, the mother of late Marine LCpl. Nicholas B. Morrison. She is here today as a guest of Representative Bloom. Will our guest please rise. Welcome to the hall of the House.

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2460, PN 3709**, entitled:

An Act designating State Route 233 from the western corporate limits of Newville Borough to State Route 11 in Cumberland County as the Marine Lance Corporal Nicholas B. Morrison Memorial Highway.

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 finally?

On that question, the Speaker recognizes the gentleman from Cumberland County, Mr. Bloom.

Mr. BLOOM. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to request that my colleagues join me in paying tribute to Marine LCpl. Nicholas B. Morrison; to extend condolences to his mother, who is here with us today; and to urge my colleagues to vote "yes" on HB 2460, which would designate a section of Route 233 in Cumberland County in his honor.

A class of 2000 graduate of Big Spring High School in Newville, where he played linebacker on the football team, Nick Morrison dreamed of one day serving and protecting the people of Pennsylvania as a State trooper, but first, driven by the events of 9/11, he entered the United States Marine Corps. Corporal Morrison was assigned to the Weapons Company, 2d Battalion, 2d Marine Regiment, 2d Marine Division, II Marine Expeditionary Force, Camp Lejeune, North Carolina. Sadly, his life was cut short on August 13, 2004, at 23 years of age when a roadside bomb struck his Humvee while he was on patrol with the combined Anti-Terror Team Blue in Al Anbar Province of Iraq.

The young Marine was awarded the Purple Heart for his wounds sustained in combat against an enemy of the United States. He was also awarded the Navy and Marine Corps Commendation Medal with the Combat V for his sustained and valorous actions in combat. He received the National Defense Medal, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Medal, the Combat Action Ribbon, and the Sea Service Deployment Ribbon.

Lance Corporal Morrison is survived by his father and mother, a brother and sister, paternal grandfather and grandmother, and maternal grandmother. I would like us to take a moment again to recognize Corporal Morrison's mother, Peggy Morrison, and share our condolences and appreciation to her. She is, again, seated at the left of the Speaker. Mrs. Morrison.

Corporal Morrison's entire life was dedicated to courageously helping other people. It is only fitting that his name be placed on Route 233, a section of highway in his hometown. I would urge my colleagues to join me in voting "yes" on HB 2460 in remembrance of this brave American soldier who gave his life in service to his community and to his country. 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—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Barbin

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

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

STATEMENT BY MR. MARKOSEK

The SPEAKER. For what purpose does the gentleman from Allegheny County, Mr. Markosek, rise?

Mr. MARKOSEK. Unanimous consent, Mr. Speaker, on the resolution.

The SPEAKER. A resolution that we had passed earlier?

Mr. MARKOSEK. The one we just did.

The SPEAKER. On this bill? On this bill. Excuse me. I apologize.

The gentleman is in order under unanimous consent.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I did not know Corporal Morrison personally, but I heard a lot about him. His cousin, Stacey Ritter, who was the executive director for the Transportation Committee and moved over to the Appropriations Committee, was related to Corporal Morrison and told me a lot about him, a lot about his life. She was working for me when he was unfortunately killed.

And it is a great honor to stand here and honor his family, his mother. Having heard so much about him, I wish I knew him. And I just wanted to offer that little idea that how the various combat throughout the world that our men and women are involved with does affect all of our lives in many, many ways, and even though it is just a tangential relationship that I have with Corporal Morrison, I do remember his name. I heard a lot of good things about him, and I am very happy to stand here today to honor him. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2348, PN 3475**, 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 extension of time to file reports, for changes made by Federal Government, for petition for reassessment, for petition procedure and for petitions for refunds.

On the question,

Will the House agree to the bill on second consideration?

Mr. **MILNE** offered the following amendment No. **A12024**:

Amend Bill, page 1, line 12, by striking out the comma after "reassessment" and inserting
and

Amend Bill, page 1, line 12, by inserting after "procedure"
; providing for compromise by secretary;

Amend Bill, page 1, line 12, by inserting after "and"
further providing

Amend Bill, page 4, lines 7 through 30; page 5, lines 1 through 19, by striking out all of said lines on said pages and inserting

Section 3. Section 2702 of the act is amended by adding a subsection to read:

Section 2702. Petition for reassessment.

* * *

(a.1) Petition for review of tax adjustment not resulting in an increase in liability.—

(1) A petition for reassessment under subsection (a) may include a request for review of the department's adjustment of a tax item if the adjustment did not result in a tax increase in the year of adjustment, but may increase the tax due in a subsequent year. A request for review may include:

(i) Recalculation of the taxpayer's corporate net income tax net loss under Article IV as adjusted by the department.

(ii) Recalculation of the taxpayer's capital stock franchise tax average net income under Article VI as adjusted by the department.

(iii) Recalculation of the personal income tax basis of an asset under Article III as adjusted by the department.

(2) A taxpayer must file a petition for review under this subsection within 90 days of the mailing date of the department's notice of adjustment. A taxpayer's failure to file a petition under this subsection shall not prejudice the taxpayer's right to file a petition in a subsequent tax year.

* * *

Section 3.1. Section 2703 of the act, added October 18, 2006 (P.L.1149, No.119), is amended to read:

Section 2703. Petition procedure.

(a) Content of petition.—

(1) A petition for reassessment shall state:

(i) The tax type and tax periods included within the petition.

(ii) The amount of the tax that the taxpayer claims to have been erroneously assessed.

(iii) The basis upon which the taxpayer claims that the assessment is erroneous.

(iv) The basis upon which the taxpayer claims that the adjustment of a tax item is erroneous.

(2) A petition for refund shall state:

(i) The tax type and tax periods included within the petition.

(ii) The amount of the tax that the taxpayer claims to have been overpaid.

(iii) The basis of the taxpayer's claim for refund.

(3) The petition shall be supported by an affidavit by the petitioner or the petitioner's authorized representative that the petition is not made for the purpose of delay and that the facts set forth in the petition are true.

(b) Request for hearing.—Upon written request of the petitioner or when deemed necessary by the department, the department shall schedule a hearing to review a petition. The petitioner shall be notified by the department of the date, time and place where the hearing will be held.

(c) Decision and order.—The department shall issue a decision and order disposing of a petition on such basis as it deems to be in accordance with law. The department shall provide a written explanation of the basis for any denial of relief.

(d) Time limit for decision and order.—The department shall issue a decision and order disposing of a petition within six months after receipt of the petition. The petitioner and the department may agree to extend the time period for the department to dispose of the petition for one additional six-month period. Notice of the department's decision and order disposing of the petition shall be issued to the petitioner.

(e) Exception to time limit for decision and order.—If at the time of the filing of a petition proceedings are pending in a court of competent jurisdiction wherein any claim made in the petition may be established, the department, upon the written request of the petitioner, may defer consideration of the petition until the final judgment determining the question or questions involved in the petition has been decided. If consideration of the petition is deferred, the department shall issue a decision and order disposing of the petition within six months after the final judgment.

(f) Failure of department to take action.—The failure of the department to dispose of the petition within the time period provided for by subsection (d) or (e) shall act as a denial of the petition. Notice of the department's failure to take action and the denial of the petition shall be mailed to the petitioner.

Section 3.2. The act is amended by adding a section to read:

Section 2707. Compromise by secretary.

The secretary may compromise on any civil tax matter within the jurisdiction of the department arising under the laws of this Commonwealth. The department shall promulgate guidelines for the approval of compromises in Commonwealth tax matters.

Amend Bill, page 6, by inserting between lines 20 and 21

Section 5. The following provisions shall apply to tax periods which, on the effective date of this section, are open under the act; to administrative appeals pending on the effective date of this section; and to judicial appeals pending on the effective date of this section:

(1) The addition of section 2702(a.1) of the act.

(2) The addition of section 2703(a)(1)(iv) of the act.

(3) The amendment of section 3003.1(b) of the act.

Amend Bill, page 6, line 21, by striking out "5" and inserting

6

On the question,

Will the House agree to the amendment?

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

Mr. MILNE. Thank you, Mr. Speaker.

I rise to urge the House to adopt amendment 12024. This is an agreed-to amendment, which brings HB 2348 in line with the Senate version of this legislation, which is SB 1490. The main purpose of it is to grant the Secretary of the Department of Revenue the ability to compromise in any civil matter within the jurisdiction of the department. This is in part trying to reduce the time and efficiency needed to get tax appeals done. So we are trying to empower the Secretary of the department to be able to handle some of those matters. The amendment also makes some technical changes.

So I again would urge the membership to adopt the amendment. 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 gentlelady from Luzerne County, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

I really do not know what the gentleman is referring to when he says this amendment is agreed to. I do not agree with it. In fact, unfortunately, I rise in opposition to this amendment. My remarks are not meant as a reflection on the integrity of the Secretary of Revenue, nor of the Governor. My opposition to this amendment is strictly based on the public policies set forth within it. This amendment gives the Secretary of Revenue the sole authority to compromise any civil tax matter within the jurisdiction of the department.

If this amendment becomes law, the Secretary of Revenue would be able to decide the outcome of tax disputes without any checks or balances. The Secretary alone would have sole discretion to settle civil tax liabilities.

Currently the Department of Revenue provides a streamlined process that allows taxpayers to appeal tax assessments issued to them by the department. Compromises that currently take place are handled by the Board of Appeals, which is where they should take place. Checks and balances are in place to ensure that those compromises are appropriate. At the Board of Appeals level, the higher the threshold of the tax liability in question, the higher the number of board members who must approve the compromise. Further, the Department's Office of Chief Counsel must review and approve all compromises. Under the broad and generic language of this amendment, taxpayers would not have to go through this process to settle a dispute as to the amount of taxes owed. The Secretary of Revenue would have the sole authority to decide outcomes of tax disputes.

Since negotiations and compromises on these tax matters are private and not a matter of public record, this amendment would give the Secretary of Revenue the sole authority to arbitrarily decide outcomes of tax disputes with no accountability to anyone for these decisions. In my opinion, this amendment is an invitation to political favoritism.

Mr. Speaker, power corrupts and absolute power corrupts absolutely. I believe that good public policy requires more checks and balances and accountability for decisions of this nature. Good public policy would not vest this absolute power in the hands of one individual. 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 York County, Mr. DePasquale.

Mr. DePASQUALE. Thank you, Mr. Speaker.

I want to echo the comments from the gentlelady from Luzerne. I do recognize the need to have an appeals process that maybe is more efficient, but putting so much power in one individual, however well the individual is intentioned, our whole system of government is based on checks and balances, and under current Pennsylvania law, I believe there are sufficient checks and balances. This vests too much power in one individual, the Secretary of Revenue, regardless who the Secretary of Revenue is. Regardless of the moral standing of that Secretary of Revenue, I believe it is a mistake to put that much power in one individual, as opposed to the current situation, which would vest significant checks and balances.

This is a mistake to go in this direction. I respect greatly the gentleman from Chester, and I am sure he is well-intentioned on this, and it would create a more efficient process, but sometimes our government is not about efficiency. Let me repeat that. Sometimes our government is not about efficiency. If we were all about efficiency, we would only have a Governor and we would not have a legislature. If we were all about efficiency—Or we would only have a legislature and we would not have a Governor. Our government is set on checks and balances. Our system is designed to be inefficient so that only things that got done would be set by compromise. And allowing one individual, one individual, regardless of how well-intentioned, to do all negotiations on these types of compromises, I believe, is a mistake, however well-intentioned.

So I urge the members of this General Assembly to vote down the Milne amendment. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I think it is important to note that this amendment has been out for well over a week, and until we came to the House floor, there has been no expression of any opposition to it by anybody on this floor or within the department. This is about trying to do what a lot of the public has asked us to do, to try to streamline things and quit making these bureaucratic departments so difficult to deal with. They want resolutions when they have problems within a department, whether it is the Department of Revenue, Department of Transportation.

And finally, I think this amendment is good because it does not take away anybody's ability to file an appeal, should they not be content with that. This amendment enhances this bill. This makes the department more consumer-friendly and helps us as the legislators and Representatives of our districts to do what our public has asked us to do, streamline the process and make our departments more friendly.

I would ask for the support of this amendment. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Northampton County, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I rise in opposition to this amendment, and I want to use a couple of examples to get you to think about what kind of situations this could open up.

If you give the power to negotiate tax settlements to one person, the Secretary of Revenue, who serves at the pleasure of the Governor of Pennsylvania, if you give that authority to one person, that person would have the ability to negotiate settlements that would reduce or eliminate interest payments on tax liabilities. They would have the power to reduce or eliminate the actual tax liability. And if you want to think about what a ridiculous idea this is, just imagine a parallel situation. What if you had legislation before us today that said the school superintendent in each school district would have the power to negotiate tax settlements of property taxes with any homeowner, any business owner, and that superintendent would have the ability to wipe out interest or actual tax liability. I think many of you, most of you, all of us would say that is a ridiculous proposal and we would never consider such a proposal.

Let me draw a parallel situation with the Federal government. What if legislation was parallel to this that would give the President of the United States, President Obama, or his Cabinet Secretary who has responsibility for the administration of taxes, Timothy Geithner, the power to do exactly as the gentleman from Chester proposes, to negotiate settlements on IRS (Internal Revenue Service) tax liabilities, to negotiate settlements on IRS penalties, to reduce or eliminate those penalties, interest, or actual liabilities. I think all of us would say that would be a ridiculous policy.

We have to remember that putting all of this power into one person, one person's hands, a Cabinet Secretary who serves at the pleasure of the Governor, you are taking a process that is currently covered by a Board of Appeals with many checks and balances and you are politicizing that process. That is too much power to put in the hands of one individual, and if your opinion of this proposal depends on who is in the Governor's Office and who is in the Secretary of Revenue's Office, if your opinion on that would change from year to year depending on who the Governor is or who the Secretary of Revenue is, that is an indication that it is a bad public policy and that the best policy is to keep the existing system with the checks and balances, with the Board of Appeals that has existed for many years, and not politicize the process of negotiating tax settlements. Thank you, Mr. Speaker.

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

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose HB 2348, amendment 12024. We have provided too much power to really too many unelected appointees in the administration. Again, it would not matter which administration, but last year at this time we gave unprecedented powers away to the Secretary of Welfare, Secretary of DPW, and we have had a lot of consternation over that. This year, it looks like with this legislation, we are doing the same thing with the Secretary of Revenue. And I know both of these gentlemen and I like them and they are good people, but we as legislators have certain powers. It is designed that way as a check and balance. And for us to hand over those powers, hand over those powers to unelected officials, just does not make a whole lot of legislative sense, and it does not make a lot of sense whether you are Democrat or Republican because

eventually you will have a Governor of each party in there appointing people who will make very serious, very important decisions relative to Pennsylvanians that will affect people's lives, and when they complain, they will not have anybody to complain to because those are unelected officials.

You know, we run for these jobs, and as tough as they are, that is why we run. We know that we are going to get criticized for some of the decisions we make. But to just hand the power away makes no sense at all, just simply makes no sense at all. I cannot believe we did it last year to the extent we did, and I cannot believe we are standing here today talking about this. All of us as legislators, forget about the issue, forget about the Secretary, think of this as a legislative versus administrative issue. And we are just literally handing power away a little bit at a time to various unelected officials instead of keeping it for ourselves and having the responsibility, that portion of government, for ourselves.

I ask for a "no" vote, Mr. Speaker. Thank you.

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

On that question, the Speaker recognizes the gentleman from Chester, Mr. Milne, for the second time. Mr. MILNE. Thank you, Mr. Speaker.

Let me just share with the members part of the reasoning for doing this bill, and some of it actually is indeed to increase efficiency. I would concur with the gentleman from York that efficiency is not always the end goal or the overall goal for everything we do, but certainly it makes sense in some cases. And this is not quite a question about checks and balances. That is a question between the institutions of government, about having checks and balances. This is about when something is within a particular department of State government, how can we make an efficient process for the taxpayer, for the citizen? A couple numbers I think are very startling in this regard about the volume that the Department of Revenue is trying to handle in terms of some of these tax appeals and tax petitions. The Board of Appeals within the Revenue Department handles 24,000 petitions annually. The Board of Finance and Revenue itself handles 3,000 second-level appeals per year, and the Commonwealth Court receives about a thousand appeals per year. So the genesis of this legislation is trying to make it a more streamlined, efficient process for citizens, for taxpayers, trying to resolve as many cases as possible before they do have to go into the formal court process, and trying to eliminate unnecessary bureaucratic obstacles for the taxpayer as they try to work with the Department of Revenue.

Secondly, I would suggest that not all these cases are going to be directly heard by the Secretary of the Department of Revenue. Many will continue to be heard at the lower levels—the Board of Appeals, the Board of Finance and Revenue. And at the end of the day, citizens, by the time the regulations are promulgated, will certainly still have the right to take a case to Commonwealth Court. So that is certainly not being abrogated from the citizen by any means. But for taxpayers who are willing to go into a process where the Secretary is the decisionmaker and both parties accept the outcome of the decision, that is a fair outcome for the taxpayer, and it is a way that both parties, the State and the taxpayer, can avoid unnecessary time delays, inefficiencies, and costs that are in nobody's favor.

So I would suggest that with all due respect to the counterarguments, which I do understand in spirit, but I do not think this is an arbitrary power grab by any means. I think it will be handled appropriately. So I would suggest and encourage the members to adopt this amendment. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the lady, Ms. Mundy, for the second time.

Ms. MUNDY. Thank you, Mr. Speaker.

I am not the least bit worried about the taxpayer who gets a favorable settlement and then, you know, does not have to go to an appeals court. Yes, any taxpayer who does not like a settlement would have that avenue. What I am concerned about and what I said in my opening statement, I am concerned about the potential for political favoritism based on the power that we are giving to one individual.

Let us just use a hypothetical here. Mary Jones gave \$10,000 to the Governor, any Governor, and wants to dispute her tax assessment. That is not a healthy situation. That is a perverse incentive for corruption, and it is simply not wise to put it in law. And that is why I continue to oppose this amendment. I support the underlying bill, and I am happy to vote for that, but if this goes into the bill, I will not be able to support it. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—104

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

NAYS—96

Bishop	DeLissio	Kirkland	Preston
Boyle, B.	DeLuca	Kortz	Ravenstahl
Boyle, K.	DePasquale	Kotik	Readshaw
Bradford	Dermody	Krieger	Reese

Brennan	Donatucci	Kula	Roebuck
Briggs	Evans, D.	Longietti	Sabatina
Brooks	Fabrizio	Mahoney	Sainato
Brown, V.	Frankel	Mann	Samuelson
Brownlee	Freeman	Markosek	Santarsiero
Burns	Galloway	Matzie	Santoni
Buxton	George	McGeehan	Schmotzer
Caltagirone	Gerber	Metzgar	Smith, K.
Carroll	Gergely	Mirabito	Smith, M.
Cohen	Gibbons	Mullery	Staback
Conklin	Goodman	Mundy	Sturla
Costa, D.	Haluska	Murphy	Thomas
Costa, P.	Hanna	Myers	Truitt
Cruz	Harhai	Neilson	Vitali
Curry	Harkins	Neuman	Waters
Daley	Hornaman	O'Brien, M.	Watson
Davidson	James	Parker	Wheatley
Davis	Josephs	Pashinski	White
Dean	Kavulich	Payton	Williams
Deasy	Keller, W.	Petrarca	Youngblood

NOT VOTING—0

EXCUSED—1

Barbin

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. **STURLA** offered the following amendment No. **A12236**:

Amend Bill, page 3, line 12 (A12024), by inserting after "Commonwealth,"

A compromise on a civil tax matter with the secretary must be made public.

On the question,

Will the House agree to the amendment?

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I understand when a settlement is negotiated with the Assessment Board of Appeals and that gets reviewed by the Attorney General and it gets reviewed by several other parties, why it makes sense to keep that settlement confidential. There are enough eyes, hopefully, although there have been questions that that might even be not enough eyes on the process, but there are at least several sets of eyes on the process to make sure that someone is watching what is going on.

What this amendment does is says that in a civil tax matter where the Secretary has made the sole decision, that those settlements are made public, because if they make sense and if they meet public scrutiny, then there is no problem with it, and if they do not, then why do we want to keep it secret?

The gentleman's amendment that just passed did not put a limit on it like, well, the Secretary can look at appeals by himself if it is less than \$1,000. It could be \$10 million. The

gentleman's amendment that just passed did not say anyone else reviews this. It just says the Secretary gets to review this.

What this amendment would do is say that that information is at least made public. It does not give anyone the right to override that decision, but it puts it under public scrutiny.

I would encourage a "yes" vote.

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

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

Mr. MAHER. Thank you, Mr. Speaker.

What is under consideration today is something which has been available on a Federal level for many, many, many years, and you do not see your constituents' names in the newspaper or on the Web site of the IRS if they have reached some sort of an agreement.

I expect that the Department of Revenue will enact appropriate administrative procedures and safeguards just as the IRS has and just as the Department of Revenue has in so many other areas. We do not tend to write statutes about these internal control procedures, but rather, we depend on the Secretaries to proceed. I would expect if these internal control procedures are lacking, the Auditor General would bring that to your attention.

I think the amendment that was preceding this was a good amendment for putting Pennsylvanians on the same foothold with the taxing authorities as they are on a Federal level, and I do not think that the price for that parity should be an invasion of privacy.

So I would urge you to oppose this amendment.

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

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

Ms. DeLISSIO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this amendment. Back in March of 2012, just a couple of months ago, an integrity index was released, and the integrity index found our good Commonwealth ranking 18th out of 50 in the United States in terms of the amount of integrity our laws produce and reinforce. We were graded with a C-minus, Mr. Speaker. The amendment that was just previously passed practically guarantees us that we will get a D the next time this index is published, and this index measures things as citizens' confidence in our ability to be transparent, our commitment to reform, the amount of corruption that the Commonwealth has historically had, and what we are actively doing about it.

Mr. Speaker, the amendment that is in front of us now should be supported because it will give us the only opportunity we have to hold on, perhaps, to that C-minus, and that is a grade that I am not proud of and my constituents are very concerned about, Mr. Speaker. So I support amendment 12236.

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

On that question, the Speaker recognizes the lady from Montgomery County, Ms. Harper.

Ms. HARPER. Thank you, Mr. Speaker.

Mr. Speaker, some years ago this General Assembly passed the Taxpayer Protection Act. In that we made it a crime to reveal information about a person's taxes and income. This is an eminently silly amendment and should be voted down.

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

On that question, the Speaker recognizes the gentleman from Northampton County, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of amendment A12236. The gentleman from Lancaster has offered a very important amendment. If it is the will of this House to allow such discretionary power to the Secretary of Revenue to make determinations in this matter, such immense power to do so, it is incumbent upon us to ensure that that process is a process which is accountable. The only way to guarantee that accountability is to make sure that that decision is made public. It is the only way to ensure open government, to ensure accountability, and to hold the Secretary of Revenue accountable for his decision. If he has a good reason to enter into that compromise on a pending tax petition, let him explain that. Let the public know what that reasoning is. What would he be hiding from?

This is a very important amendment. If it is the will of this House to change the process in which those petitions are dealt with, it is absolutely critical that the public know about them and know about the outcome so that there is accountability, that there is not a corruption of power, and that we know that it is being done for the reasons the Secretary would have to defend and stand by.

This is a good-government amendment, and I urge the members of this House 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, Mr. Milne.

Mr. MILNE. Thank you, Mr. Speaker.

The genesis of this legislation is in part about trying to align Federal standards and Federal codes and Federal tax laws with what we do here in the State. So in that sense the Representative from Allegheny County makes an excellent point that I did concur with, that this legislation is about trying to bring Pennsylvania's standards and practices into alignment with the Federal level, and in that sense anything we do that is going to move us away from that Federal standard, I personally would be opposed to and would think that would start to dilute the purpose of this particular piece of legislation.

Another grade which was raised or being referenced by the gentlelady from Philadelphia County, another grade where Pennsylvania is near the very bottom of the national ranking is in terms of where we rank with tax appeal processes and procedures, and a number of rankings put Pennsylvania near the very bottom of how we handle that in fairness to the taxpayers. So this legislation is about trying to give us a raised grade in that area. So again, anything that starts to weaken the point of this bill I am opposed to.

Thirdly, regulations are going to be promulgated, and those regulations will certainly make sure that proper internal controls and procedures and processes are put in place in terms of how this procedure is going to happen vis-a-vis the Secretary's office. And as has been noted, checks and balances are something that we all want, and certainly there will be many eyes that are watching the Department of Revenue and watching the Secretary, and there is no question he or she will not be acting in isolation, whoever that person is, in the years ahead. There will be many other entities that are watching the procedures happen.

Fourthly, as this matter moves ahead, I would encourage the members to realize there are a lot of very sensitive considerations for having one's tax and finance and other personal information too readily available. It raises a lot of privacy concerns, and the Department of Revenue itself is against this amendment. So I hope that would carry a little bit of weight with the members. I have great trust and confidence in the professionalism of the Department of Revenue and believe they will do an excellent job in administering this law.

I would encourage the members to vote against the amendment. Thank you, Mr. Speaker.

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I would assume that the Secretary of Revenue would not want *carte blanche* to be impeded in any way, shape, or form. If somebody said they would give me the ultimate supreme power to be the tax czar, I would take it. That is what the gentleman's prior amendment did that this tries to correct. It says there has to be a little bit of public scrutiny.

Now, I think it is interesting that the gentleman from Chester and the gentleman from Allegheny County apparently have a ringing endorsement for the Federal Tax Code. I am sure that they are proud to say that they want to be just like the Feds when it comes to taxes.

They also exhibit extreme confidence in bureaucratic regulators. Do not worry; we know we do not put any controls on it in this legislation, but a regulator will do it for us. Trust us; those regulators know what they are doing. We do not have to give them any guidance, because the guidance in the legislation to this point says, the Secretary of Revenue gets it free and clear; no oversight.

You know, if this even said, "Look, the Secretary of Revenue gets to make the decision. You can go that way instead of the Appeals Board, but then the Attorney General needs to take a look at it, the Auditor General needs to take a look at it, and a few other people," I would say, well, at least there is another set of eyes. You can bypass the lengthy appeals process. You can just go and say to the Secretary of Revenue, this makes sense, does it not? And he can say, yes, sure; no problem. But that is not the case here.

This is a setup for people to do nefarious things. Think about this. You might have a gaming interest say, "Hey, I've got \$10 million in tax liability. I'd like to build a new casino. How about if you just waive my tax liability and I'll build a new casino for you?" You might have a gas exploration company that says, "Hey, I'd like to build a new facility to crack ethane in this State. I can't get a tax break in the legislature. How would you like to do it for me over in the Department of Revenue?" There are all sorts of possibilities for all sorts of high jinks unless there is some scrutiny, and the scrutiny we have been told that there will be is that some regulator, unbeknownst to you, will devise a plan, and it will certainly work; trust them. Go ahead, trust them. I will let it up to the public instead.

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

Is the gentleman, Mr. Milne, seeking recognition for the second time? The gentleman may proceed.

Mr. MILNE. Thank you, Mr. Speaker.

The main reason that I personally am not concerned about any high jinks taking place is because any of these compromises or attempts to reach a compromise must be entered into voluntarily by the parties involved. They must voluntarily agree that they are going to go before the process that will involve the Secretary of DOR, and even if, even if a compromise is actually reached and entered into the record, none of this will abdicate the right of the taxpayer to still take this procedure back through the normal and regular legal processes, including the Commonwealth Court, if they so deem desirous of what they want to do.

So none of this overrides or undermines any of the existing rights of the taxpayers and none of this will be happening in isolation and none of this will be mandated at the end of the day. It is a voluntary decision on the part of the parties, who again are simply trying to find ways to streamline and be more efficient with handling an appeal and a petition that they might have before the Department of Revenue.

I would also raise the question of fairness. Under existing law, compromises that are reached with the Office of the Attorney General in these matters that have gone before the Commonwealth Court are not subject to this kind of public record that is being proffered here. So why should the Department of Revenue be on a different or unequal footing in that regard? The Commonwealth Court, arguably, is probably a higher legal jurisdiction than the Department of Revenue in terms of importance, so if it is good enough for the Commonwealth Court not to have to put this out in the public record or the public domain, it seems fair that the Department of Revenue should not be so subject to that kind of level of expectation.

So again, all voluntary, no mandates, fairness to the taxpayers. I urge the members to defeat this unnecessary amendment. Thank you, Mr. Speaker.

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

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

Mr. DePASQUALE. Thank you, Mr. Speaker.

Mr. Speaker, I felt I had to get up and speak considering the way this debate was going.

I think it is important for the membership to know that in a sense we are going back to the future here. In 1969 the Pennsylvania Revenue Secretary pleaded guilty to kickbacks for reducing tax liability for a Pennsylvania company for work done to their home. That happened in 1969.

I am hearing in this debate that everybody should be okay with this bill as the way it is going and not with the Sturla amendment because the taxpayer has to agree to it. I understand that, the taxpayer has to agree with it, but what happens if it is wrong for 12.7 million Pennsylvanians? It may be right for one individual taxpayer, but it may be wrong for 12.7 million Pennsylvanians. Mr. Speaker, without the Sturla amendment – and again, you know where I was on the previous amendment – but without the Sturla amendment, we may be left in the dark on secret backroom tax agreements that may be good for one taxpayer but bad for nearly 13 million Pennsylvanians.

I urge a "yes" vote on the Sturla amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—93

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

NAYS—107

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	Metcalfe	Saylor
Boyd	Grell	Metzgar	Scavello
Brooks	Grove	Miccarelli	Simmons
Brown, R.	Hackett	Micozzie	Sonney
Causar	Hahn	Millard	Stephens
Christiana	Harhart	Miller	Stern
Clymer	Harper	Milne	Stevenson
Cox	Harris	Moul	Swanger
Creighton	Heffley	Murt	Tallman
Culver	Helm	Mustio	Taylor
Cutler	Hennessey	O'Neill	Tobash
Day	Hess	Oberlander	Toepel
Delozier	Hickernell	Payne	Toohil
Denlinger	Hutchinson	Peifer	Turzai
DiGirolamo	Kampf	Perry	Vereb
Dunbar	Kauffman	Petri	Vulakovich
Ellis	Keller, F.	Pickett	Watson
Emrick	Keller, M.K.	Pyle	
Evankovich	Killion	Quigley	Smith, S., Speaker
Evans, J.	Knowles	Quinn	
Everett			

NOT VOTING—0

EXCUSED—1

Barbin

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?

MOTION TO SUSPEND RULES

The SPEAKER. On that question, the Speaker recognizes the gentleman from Erie County, Mr. Hornaman, who has a late-filed amendment, which would require a suspension of the rules for consideration. Is the gentleman seeking to move to suspend the rules?

Mr. HORNAMAN. Yes, Mr. Speaker.

The SPEAKER. The gentleman will give a brief description of the amendment and proceed to make his motion.

Mr. HORNAMAN. Thank you, Mr. Speaker.

I move to suspend the rules to bring up amendment A12646. For 5 years I have been fighting for tax credits for our volunteer responders. We owe it to our communities and public safety to address this issue. Many of the responders in our districts are on shaky ground with a manpower pinch. This is about your volunteer responders and their survival, and if you care about them, you will vote to suspend the rules to address this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Erie, Mr. Hornaman, moves to suspend the rules for the immediate consideration of amendment A12646.

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

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

Mr. MILNE. With all due respect to the Representative from Erie County, I rise to oppose suspension of the rules for consideration of this amendment. This amendment deals with Title 35 and is not relevant to this particular underlying bill, and in that respect I would appreciate a "no" vote on suspension of the rules. Thank you, Mr. Speaker.

The SPEAKER. On the motion to suspend, the Speaker recognizes the minority leader, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, we should suspend the rules so we should at least be able to consider a bill that will give tax credits to our first responders. They are putting their lives on the line for all of us. We should be allowed at least to debate a bill that gives that tax credit to our first responders. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—90

Bishop	Deasy	Kavulich	Petrarca
Boyle, B.	DeLissio	Keller, W.	Preston
Boyle, K.	DeLuca	Kirkland	Ravenstahl
Bradford	DePasquale	Kortz	Readshaw
Brennan	Dermody	Kotik	Roebuck
Briggs	Donatucci	Kula	Sabatina
Brown, V.	Evans, D.	Longietti	Sainato
Brownlee	Fabrizio	Mahoney	Samuelson

Burns	Frankel	Mann	Santarsiero
Buxton	Freeman	Markosek	Santoni
Caltagirone	Galloway	Matzie	Schmotzer
Carroll	George	McGeehan	Smith, K.
Causar	Gerber	Mirabito	Smith, M.
Cohen	Gergely	Mundy	Staback
Conklin	Gibbons	Murphy	Sturla
Costa, D.	Goodman	Myers	Thomas
Costa, P.	Haluska	Neilson	Vitali
Cruz	Hanna	Neuman	Waters
Curry	Harhai	O'Brien, M.	Wheatley
Daley	Harkins	Parker	White
Davidson	Hornaman	Pashinski	Williams
Davis	James	Payton	Youngblood
Dean	Josephs		

NAYS—110

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

NOT VOTING—0

EXCUSED—1

Barbin

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

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

The SPEAKER. The Speaker's understanding is that the other amendments filed to the bill 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 237, PN 722**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in budget and finance, further providing for Commonwealth portion of fines.

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

APPROPRIATIONS COMMITTEE MEETING

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

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

Mr. Speaker, there will be an immediate Appropriations Committee meeting in the majority caucus room. Thank you.

The SPEAKER. An immediate meeting of the House Appropriations Committee.

The House will be at ease for a short period of time for that committee meeting.

The House will come to order.

BILLS REREPORTED FROM COMMITTEE

SB 8, PN 2269

By Rep. ADOLPH

An Act establishing the Pennsylvania eHealth Partnership Authority and the Pennsylvania eHealth Partnership Fund; providing for consent and confidentiality of health information; and establishing civil immunity under certain circumstances.

APPROPRIATIONS.

SB 367, PN 2327

By Rep. ADOLPH

An Act providing for certain resource development; and imposing powers and duties on the Department of General Services and the State System of Higher Education.

APPROPRIATIONS.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1480, PN 2074

By Rep. ADOLPH

An Act providing for the capital budget for the fiscal year 2012-2013.

APPROPRIATIONS.

The SPEAKER. The House will come to order.

STATEMENT BY MR. KAVULICH

The SPEAKER. The Speaker recognizes the gentleman from Lackawanna County, Mr. Kavulich, under unanimous consent.

Mr. KAVULICH. Thank you, Mr. Speaker.

Mr. Speaker, over the past 2 days, for the fifth year, volunteers from all over the country have been taking part in Pancreatic Cancer Advocacy Days, meeting with elected officials in Washington and making phone calls, in an attempt to deliver one unified message to Congress: It is time to pass the Pancreatic Cancer Research and Education Act.

Pancreatic cancer is one of the deadliest forms of this disease, with a 5-year survival rate of just 6 percent. It is estimated that 43,920 men and women will be diagnosed with and 37,390 will die of cancer of the pancreas in 2012 alone.

The four key components of the Pancreatic Cancer Education and Research Act are the development of a strategic plan for pancreatic cancer research, establishing a cancer research incubator pilot project for the deadliest cancers, strengthening and expanding centers of excellence for pancreatic cancer, and promoting physician and public awareness.

Mr. Speaker, I ask my colleagues to support patients and give hope to those who are affected by pancreatic cancer by urging our colleagues on Capitol Hill to pass this act. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1301, PN 2179**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in assessments of persons and property, providing for cities and counties of the first class, further providing for definitions and for administration and procedure and providing for applicability.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Taylor, who calls up amendment A12589, which is a corrective reprint for amendment A12501. Therefore, we are calling up amendment A12589, which the clerk will read.

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

Mr. **TAYLOR** offered the following amendment No. **A12589**:

Amend Bill, page 1, line 3, by inserting after "property,"
providing for cities and counties of the first class,

Amend Bill, page 1, line 4, by striking out the semicolon after
"PROCEDURE"

Amend Bill, page 1, lines 8 through 10, by striking out all of said
lines and inserting

Section 1. The heading of Chapter 85 of Title 53 of the
Pennsylvania Consolidated Statutes is amended to read:

CHAPTER 85

ASSESSMENTS OF PERSONS AND PROPERTY

Subchapter

A. through [D] C. (Reserved)

D. Cities and Counties of the First Class

E. Real Estate Tax Deferral

F. Homestead Property Exclusion

SUBCHAPTERS A through [D] C

(Reserved)

Section 1.1. Chapter 85 of Title 53 is amended by adding a subchapter to read:

SUBCHAPTER D
CITIES AND COUNTIES OF THE FIRST CLASS

Sec.

8561. Scope of subchapter.

8562. Definitions.

8563. (Reserved).

8564. (Reserved).

8565. Assessments and appeals for certain tax years.

§ 8561. Scope of subchapter.

This subchapter relates to assessments in cities and counties of the first class.

§ 8562. Definitions.

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

"Act 1939-404." The act of June 27, 1939 (P.L.1199, No.404), entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class; providing for the appointment of members of the board of revision of taxes by the judges of the courts of common pleas; providing for the appointment, by the board, of personal property assessors, real estate assessors and assistant real estate assessors, clerks and other employees; fixing the salaries of members of the board, assessors and assistant assessors, and providing for the payment of salaries and expenses from the county treasury; prescribing the powers and duties of the board and of the assessors, the time and manner of making assessments, of the revision and notice of assessments and of appeals therefrom; prescribing the records of assessments; and repealing existing laws."

"Assessment office." The office of property assessment in a city.

"Board." The board of revision of taxes or a successor body authorized by a city to determine assessment appeals in a city.

"City." A city of the first class.

"Common level ratio." The ratio of assessed value to market value as determined by the State Tax Equalization Board under the act of June 27, 1947 (P.L.1046, No.447), referred to as the State Tax Equalization Board Law.

"County." A county of the first class.

"Established predetermined ratio." The ratio of assessed value to market value established under Act 1939-404 and uniformly applied in determining assessed value in any year.

"Governing body." The governing body of a city.

"School district." A school district of the first class.

§ 8563. (Reserved).

§ 8564. (Reserved).

§ 8565. Assessments and appeals for certain tax years.

(a) Legislative findings.—The General Assembly finds and declares as follows:

(1) Real estate tax assessment in a city has become increasingly at variance with principles of uniformity and sound assessment.

(2) The deficiencies under paragraph (1) have been determined to be remedied by a citywide reassessment, sometimes referred to as the "actual value initiative."

(3) The reassessment of all properties located in a city is likely to cause substantial shifts in tax liabilities among various neighborhoods and groups of taxpayers. These shifts are likely to increase substantially the tax burdens on residential properties, particularly those properties with low to medium values.

(4) As part of a reassessment, the governing body must make a major revision to the applicable tax rates in order to maintain tax revenues and fund any required tax increases. The governing body must take into account enactment of a homestead

exclusion and perhaps other measures in order to alleviate an increased tax burden on lower value residential properties.

(5) The governing body cannot responsibly determine the applicable tax rates without knowing the value of the tax base to which the rates apply. Currently, a city's budget, including tax revenues, must be enacted by each June 30; but tax assessments are not finalized until the following September.

(6) Implementation by a city of an actual value initiative will be helped by requiring that assessed values be determined prior to adopting the city's budget and by the applicable assessment officials completing the task of determining the tax base in the city.

(7) The common level ratio for a city applicable to tax year 2012, certified by the State Tax Equalization Board and published at 42 Pa.B. 2152 (April 14, 2012), has been disputed and may be subject to further dispute. The common level ratio for tax year 2013 may have similar uncertainties. The ratios for both years are determined by a State Tax Equalization Board assessment tool new to the review of properties in a city.

(8) The common level ratio for a city applicable to tax year 2011, based on 2009 data and published at 40 Pa.B. 4069 (July 17, 2010), has not been disputed and is the same as the applicable established predetermined ratio.

(9) Special provisions are necessary in order to address the findings set forth in this subsection.

(b) Certification of values.—Notwithstanding any other provision of law:

(1) For tax year 2013, the assessment office shall certify assessed values at the assessed values certified for tax year 2011, adjusted for subsequent improvements, demolition and destruction. The assessed values certified for tax year 2013 under this paragraph shall apply to all taxes on, or measured by, assessed values levied by a city or a school district for tax year 2013 notwithstanding any contrary enactment of a city or a school district or any contrary certification by a city, city agency or school district.

(2) For tax years after tax year 2013, the assessment office shall certify market values at actual market value. In arriving at actual market value, the price at which any property may actually have been sold shall be considered but shall not be controlling. In arriving at the actual market value:

(i) All three of the following valuation methods shall be considered in conjunction with one another:

(A) Reproduction or replacement cost, as applicable, minus:

(I) depreciation; and

(II) all forms of obsolescence.

(B) Comparable sales.

(C) Income.

(ii) The valuation process may employ systems, methodologies and technologies that meet nationally recognized assessment standards.

(c) Timing of certification.—Notwithstanding any other provision of law, for tax years after tax year 2013, the assessment office shall certify assessed values by March 31 of the preceding year.

(d) Application of established predetermined ratio.—Notwithstanding any other provision of law, in any assessment appeal under Act 1939-404 for tax year 2013, the board and any applicable court of competent jurisdiction shall apply the established predetermined ratio applicable to a city for tax year 2011.

(e) Conflicts.—If there is a conflict between a provision of Act 1939-404 and a provision of this section, the provision of this section shall apply.

Section 1.2. The definition of "board" in section 8582 of Title 53 is amended to read:

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

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

Mr. TAYLOR. Thank you, Mr. Speaker.

SB 1301, this bill, the underlying bill, is a bill that gives the city of Philadelphia and its taxpayers a homestead exemption, an exemption enjoyed by residents throughout the Commonwealth but not in Philadelphia, and that exemption will give owner-occupants a break on their taxes. This bill was anticipated by Philadelphia City Council in its deliberations in the past few weeks, but what was not considered are the devastating effects that their current situation will have on the appeal process if things stay the same in Philadelphia.

As many of you may know, the mayor pushed hard for the actual value initiative, worked quite a bit of time on that, but as that debate progressed, there seemed to be a lot of concern by the members of city council. They were expressing concern that the numbers were not accurate, that the numbers were not ready. They conveyed those concerns to us. Many of the council folks from my area and others talked about how the numbers were just not ready. As a result, you have a problem with the STEB (State Tax Equalization Board) situation in Philly with the predetermined ratio and a common level ratio being so off that we are concerned that in an automatic appeal, that the city and the school district could lose \$100 million without any taxpayer having to show exactly what their individual situation is.

There are a few reasons for these number disparities. The voters of the city of Philadelphia in a ballot question a few years back demanded that the city move from the board of revision of taxes into a city-controlled office of property assessment, but the rulings that came out from STEB, based on incomplete numbers, have really provided a recipe for disaster for the city of Philadelphia as it now stands. For example, in base year 2012, the initial STEB ruling was that the common level ratio was 18 percent, where the city was at 32. They resubmitted the numbers and came back at 25 percent. The city was still at 32 percent. We are of the understanding that the final level numbers would have put everything at an even level, both the predetermined ratio and the common level, but those numbers, for whatever reason, were not used by STEB.

So that brings us to a situation now where this amendment will do a few things. First of all, it will allow the STEB ratio to go back to the 2011 base year. It is the only year where we actually have accurate numbers in the city of Philadelphia, and it is a year where that predetermined ratio and the common level ratio were about even, whereby we can have some predictability in appeals. Again, taxpayers will be able to go in and appeal, but they will not get an automatic win based on inaccurate numbers.

This amendment also reverses the method that the city of Philadelphia now uses to develop property tax. Currently council grapples with the notion of a tax rate, only to have the assessment come months later. This delay in implementation will allow the assessments to occur first, get the accurate numbers, and then council can vote on the rate that it wishes based on solid, accurate information.

Then finally, it brings into Act 404 that which the council has just passed in this past week, where it delays this actual value initiative until this next year can take place, get accurate

numbers to move forward, and then that initiative can move forward.

So I would appreciate a positive vote on this amendment.

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

On that question, the Speaker recognizes the lady from Philadelphia, Mrs. Parker.

Mrs. PARKER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support my colleague on the other side of the aisle from Philadelphia's amendment 12589.

I just want to briefly note that the amendment does three things that we agree with. First and foremost, as stated, it changes the timing for assessments for the tax year 2014 and beyond and requires that the assessments be completed first and then rates to be decided, a great thing for the residents of the city of Philadelphia.

Next, Mr. Speaker, the amendment requires that the real estate taxes for tax year 2013 be based on value certified for tax year 2011 when the values were not disputed and giving us more time for uncertainties to be resolved.

And finally, this amendment delays and supports council's decision to delay implementation of AVI (actual value initiative) for 1 year, and the amendment brings Act 404 in line with that decision and requires that AVI be implemented at another time, after those other things are done, and because it supports the underlying message regarding this bill, and that is, we want to provide homestead exemption for residents of the city of Philadelphia along with STEB relief for the city.

So I thank the gentleman for offering his amendment and encourage my colleagues to vote in the affirmative.

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

The following roll call was recorded:

YEAS—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Barbin

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

On the question,

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

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

The Chair thanks the gentleman. I understand you were withdrawing your amendments. I was led to believe that you wanted to comment on withdrawing them, but you are fine as is.

On the question recurring,

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

The SPEAKER. On that question, the gentleman from Philadelphia, Mr. Brendan Boyle, has an amendment. Do you seek to be recognized on that, but you are going to withdraw it?

Then I will recognize you on the bill on second consideration. The gentleman is in order.

Mr. B. BOYLE. Thank you, Mr. Speaker.

Mr. Speaker, I rise with respect to my amendment to SB 1301. The previous speaker briefly spoke about the process we have gone over in the last 4 or 5 months in the city of Philadelphia, as we move toward this AVI, or actual value initiative, to be implemented, which would be a dramatic change in the way the city of Philadelphia has collected property taxes. As a result of that conversation, many constituents of mine, indeed, many residents of the city of Philadelphia have become very concerned that the AVI process would actually just be used as a vehicle for a back-door tax increase.

There was talk at one point by the administration of plugging in a \$94 million increase at the outset regardless of what the actual values of properties really are in the city of Philadelphia. I am optimistic, Mr. Speaker, given what has happened over the last few weeks. The city council rejected that \$94 million back-door property tax increase. However, I am concerned for the future that AVI not be used to bring about that property tax increase.

So, Mr. Speaker, I have an amendment that would ensure that AVI, once it is implemented, be revenue-neutral. I am going to withdraw that amendment with respect to SB 1301, since my amendment is possibly not really directly relevant to this bill, but instead will be offering my amendment at a future date when SB 1303 is in front of us, which is the legislation that actually has to set the millage rate for the city of Philadelphia.

So given that, I am withdrawing my amendment, and I will be offering it at a future date. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

It is the Speaker's understanding that 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.)

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2467, PN 3723**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in certificate of title and security interests, further providing for certificate of salvage required.

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 Delaware County, Mr. Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

I ask for a positive vote on HB 2467.

On the question recurring,

Shall the bill pass finally?

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 2467 CONTINUED

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Barbin

Buxton

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

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

SUPPLEMENTAL CALENDAR B CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1386, PN 2247**, entitled:

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for the Department of Environmental Protection; and repealing control of volatile organic compounds from gasoline-dispensing facilities.

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—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Barbin Buxton

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 return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **SB 351, PN 2326**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, further providing for Good Samaritan civil immunity for use of automated external defibrillator and for nonmedical good Samaritan civil immunity.

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—199

Adolph	Emrick	Knowles	Quigley
Aument	Evankovich	Kortz	Quinn
Baker	Evans, D.	Kotik	Rapp
Barrar	Evans, J.	Krieger	Ravenstahl

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Barbin Buxton

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 return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **SB 707, PN 694**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for educational leave of absence.

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—199

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Barbin

Buxton

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 return the same to the Senate with the information that the House has passed the same without amendment.

SUPPLEMENTAL CALENDAR C

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 367, PN 2327**, entitled:

An Act providing for certain resource development; and imposing powers and duties on the Department of General Services and the State System of Higher Education.

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 Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I do not want to beat this to death, because I think I can count. I know it is going to pass, and the substance of the debate was brought out in the amendments. But I do not think this bill should pass without comment, because I think this bill, which I rise in opposition to, is a very poor way to fund our State System of Higher Education. To allow drilling on these campuses I think is contrary to the mission of the educational institution. Regrettably, we have forced these college presidents to endorse this because we failed to fund their institutions adequately by other revenue sources such as a reasonable severance tax.

Mr. Speaker, drilling, again, is a highly industrial activity, and to put it on a college campus would interfere with the educational process. We have brought this bill to this point with inadequate public input, inadequate input from the stakeholders in the college community, parent groups, student groups, faculty groups, community groups.

Mr. Speaker, this is just a disappointing choice I think we make as a legislature as a way to fund our colleges, and I ask for a negative vote.

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

On that question, the Speaker recognizes the gentleman from Venango County, Mr. Hutchinson.

Mr. HUTCHINSON. Thank you, Mr. Speaker.

I rise in favor of passage of this bill, because I think this is a commonsense approach of a way to help our institutions of

higher learning as well as other State agencies raise some revenue in a way that is environmentally safe. What we are really doing through this bill is not only clarifying the process, but quite frankly, this drilling can occur today without this bill. But what we wanted to do by this bill is to make sure that those institutions of higher learning get the benefit of any drilling or other mineral extraction that they currently own as opposed to that money just going into the General Fund.

So I think this is a commonsense approach to something, as I said, that could happen today, these minerals can be extracted today, but we wanted to clarify the process and then earmark the money to make sure that deferred maintenance and capital improvement projects can occur on our institutions of higher learning as well as allow other State agencies to benefit from mineral extraction, and I think it is a safe process, it is a good process, and it is a win-win for the taxpayers of Pennsylvania.

So I urge your support of this commonsense bill. Thank you, Mr. Speaker.

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

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

Mr. SANTARSIERO. Thank you, Mr. Speaker.

I rise in opposition to SB 367. As was stated previously and in our debate yesterday, this bill really is a Band-Aid on the problem of higher ed funding that is not a good fix, because it puts our kids, our college students, at risk.

But I have one other fact, Mr. Speaker, I want to note for the record, because this was inaccurately reported when this bill was first considered in the Environmental Resources and Energy Committee, and that fact is this: Ninety-five percent of the college campuses in the State System, 95 percent are owned by the Commonwealth of Pennsylvania. Only 5 percent are owned by the State System, and that is significant, Mr. Speaker, because right now before this bill is passed, there is no authority under law to lease out that 95 percent of the land. I want to repeat that. There is no authority right now under Pennsylvania law to lease out that 95 percent of the land. So this bill not only incentivizes drilling on our State college campuses, but it actually legalizes it in 95 percent of the cases. It is not the case that it is currently possible to lease out that 95 percent of the land. That only happens after this bill is passed.

This bill is bad policy for the Commonwealth of Pennsylvania, and I ask all colleagues who stand in opposition to drilling on our State-owned lands to vote against this bill. Thank you.

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

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

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

I rise in support of this legislation. This is very important to our 14 State universities to be more self-sustaining, to derive additional income to meet current and projected needs.

SB 367, just as a reminder, creates a potential new revenue source for the State System of Higher Education's 14 universities. The land on which PASSHE campuses are located currently is owned by the Commonwealth as are mineral rights. Like any other State land, when land leases for mineral extractions arise, all royalties go to the Oil and Gas Lease Fund. SB 367 would allow the campuses and the system to retain those rights and royalties to be used for much-needed

renovation, maintenance, and energy conservation projects. Currently there is a \$2 billion deferred maintenance backlog. We need this money for badly needed repairs and maintenance.

At the present time none of the universities have been approached. If they were to be, they would have an opportunity to require stipulations or addenda in the lease to meet any concerns that may be stipulated. Currently the presidents of the universities, as a routine course of business, sign all leases and contracts on behalf of the schools. Again, this is another potential revenue source. The University of Texas generates \$8 million, \$9 million. Pennsylvania is way behind in this regard. It just makes common sense.

I ask for your affirmative vote. Thank you, Mr. Speaker.

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

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

Mr. DALEY. Mr. Speaker, I agree with everything the previous speaker said and ask for an affirmative vote.

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

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

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of SB 367.

The revenues from this proposal will help the State-owned institutions in addressing deferred maintenance and ultimately in keeping tuition low and providing new learning opportunities for students.

Mr. Speaker, I seek an affirmative vote, and I will submit the balance of my remarks for the record.

REMARKS SUBMITTED FOR THE RECORD

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

Thank you, Mr. Speaker.

Mr. Speaker, SB 367 establishes the Resources Development Act. It authorizes the Department of General Services to execute contracts, leases, or conveyances in the name of the Commonwealth for the removal of coal, oil, natural gas, coal bed methane, and limestone beneath land that is owned or controlled by the Commonwealth or by the State System of Higher Education.

Payments received for transactions on land owned by the SSHE must be used for deferred maintenance projects and/or energy efficiency/cost savings improvements and are deposited as follows: 40 percent retained by the host university, 60 percent to the SSHE for distribution among nonhost universities. Fifteen percent of the funds distributed to the host university and PASSHE must be used exclusively for tuition reduction.

In light of the budgetary attacks on our higher education system, passage of SB 367 would provide needed revenue for our State System schools.

Mr. Speaker, this is not a vote on drilling on public ground. That decision was already made and regulated by Act 13. This vote is about needed revenue for higher education.

The revenues from this proposal will help the State-owned institutions in addressing deferred maintenance and ultimately in keeping tuition low and providing new learning opportunities for students.

I ask for an affirmative vote. 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—131

Adolph	Farry	Killion	Pickett
Aument	Fleck	Knowles	Pyle
Baker	Gabler	Kortz	Quigley
Barrar	Geist	Krieger	Rapp
Bear	George	Kula	Reed
Benninghoff	Gergely	Lawrence	Reese
Bloom	Gibbons	Longietti	Roae
Boback	Gillen	Mackenzie	Rock
Boyd	Gillespie	Maher	Ross
Brooks	Gingrich	Mahoney	Saccone
Brown, R.	Godshall	Major	Sainato
Burns	Goodman	Maloney	Saylor
Causar	Grell	Mann	Scavello
Christiana	Grove	Marshall	Simmons
Clymer	Hackett	Marsico	Sonney
Costa, D.	Hahn	Masser	Staback
Cox	Haluska	McGeehan	Stephens
Creighton	Hanna	Metcalfe	Stern
Culver	Harhai	Metzgar	Stevenson
Cutler	Harhart	Miccarelli	Swanger
Daley	Harris	Micozzie	Tallman
Davis	Heffley	Millard	Taylor
Day	Helm	Miller	Thomas
Delozier	Hennessey	Milne	Tobash
DeLuca	Hess	Mirabito	Toepel
Denlinger	Hickernell	Moul	Toohil
DiGirolamo	Hutchinson	Mustio	Truitt
Dunbar	James	Neuman	Turzai
Ellis	Kampf	Oberlander	Vereb
Emrick	Kauffman	Payne	Vulakovich
Evankovich	Keller, F.	Payton	
Evans, D.	Keller, M.K.	Peifer	Smith, S.,
Evans, J.	Keller, W.	Perry	Speaker
Everett			

NAYS—68

Bishop	Deasy	Markosek	Readshaw
Boyle, B.	DeLissio	Matzie	Roebuck
Boyle, K.	DePasquale	Mullery	Sabatina
Bradford	Dermody	Mundy	Samuelson
Brennan	Donatucci	Murphy	Santarsiero
Briggs	Fabrizio	Murt	Santoni
Brown, V.	Frankel	Myers	Schmotzer
Brownlee	Freeman	Neilson	Smith, K.
Caltagirone	Galloway	O'Brien, M.	Smith, M.
Carroll	Gerber	O'Neill	Sturla
Cohen	Harkins	Parker	Vitali
Conklin	Harper	Pashinski	Waters
Costa, P.	Hornaman	Petrarca	Watson
Cruz	Josephs	Petri	Wheatley
Curry	Kavulich	Preston	White
Davidson	Kirkland	Quinn	Williams
Dean	Kotik	Ravenstahl	Youngblood

NOT VOTING—0

EXCUSED—2

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **SB 8, PN 2269**, entitled:

An Act establishing the Pennsylvania eHealth Partnership Authority and the Pennsylvania eHealth Partnership Fund; providing for consent and confidentiality of health information; and establishing civil immunity under certain circumstances.

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—199

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

Culver	Harris	Mustio	Thomas
Curry	Heffley	Myers	Tobash
Cutler	Helm	Neilson	Toepel
Daley	Hennessey	Neuman	Toohil
Davidson	Hess	O'Brien, M.	Truitt
Davis	Hickernell	O'Neill	Turzai
Day	Hornaman	Oberlander	Vereb
Dean	Hutchinson	Parker	Vitali
Deasy	James	Pashinski	Vulakovich
DeLissio	Josephs	Payne	Waters
Delozier	Kampf	Payton	Watson
DeLuca	Kauffman	Peifer	Wheatley
Denlinger	Kavulich	Perry	White
DePasquale	Keller, F.	Petrarca	Williams
Dermody	Keller, M.K.	Petri	Youngblood
DiGirolamo	Keller, W.	Pickett	
Donatucci	Killion	Preston	Smith, S.,
Dunbar	Kirkland	Pyle	Speaker
Ellis			

NAYS—0

NOT VOTING—0

EXCUSED—2

Barbin Buxton

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 return the same to the Senate with the information that the House has passed the same without amendment.

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 866, PN 2270**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, further providing for the Volunteer Companies Loan Fund; in grants to volunteer fire companies and volunteer services, further providing for scope of chapter, definitions, establishment and award of grants, providing for additional funding and further providing for allocation of appropriated funds and for expiration of authority; and making editorial changes.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

Mr. BARRAR. Thank you, Mr. Speaker.

Mr. Speaker, this SB 866 reauthorizes the fire and EMS (emergency medical services) grant. It includes the \$5 million

additional funding and bringing the total to \$30 million for our firefighters and our EMS companies in Pennsylvania.

It is important. This program expires in a few days. It is not the bill that I was hoping we would run, but I think it is time to send this issue to the Governor and have him sign it into law. And I would ask the members to vote "yes" on this bill and it go directly to the Governor for his signature and then we can put this issue to bed.

I thank the members for their support.

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

On that question, the Speaker recognizes the gentleman from Venango County, Mr. Hutchinson.

Mr. HUTCHINSON. Thank you, Mr. Speaker.

I, too, rise in favor of SB 866, and I am so pleased that we will be able to do this vital help for the fire and emergency services statewide.

I particularly want to thank the chairman of the committee who helped make the case that we have many small paid fire service providers across the State that are also well deserving of this small token of being eligible to be in this grant program. We have worked very hard for a long time to make that case, and I think this bill goes a long way to helping them out. So I am pleased we are near the finish line on this bill, and I want to thank both the Republican and Democratic chairmen for their assistance in making this bill a reality.

Thank you, Mr. Speaker.

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

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

Mr. SAINATO. Thank you, Mr. Speaker.

I, too, rise to support this bill.

I would like to especially thank the members of the Veterans Affairs and Emergency Preparedness Committee and also our staffs, both my staff and Chairman Barrar's staff, because this was a top priority of our committee this term, and it has taken a lot of effort and work even this last week and a half. I know members had different opinions of some amendments they wanted to put on. We would like to thank them for understanding how vitally important this bill is. Our committee has been working on this bill for over a year, over a year with the input of our members.

And to add what the prior speaker said about adding the paid fire companies, there are 35 of them in the State. This has been something we have talked about for many years. I have the city of New Castle in my district, and I know the great work that they do as well as many third-class cities, as well as the city of the first class, the city of the second class.

So this is very important, Mr. Speaker. I urge all our colleagues to support this bill. And I would also, like I said, just to reemphasize the work that our committee did on this bill. I think this shows when we work together, we can accomplish great things for the Commonwealth of Pennsylvania and the people that we serve. And myself and my counterpart, Chairman Barrar, I think we did a great job bringing it together and urging, bringing it together like we can show how hard and the good things happen for the people.

So 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—199

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Barbin Buxton

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 return the same to the Senate with the information that the House has passed the same without amendment.

The SPEAKER. At the request of the gentleman from Clearfield County, Mr. George, there will be no further votes this evening.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1720, PN 2589; HB 1820, PN 3687; and HB 2027, PN 2776**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 75, PN 3827; HB 1343, PN 3828; and HB 2406, PN 3829**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

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 1720, PN 2589

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for uniform adult guardianship and protective proceedings jurisdiction.

HB 1820, PN 3687

An Act amending the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, further providing for minimum wages and for exemptions.

HB 2027, PN 2776

An Act designating State Route 422, from its intersection with State Route 724 in the Borough of Sinking Spring, Berks County, to the west end of the Borough of Robeson, Berks County, as the Kyle D. Pagerly Memorial Highway.

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

BILLS RECOMMITTED

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

HB 2348;
SB 237; and
SB 1301.

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 1980 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.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1271, PN 2467**, entitled:

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, further providing for definitions.

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 1271 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 1271 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.

* * *

The House proceeded to second consideration of **HB 1543, PN 3061**, entitled:

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

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 1543 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 1543 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.

RESOLUTION

Mr. TURZAI called up **HR 505, PN 2763**, entitled:

A Concurrent Resolution disapproving a Pennsylvania Public Utility Commission regulation on Natural Gas Distribution Companies and the Promotion of Competitive Retail Markets.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 505 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.

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 505 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 lady, Ms. DeLissio, from Philadelphia County, who moves that this House do adjourn until Wednesday, June 27, 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 7:41 p.m., e.d.t., the House adjourned.