

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 2, 2012

SESSION OF 2012

196TH OF THE GENERAL ASSEMBLY

No. 59

### 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 Rev. W. James Pall, chaplain of the State Correctional Institution, Dallas, Pennsylvania.

REV. W. JAMES PALL, Guest Chaplain of the House of Representatives, offered the following prayer:

Most gracious and eternal God, indwelling spirit, before the business of this House begins today, we pause to acknowledge Your holy presence and to ask for Your help. Author of liberty, keep us mindful of the true cost of our freedoms and what it takes to protect them. Shepherd of our souls, You are nearer than our own breath. Inspire us always to do our best in every endeavor, from the mundane to the momentous. Divine physician who has never lost a patient, heal our spiritual wounds as well as our physical wounds and restore our wholeness so that we might serve You with the best of our gifts, gifts given by You to us to use for the common good. We pray in the name of the one who loves us all. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

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

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

**SB 920, PN 2301**

By Rep. GODSHALL

An Act providing standards for carbon monoxide alarms; and imposing penalties.

CONSUMER AFFAIRS.

**SB 1309, PN 2441** (Amended) By Rep. BENNINGHOFF

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for appeals by taxing authorities.

FINANCE.

#### SENATE MESSAGE

HOUSE BILL  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1617, PN 3058**, with information that the Senate has passed the same without amendment.

#### SENATE MESSAGE

RECESS RESOLUTION  
FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate,  
October 1, 2012

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, October 15, 2012, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, October 15, 2012, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,  
Will the House concur in the resolution of the Senate?  
Resolution was concurred in.  
Ordered, That the clerk inform the Senate accordingly.

**BILL SIGNED BY SPEAKER**

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

**HB 1617, PN 3058**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for suspension of operating privilege for failure to respond to citation.

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

**APPROPRIATIONS COMMITTEE MEETING**

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

Mr. ADOLPH. Thank you very much, Mr. Speaker. Mr. Speaker, I would like to announce an Appropriations Committee meeting immediately in the majority caucus room. Thank you.

The SPEAKER. The House will be at ease for a few moments for the duration of the Appropriations Committee meeting.

The House will come to order.

**BILLS REREPORTED FROM COMMITTEE****HB 142, PN 920**

By Rep. ADOLPH

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for incentives for municipal volunteers of fire companies and emergency medical services agencies.

APPROPRIATIONS.

**HB 272, PN 4139**

By Rep. ADOLPH

An Act establishing a task force on Lyme disease and related maladies; providing for powers and duties of the task force, the Department of Health, the Department of Conservation and Natural Resources and the Pennsylvania Game Commission and for required coverage; and executing prevention and education strategies.

APPROPRIATIONS.

**HB 1840, PN 4061**

By Rep. ADOLPH

An Act amending the act of March 3, 1978 (P.L.6, No.3), known as the Steel Products Procurement Act, further providing for required contract provisions.

APPROPRIATIONS.

**HB 2429, PN 4142**

By Rep. ADOLPH

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

APPROPRIATIONS.

**HB 2530, PN 4056**

By Rep. ADOLPH

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for administration and enforcement.

APPROPRIATIONS.

**HB 2565, PN 4058**

By Rep. ADOLPH

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, further providing for required licenses and for registration of food establishments.

APPROPRIATIONS.

**HB 2628, PN 4140**

By Rep. ADOLPH

An Act amending the act of May 11, 1972 (P.L.286, No.70), known as the Industrialized Housing Act, further providing for findings and declarations of policy, for regulations, insignia of certification required, for promulgation of rules and regulations by the department and for recognition of certification of other states or the Federal Government.

APPROPRIATIONS.

**HB 2630, PN 4143**

By Rep. ADOLPH

An Act regulating animal euthanasia; imposing penalties; and making a related repeal.

APPROPRIATIONS.

**TRANSPORTATION COMMITTEE MEETING**

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

Mr. GEIST. Thank you, Mr. Speaker.

Did you enjoy your bottle?

The SPEAKER. Yes.

Mr. GEIST. I rise to call a meeting of the Transportation Committee. We had recessed. We will reconvene immediately at the first break in the majority caucus meeting room; Transportation, at the break. Thank you.

The SPEAKER. There will be a Transportation Committee meeting in the majority caucus meeting room immediately at the break.

**HOUSE RESOLUTIONS  
INTRODUCED AND REFERRED**

**No. 884** By Representatives COHEN, DERMODY, FRANKEL, BISHOP, V. BROWN, BROWNLEE, DALEY, FREEMAN, GEORGE, HORNAMAN, JAMES, KIRKLAND, MAHONEY, MYERS, M. O'BRIEN, PARKER, PRESTON, SANTONI, SCHMOTZER, STURLA, THOMAS and YOUNGBLOOD

A Resolution urging adoption of the Federal Patient Protection and Affordable Care Act provisions known as the Medicaid expansion, ensuring that the 682,900 Pennsylvanians who are currently uninsured will be eligible for health care coverage.

Referred to Committee on INSURANCE, October 2, 2012.

**No. 891** By Representatives GEORGE, READSHAW, V. BROWN, BROWNEE, CALTAGIRONE, COHEN, GOODMAN, JAMES, ROAE, SAINATO, THOMAS, YOUNGBLOOD, KORTZ, GIBBONS and DeLUCA

A Resolution urging Highmark, Inc., to rescind its use of the Physical Medicine Management Program to determine whether a patient is eligible to receive treatment from a physical therapist, chiropractor or occupational therapist.

Referred to Committee on INSURANCE, October 2, 2012.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2663** By Representatives D. COSTA, READSHAW, BOBACK, CALTAGIRONE, P. COSTA, DAVIS, DUNBAR, GOODMAN, HARHAI, W. KELLER, MUNDY, MYERS, SAINATO, SANTARSIERO, SONNEY, WATSON, YOUNGBLOOD, M. O'BRIEN, FLECK, DEASY and GIBBONS

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

Referred to Committee on JUDICIARY, October 2, 2012.

**No. 2664** By Representative GOODMAN

An Act authorizing and directing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to the Borough of Ashland or their assigns certain lands situate in the Borough of Ashland, Schuylkill County, a portion of which is subject to Project 70 restrictions.

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

**No. 2665** By Representatives SWANGER, HENNESSEY, CALTAGIRONE, COHEN, GINGRICH, HORNAMAN, JAMES, MICOZZIE, MILNE, MULLERY, MURT, QUINN, RAPP, SAYLOR, CULVER, SCHMOTZER, WATERS, WATSON, WILLIAMS and YOUNGBLOOD

An Act establishing the Pennsylvania Long-term Care Council; providing for its powers and duties; and repealing related provisions of the Public Welfare Code.

Referred to Committee on AGING AND OLDER ADULT SERVICES, October 2, 2012.

### SENATE BILLS FOR CONCURRENCE

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

**SB 819, PN 1115**

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 2, 2012.

**SB 903, PN 2385**

Referred to Committee on JUDICIARY, October 2, 2012.

**SB 1092, PN 2416**

Referred to Committee on JUDICIARY, October 2, 2012.

**SB 1442, PN 2386**

Referred to Committee on JUDICIARY, October 2, 2012.

**SB 1449, PN 2387**

Referred to Committee on JUDICIARY, October 2, 2012.

**SB 1531, PN 2388**

Referred to Committee on TRANSPORTATION, October 2, 2012.

**SB 1572, PN 2322**

Referred to Committee on LOCAL GOVERNMENT, October 2, 2012.

### LEAVES OF ABSENCE

The SPEAKER. The Speaker turns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. GROVE, from York County for the day, and the lady, Mrs. SWANGER, from Lebanon County for the remainder of the week. Without objection, the leaves will be granted.

The Speaker recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. GERBER, from Montgomery County for the day; the lady, Ms. BISHOP, from Philadelphia County for the day; the gentleman, Mr. EVANS, from Philadelphia County for the day; and the lady, Ms. JOSEPHS, from Philadelphia County for the day. Without objection, the leaves will be granted.

### MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—194

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Bishop	Gerber	Josephs	Swanger
Evans, D.	Grove		

LEAVES ADDED—5

Bear	Fleck	Galloway	Maher
Daley			

LEAVES CANCELED—2

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

**GUESTS INTRODUCED**

The SPEAKER. If I could have the members' attention. If the members would just kindly hold the conversations down. I would like to introduce some of the guests who are with us. We would appreciate your courtesy.

To the left of the Speaker, as the guests of Representative Mirabito, we would like to welcome David French and Alan Kaufman. Please stand. Welcome to the hall of the House.

Also to the left of the Speaker, a guest of Representative Heffley, we would like to welcome Alexandra Szoke. Welcome to the hall of the House, Alexandra.

In the rear of the House, as guests of Representative Krieger, we have a group of constituents from his legislative district. Will they please rise. Welcome to the hall of the House.

And up in the gallery, as a guest of Representative DeLissio, we would like to welcome Cassandra Hayes. Welcome to the hall of the House; clear at the top.

Guest page with us today, in the well of the House, we would like to welcome Garrett Pall. Garrett is the son of our Guest Chaplain, Rev. James Pall. They are here today as guests of Representative Boback. Welcome to the hall of the House.

Also serving as a guest page, a guest of Representative Millard, we would like to welcome Trisha Grayeski. Welcome.

**UNCONTESTED CALENDAR**

**RESOLUTIONS PURSUANT TO RULE 35**

Mr. PAYNE called up **HR 846, PN 4040**, entitled:

A Resolution commemorating the 226th anniversary of the establishment of the Grand Lodge of Free and Accepted Masons of Pennsylvania.

\* \* \*

Mr. PAYNE called up **HR 847, PN 4041**, entitled:

A Resolution commemorating the 100th anniversary of the founding of the National Association of Insurance and Financial Advisors - Greater Harrisburg.

\* \* \*

Mr. BOYD called up **HR 862, PN 4090**, entitled:

A Resolution recognizing October 2012 as "American Art and Craft Month" in Pennsylvania.

\* \* \*

Mr. MYERS called up **HR 863, PN 4091**, entitled:

A Resolution recognizing the month of September 2012 as "Hunger Action Month" in Pennsylvania.

\* \* \*

Mr. READSHAW called up **HR 867, PN 4095**, entitled:

A Resolution recognizing the contributions that Pittsburgh Steelers player Ryan Clark has made to the fight against sickle cell anemia.

\* \* \*

Mr. KRIEGER called up **HR 870, PN 4111**, entitled:

A Resolution designating October 6, 2012, as "Demi Brae Cuccia Day" in Pennsylvania.

\* \* \*

Mr. DeLUCA called up **HR 874, PN 4115**, entitled:

A Resolution designating the month of October 2012 as "Italian Heritage Month" in Pennsylvania.

\* \* \*

Mr. GODSHALL called up **HR 877, PN 4117**, entitled:

A Resolution designating October 21, 2012, as "Biomedical Research Day" in Pennsylvania.

\* \* \*

Mr. GOODMAN called up **HR 878, PN 4118**, entitled:

A Resolution honoring Mrs. T's Pierogies and declaring October 8, 2012, as "Pierogy Day" in Pennsylvania.

\* \* \*

Mr. GOODMAN called up **HR 882, PN 4119**, entitled:

A Resolution designating the month of October 2012 as "Pennsylvania Fire Prevention Month," observing the week of October 7 through 13, 2012, as "National Fire Prevention Week," urging all Pennsylvanians to protect their homes and families by heeding the important safety messages of Fire Prevention Week 2012, and to support the many public safety activities and efforts of Pennsylvania's fire and emergency services and recognizing the efforts of all firefighters, fire service agencies and other first responders in preventing and combating fire dangers.

On the question,  
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Bishop	Gerber	Josephs	Swanger
Evans, D.	Grove		

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

The SPEAKER. If I could have the members' attention. A couple of members were seeking recognition under unanimous consent relative to one or two of the resolutions that were just adopted.

STATEMENT BY MR. PAYNE

The SPEAKER. The gentleman from Dauphin County, Mr. Payne, is recognized under unanimous consent.

Mr. PAYNE. Thank you, Mr. Speaker.

I would like to thank all the House members for the unanimous support on HR 846, which is commemorating the 226th anniversary of the establishment of the Grand Lodge of Free and Accepted Masons of Pennsylvania.

A reminder to all the Masonic Caucus members, we are meeting in the back of the House at the break.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

The gentleman from Philadelphia County, Mr. Roebuck.

Is the gentleman, Mr. Roebuck, seeking recognition under unanimous consent relative to one of the resolutions just adopted?

I apologize. My error. Excuse me.

STATEMENT BY MR. READSHAW

The SPEAKER. Is the gentleman from Allegheny County, Mr. Readshaw, seeking recognition under unanimous consent? The gentleman is in order.

Mr. READSHAW. Thank you, Mr. Speaker.

Mr. Speaker, it is with a great deal of honor and respect that I was the sponsor of HR 867, and I thank my colleagues for the unanimous vote. It just takes a moment to point out that

Pittsburgh Steeler Ryan Clark has teamed up with the University of Pittsburgh's Vascular Medicine Institute on a campaign to raise awareness and funds for fighting for a potentially fatal disease, and that is sickle cell anemia. I congratulate him for his efforts and wish him success. And also, the Clark family are constituents of mine, obviously including Ryan; his wife, Yonka; and his children, Jaden, Jordan, and Loghan.

Once again, I congratulate him and wish him great success in his efforts to find a cure for sickle cell anemia.

Thank you, Mr. Speaker.

**UNCONTESTED SUPPLEMENTAL CALENDAR A**

**RESOLUTION PURSUANT TO RULE 35**

Mr. METCALFE called up **HR 892, PN 4153**, entitled:

A Resolution recognizing the River City Brass Band as the most active and only year-round professional concert band in America.

On the question,  
Will the House adopt the resolution?

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. The Speaker returns to leaves of absence and recognizes the presence on the floor of the lady from Philadelphia, Ms. Josephs. Her name will be added back to the master roll call.

**CONSIDERATION OF HR 892 CONTINUED**

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

The following roll call was recorded:

**YEAS—195**

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Bishop	Gerber	Grove	Swanger
Evans, D.			

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

**STATEMENT BY MR. DeLUCA**

The SPEAKER. Is the gentleman from Allegheny County, Mr. DeLuca, seeking recognition under unanimous consent relative to one of the other resolutions that was adopted earlier?

Mr. DeLUCA. Yes, Mr. Speaker.

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

Mr. DeLUCA. Thank you.

First of all, I would like to thank the House for voting for HR 874. Mr. Speaker, what has made this country so great is our ethnic heritage. As the chairman of the Pennsylvania Legislative Italian-American Caucus, I appreciate the members voting on this resolution recognizing that Italian heritage is richly entwined in the history of our country. This heritage did not begin and end with the well-known voyage of Christopher Columbus, but continues to the present day in fields of exploration, science, the arts, literature, as well as business and development.

Italians and those of Italian descent have made remarkable contributions to our nation. The list is quite long. American history is replete with citizens of Italian heritage, including the signing of the Declaration of Independence and the formation of the United States Constitution. Italian-Americans have fought in every war from the Revolutionary War to recent conflicts and have served with distinction, including several Congressional Medal of Honor recipients. Italian-Americans were instrumental in building and developing many of our major cities. Italian immigrants built bridges and roads that we use today. Several

major U.S. universities have been founded and directed by Italian-Americans. Valuable discoveries in science and medicine are credited to those of Italian heritage as well.

Today I am proud to recognize October as "Italian Heritage Month." And I want to thank everyone in this body for voting for it. I am sure one of the things we can never forget, regardless of what heritage you belong to, is that these individuals who came here, our grandparents, our great-grandparents, came over here with nothing to make this country so great. Being married to an Irish— My wife is Irish. I know what they came over here and fought for. I think the greatest thing that we need to teach our children is about the heritage of our grandparents and our great-grandparents, and therefore, Mr. Speaker, I want to thank you for permitting me to read this resolution.

Thank you very much, Mr. Speaker.  
The SPEAKER. The Speaker thanks the gentleman.

**GUESTS INTRODUCED**

The SPEAKER. I would like to introduce some other guests that are with us. As the guests of Representative Payton, up in the gallery we would like to welcome students from Sankofa Freedom Academy Charter School. Welcome. Please rise up there, and give us a wave so we know where you are. Welcome to the hall of the House.

**SUPPLEMENTAL CALENDAR B**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 2565, PN 4058**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, further providing for required licenses and for registration of food establishments.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

**YEAS—195**

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Bishop	Gerber	Grove	Swanger
Evans, D.			

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

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

\* \* \*

The House proceeded to third consideration of **HB 2530, PN 4056**, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for administration and enforcement.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Bishop	Gerber	Grove	Swanger
Evans, D.			

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

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

\* \* \*

The House proceeded to third consideration of **HB 1840, PN 4061**, entitled:

An Act amending the act of March 3, 1978 (P.L.6, No.3), known as the Steel Products Procurement Act, further providing for required contract provisions.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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



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

NAYS—0

NOT VOTING—0

EXCUSED—5

Bishop	Gerber	Grove	Swanger
Evans, D.			

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

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

\* \* \*

The House proceeded to third consideration of **HB 142, PN 920**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for incentives for municipal volunteers of fire companies and emergency medical services agencies.

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 Erie County, Mr. Hornaman.

Mr. HORNAMAN. Thank you, Mr. Speaker.

HB 142 amends Title 35 by authorizing municipalities, by ordinance, to institute an earned income tax credit for volunteer firefighters and emergency medical rescue personnel. It also allows for a county property tax credit and/or a school property tax credit of up to 20 percent against the volunteers' property tax liability. This bill passed unanimously out of committee this session and passed this chamber last session as HB 250, also unanimously, before being allowed to die in the Senate.

Mr. Speaker, we are well aware of the numbers. Volunteer responders contribute \$6 billion worth of services to this Commonwealth annually. Now, that is pretty impressive. But

other numbers are very frightening: Forty years ago we had over 300,000 volunteers in this State; now we have less than 70,000 – a 75-percent decline in those who protect 70 percent of the Commonwealth from fire and disaster. This is a serious public safety issue.

In 2003 the Senate recognized this manpower problem and established a bipartisan legislative commission to come up with ideas to improve the delivery of emergency services in the Commonwealth. The result was the SR 60 report, providing 24 recommendations to aid in recruitment, retention, and of course, recognition of the services delivered by the volunteers. Local government tax credits were number four on that list.

Life is difficult and complicated today. For those of you who have not served as a volunteer responder, take your daily life – job, marriage, home, children – and then imagine adding in responding to fires and accidents at any time of the day or night, attending fire school at a remote location, equipment maintenance, fundraising, business meetings, and drills. How do these volunteers balance all of this out? I would say with sacrifice and dedication.

So if we pass HB 142 today, what do we accomplish? First, we protect ourselves, the general public. We are providing an incentive to join the volunteer force and to remain on that force so that when the call goes out to respond to a fire at your house, there will be enough responders to answer the call and do the job. And I have personally had to call on my fire department twice since 2006. I know what it is like.

Secondly, we protect the firefighters themselves. There is safety in numbers, and these volunteer responders are not only there to save us but to cover each other's backs as well. The more personnel on the job, the safer it is for the responders.

Third, we cannot afford not to support our volunteers. If we do nothing and the number of responders continues to dwindle, what do we do? Let our homes and businesses burn? No. More than likely, community by community, we will be forced to go to a full-time, fully paid system, and those communities will go to the taxpayer for the funding. Remember that \$6 billion figure I mentioned earlier? For those of you who live in the 70 percent of Pennsylvania protected by volunteers, how much would your local taxes increase to fund a full-time department?

Mr. Speaker, this bill provides an option for those municipalities who need help in maintaining their volunteer fire and rescue system. There are no taxes imposed in this bill, nor are there unfunded mandates or mandates of any kind. The right to address this or not address this is left to the community.

Mr. Speaker, this is a bipartisan bill if there ever was one, and I would like to thank my colleagues from the 142d and the 187th Districts who helped me improve this legislation in the last session.

This bill has the support of the Pennsylvania Association of Township Supervisors, the Firemen's Association of the State of Pennsylvania, the Pennsylvania Emergency Services Legislative Alliance, the Pennsylvania State Association of Boroughs, all the volunteer responders in my district, and probably all the volunteers in your district.

Let us get this done so that somewhere down the road your constituents do not come back to you and ask, why did you not do something to save our volunteer system when you had the chance?

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—195

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Bishop	Gerber	Grove	Swanger
Evans, D.			

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

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

The SPEAKER. For the information of the members, on the House calendar supplemental B, there are, I believe, four bills remaining. However, because of the timeline, they are not eligible to be voted yet without a motion to proceed.

**MOTION TO PROCEED TO CONSIDERATION  
UNDER RULE 24**

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

Mr. MAHER. Thank you, Mr. Speaker.

I rise to make a motion to proceed on HB 272, HB 2630, HB 2429, and HB 2628.

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

The SPEAKER. The gentleman from Allegheny County, Mr. Dermody, is recognized on the motion to proceed.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I support the motion to proceed and urge the members to vote for the motion to proceed. Thank you.

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

The following roll call was recorded:

YEAS—175

Adolph	DiGirolamo	Keller, W.	Preston
Aument	Donatucci	Killion	Pyle
Baker	Dunbar	Kirkland	Quigley
Barbin	Ellis	Kortz	Quinn
Barrar	Emrick	Kotik	Ravenstahl
Bear	Evans, J.	Kula	Readshaw
Benninghoff	Everett	Longietti	Reed
Bloom	Fabrizio	Maher	Reese
Boback	Farry	Mahoney	Rock
Boyd	Fleck	Major	Roebuck
Boyle, B.	Frankel	Maloney	Ross
Boyle, K.	Freeman	Mann	Sabatina
Bradford	Gabler	Markosek	Saccone
Brennan	Galloway	Marshall	Sainato
Briggs	Geist	Marsico	Santarsiero
Brooks	George	Masser	Santoni
Brown, R.	Gergely	Matzie	Saylor
Brown, V.	Gibbons	McGeehan	Scavello
Brownlee	Gillen	Metzgar	Schmotzer
Burns	Gillespie	Miccarelli	Simmons
Buxton	Gingrich	Micozzie	Smith, K.
Caltagirone	Godshall	Millard	Smith, M.
Carroll	Hackett	Miller	Sonney
Christiana	Hahn	Milne	Staback
Clymer	Haluska	Mirabito	Stephens
Cohen	Hanna	Moul	Stern
Conklin	Harhai	Mundy	Stevenson
Costa, D.	Harhart	Murphy	Sturla
Costa, P.	Harkins	Murt	Taylor
Cox	Harper	Mustio	Thomas
Creighton	Harris	Myers	Toepel
Cruz	Heffley	Neuman	Toohil
Culver	Helm	O'Brien, M.	Turzai
Curry	Hennessey	O'Neill	Verb
Daley	Hess	Oberlander	Vitali

Davidson	Hickernell	Parker	Waters
Davis	Hornaman	Pashinski	Watson
Dean	James	Payne	Wheatley
Deasy	Josephs	Payton	White
DeLissio	Kampf	Peifer	Williams
Delozier	Kauffman	Perry	Youngblood
DeLuca	Kavulich	Petrarca	
Denlinger	Keller, F.	Petri	Smith, S.,
DePasquale	Keller, M.K.	Pickett	Speaker
Dermody			

NAYS—20

Causer	Grell	Mackenzie	Roae
Cutler	Hutchinson	Metcalfe	Samuelson
Day	Knowles	Mullery	Tallman
Evankevich	Krieger	Neilson	Tobash
Goodman	Lawrence	Rapp	Truitt

NOT VOTING—0

EXCUSED—5

Bishop	Gerber	Grove	Swanger
Evans, D.			

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

\* \* \*

The House proceeded to third consideration of **HB 2630, PN 4143**, entitled:

An Act regulating animal euthanasia; imposing penalties; and making a related repeal.

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—189

Adolph	DiGirolamo	Killion	Preston
Aument	Donatucci	Kirkland	Pyle
Baker	Dunbar	Knowles	Quigley
Barbin	Ellis	Kortz	Quinn
Barrar	Emrick	Kotik	Rapp
Bear	Evankevich	Krieger	Ravenstahl
Benninghoff	Evans, J.	Kula	Readshaw
Bloom	Everett	Lawrence	Reed
Boback	Fabrizio	Longietti	Reese
Boyd	Farry	Mackenzie	Rock
Boyle, B.	Fleck	Maher	Roebuck
Boyle, K.	Frankel	Mahoney	Ross
Bradford	Freeman	Major	Sabatina
Brennan	Gabler	Maloney	Saccone

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

NAYS—6

Keller, F.	Perry	Sonney	Stern
Metcalfe	Roae		

NOT VOTING—0

EXCUSED—5

Bishop	Gerber	Grove	Swanger
Evans, D.			

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

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

\* \* \*

The House proceeded to third consideration of **HB 272, PN 4139**, entitled:

An Act establishing a task force on Lyme disease and related maladies; providing for powers and duties of the task force, the Department of Health, the Department of Conservation and Natural Resources and the Pennsylvania Game Commission and for required coverage; and executing prevention and education strategies.

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—187

Table listing names of members who voted 'YEAS' (187 total). Includes names like Adolph, Aument, Baker, Barbin, Barrar, Bear, Benninghoff, Boback, Boyle, B., Boyle, K., Bradford, Brennan, Briggs, Brooks, Brown, R., Brown, V., Brownlee, Burns, Buxton, Caltagirone, Carroll, Causer, Christiana, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Creighton, Cruz, Culver, Curry, Cutler, Daley, Davidson, Davis, Day, Dean, Deasy, DeLissio, Delozier, DeLuca, Denlinger, DePasquale, Dermody, DiGirolamo, Donatucci, Dunbar, Ellis, Emrick, Evankovich, Evans, J., Everett, Fabrizio, Farry, Fleck, Frankel, Freeman, Gabler, Galloway, Geist, George, Gergely, Gibbons, Gillen, Gillespie, Goodman, Hackett, Hahn, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Heffley, Helm, Hennessey, Hess, Hickernell, Hornaman, Hutchinson, James, Josephs, Kampf, Kauffman, Kavulich, Keller, F., Keller, M.K., Keller, W., Killion, Kirkland, Knowles, Kortz, Kotik, Kula, Lawrence, Longietti, Maher, Mahoney, Major, Maloney, Mann, Markosek, Marshall, Marsico, Matzie, McGeehan, Metzgar, Miccarelli, Micozzie, Millard, Miller, Milne, Mirabito, Moul, Mullery, Mundy, Murphy, Murt, Mustio, Myers, Neilson, Neuman, O'Brien, M., O'Neill, Oberlander, Parker, Pashinski, Payne, Payton, Peifer, Perry, Petrarca, Petri, Pickett, Preston, Pyle, Quigley, Quinn, Rapp, Ravenstahl, Readshaw, Reed, Reese, Roae, Rock, Roebuck, Ross, Sabatina, Saccone, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schmotzer, Simmons, Smith, K., Smith, M., Sonney, Staback, Stephens, Stern, Stevenson, Sturla, Tallman, Taylor, Thomas, Tobash, Toepel, Toohil, Truitt, Turzai, Vereb, Vitali, Waters, Watson, Wheatley, White, Williams, Youngblood, Smith, S., Speaker.

NAYS—8

Table listing names of members who voted 'NAYS' (8 total). Includes names like Bloom, Boyd, Gingrich, Godshall, Grell, Krieger, Mackenzie, Metcalfe.

NOT VOTING—0

EXCUSED—5

Table listing names of members who were 'EXCUSED' (5 total). Includes names like Bishop, Evans, D., Gerber, Grove, Swanger.

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

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

\* \* \*

The House proceeded to third consideration of **HB 2628, PN 4140**, entitled:

An Act amending the act of May 11, 1972 (P.L.286, No.70), known as the Industrialized Housing Act, further providing for findings and declarations of policy, for regulations, insignia of certification required, for promulgation of rules and regulations by the department and for recognition of certification of other states or the Federal Government.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

Table listing names of members who voted 'YEAS' (195 total). Includes names like Adolph, Aument, Baker, Barbin, Barrar, Bear, Benninghoff, Bloom, Boback, Boyd, Boyle, B., Boyle, K., Bradford, Brennan, Briggs, Brooks, Brown, R., Brown, V., Brownlee, Burns, Buxton, Caltagirone, Carroll, Causer, Christiana, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Creighton, Cruz, Culver, Curry, Cutler, Dunbar, Ellis, Emrick, Evankovich, Evans, J., Everett, Fabrizio, Farry, Fleck, Frankel, Freeman, Gabler, Galloway, Geist, George, Gergely, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Goodman, Grell, Hackett, Hahn, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Heffley, Helm, Hennessey, Hess, Knowles, Kortz, Kotik, Krieger, Kula, Lawrence, Longietti, Mackenzie, Maher, Mahoney, Major, Maloney, Mann, Markosek, Marshall, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Metcalfe, Metzgar, Miccarelli, Micozzie, Millard, Miller, Milne, Mirabito, Moul, Mullery, Mundy, Murphy, Murt, Mustio, Myers, Neilson, Neuman, Pyle, Quigley, Quinn, Rapp, Ravenstahl, Readshaw, Reese, Roae, Rock, Roebuck, Ross, Sabatina, Saccone, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schmotzer, Simmons, Smith, K., Smith, M., Sonney, Staback, Stephens, Stern, Stevenson, Sturla, Tallman, Taylor, Thomas, Tobash, Toepel, Toohil.

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Bishop	Gerber	Grove	Swanger
Evans, D.			

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

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

\* \* \*

The House proceeded to third consideration of **HB 2429, PN 4142**, entitled:

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

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-175

Adolph	Evankovich	Kula	Quigley
Barbin	Evans, J.	Longiotti	Quinn
Barrar	Everett	Mackenzie	Ravenstahl
Bear	Fabrizio	Maher	Readshaw
Benninghoff	Farry	Mahoney	Reed
Bloom	Fleck	Major	Reese
Boback	Frankel	Maloney	Roae
Boyd	Freeman	Mann	Rock
Boyle, B.	Gabler	Markosek	Roebuck
Boyle, K.	Galloway	Marshall	Ross
Bradford	Geist	Marsico	Sabatina
Brennan	George	Masser	Saccone

Briggs	Gergely	Matzie	Sainato
Brown, R.	Gibbons	McGeehan	Samuelson
Brown, V.	Gillespie	Metcalfe	Santarsiero
Brownlee	Gingrich	Miccarelli	Santoni
Burns	Godshall	Micozzie	Saylor
Buxton	Goodman	Millard	Scavello
Caltagirone	Grell	Miller	Simmons
Carroll	Hackett	Milne	Smith, K.
Causar	Haluska	Mirabito	Smith, M.
Christiana	Hanna	Moul	Sonney
Cohen	Harhai	Mullery	Staback
Conklin	Harkins	Mundy	Stephens
Costa, D.	Harper	Murphy	Sturla
Costa, P.	Harris	Murt	Tallman
Cox	Heffley	Mustio	Taylor
Cruz	Helm	Myers	Thomas
Culver	Hennessey	Neilson	Tobash
Curry	Hornaman	Neuman	Toepel
Daley	James	O'Brien, M.	Toohil
Davidson	Josephs	O'Neill	Truitt
Davis	Kampf	Oberlander	Turzai
Day	Kauffman	Parker	Vereb
Dean	Kavulich	Pashinski	Vitali
Deasy	Keller, F.	Payne	Waters
DeLissio	Keller, M.K.	Payton	Watson
Delozier	Keller, W.	Peifer	Wheatley
DeLuca	Killion	Perry	White
DePasquale	Kirkland	Petrarca	Williams
Dermody	Knowles	Petri	Youngblood
DiGirolamo	Kortz	Pickett	
Donatucci	Kotik	Preston	Smith, S.,
Dunbar	Krieger	Pyle	Speaker
Ellis			

NAYS-20

Aument	Cutler	Harhart	Metzgar
Baker	Denlinger	Hess	Rapp
Brooks	Emrick	Hickernell	Schmotzer
Clymer	Gillen	Hutchinson	Stern
Creighton	Hahn	Lawrence	Stevenson

NOT VOTING-0

EXCUSED-5

Bishop	Gerber	Grove	Swanger
Evans, D.			

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

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

CALENDAR

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2409, PN 4059**, entitled:

An Act providing for actions for costs of care of seized animals.

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

Mr. M. KELLER offered the following amendment No. A13526:

Amend Bill, page 2, line 19, by striking out all of said line and inserting

"Reasonable costs of care." As follows:

(1) The reasonable costs of caring

Amend Bill, page 2, line 23, by striking out all of said line and inserting

(i) At least 30 days following a hearing on a petition

Amend Bill, page 2, line 25, by striking out all of said line and inserting

(ii) The seized animals are no longer under the control

Amend Bill, page 2, line 27, by striking out all of said line and inserting

(iii) The owner and defendant have relinquished all

Amend Bill, page 2, by inserting between lines 28 and 29

(2) Reasonable costs of care shall be limited to \$15 per day per animal, in addition to necessary medical care, as determined by a licensed veterinarian and documented by invoices.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. Keller, from Perry County.

Mr. M. KELLER. Thank you, Mr. Speaker.

What this amendment does is puts a cap on the amount that they can actually charge. It is a cap of \$15. It also says in the amendment that any medical veterinarian bills have to be also included in there with an invoice from the veterinarian explaining what services were provided. This is agreed to by the maker of the bill, and also, we got an okay from the Humane Society. Thank you.

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

On that question, the Speaker recognizes the gentleman from Butler County, Mr. Ellis. The gentleman waives off.

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

(Members proceeded to vote.)

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

Mr. HESS. I have a question on this bill, Mr. Speaker.

The SPEAKER. There is nothing in order but the vote at this moment. Is it on the bill itself?

Mr. HESS. Yes, Mr. Speaker.

I am sorry I was slow getting to the mike.

The SPEAKER. I can recognize you in a second on that. Thank you.

Mr. HESS. Thank you.

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

The following roll call was recorded:

YEAS-194

Table with 4 columns of names: Adolph, Aument, Baker, Barbin, Barrar, Bear, Benninghoff, Bloom, Boback, Boyd, Boyle, B., Boyle, K., Bradford, Brennan, Briggs, Brooks, Brown, R., Brown, V., Brownlee, Burns, Buxton, Caltagirone, Carroll, Causer, Christiana, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Creighton, Cruz, Culver, Curry, Cutler, Daley, Davidson, Davis, Day, Dean, Deasy, DeLissio, Delozier, DeLuca, Denlinger, DePasquale, Dermody, DiGirolamo, Donatucci, Dunbar, Ellis, Emrick, Evankovich, Evans, J., Everett, Fabrizio, Farry, Fleck, Frankel, Freeman, Gabler, Galloway, Geist, George, Gergely, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Goodman, Grell, Hackett, Hahn, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Heffley, Helm, Hennessey, Hess, Hickernell, Hornaman, Hutchinson, James, Josephs, Kampf, Kauffman, Kavulich, Keller, F., Keller, M.K., Keller, W., Killion, Kirkland, Knowles, Kortz, Kotik, Krieger, Kula, Lawrence, Longietti, Mackenzie, Maher, Mahoney, Major, Maloney, Mann, Markosek, Marshall, Marsico, Masser, Matzie, McGeehan, Metcalfe, Metzgar, Miccarelli, Micozzie, Millard, Miller, Milne, Mirabito, Moul, Mullery, Mundy, Murphy, Murt, Mustio, Myers, Neilson, Neuman, O'Brien, M., O'Neill, Oberlander, Parker, Pashinski, Payne, Payton, Peifer, Perry, Petrarca, Petri, Pickett, Preston, Pyle, Quigley, Quinn, Rapp, Ravenstahl, Readshaw, Reed, Reese, Roae, Rock, Roebuck, Ross, Sabatina, Saccone, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schmotzer, Simmons, Smith, K., Smith, M., Sonney, Staback, Stephens, Stevenson, Sturla, Tallman, Taylor, Thomas, Tobash, Toepel, Toohil, Truitt, Turzai, Vereb, Vitali, Waters, Watson, Wheatley, White, Williams, Youngblood, Smith, S., Speaker

NAYS-1

Stern

NOT VOTING-0

EXCUSED-5

Table with 4 columns of names: Bishop, Evans, D., Gerber, Grove, Swanger

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. Is the gentleman, Mr. Hess, seeking—  
Mr. HESS. Thank you. Thank you, Mr. Speaker.

The SPEAKER. —recognition on the bill?

Mr. HESS. Yes.

My question was, we are going straight to the common pleas court asking for damages. I was wondering whether there was ever a preliminary hearing to find out whether there was adequate evidence to proceed to the Commonwealth Court and whether there were ever any hearings held on this particular bill by the maker of the bill or the chairman of the committee. I do not know of any, but I am asking if there were.

The SPEAKER. Just one second, please.

Is the gentleman from Butler County, Mr. Ellis, willing to stand for interrogation?

Mr. ELLIS. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order to respond to the gentleman's question.

Mr. ELLIS. Thank you, Mr. Speaker.

The gentleman is actually correct that you can immediately seek for the cost of care from the person who is charged with the crime. It is not unprecedented. There are other areas of law where we do this also, but you are absolutely right.

Mr. HESS. It seems to me that we bypass the magistrates to find out whether it was sufficient evidence to bind it over for the common pleas court, seems like we are stepping aside. Not only that, there were never any hearings here in the House held where both parties had an opportunity to come and plead their case. It seemed like this was going to be almost sort of on a fast track and nobody knew about it. That is the part I object to, that nobody had any input on the bill until it came before us.

Thank you, Mr. Speaker, for your courtesy.

The SPEAKER. The Speaker thanks the gentleman.

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.)

### REPUBLICAN CAUCUS

The SPEAKER. Is the lady from Susquehanna County, Ms. Major, prepared to make a caucus announcement?

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus today at 2:15. I would ask our Republican members to please report to our caucus room at 2:15, and we would be prepared to come back on the floor at 3 p.m.

Thank you, Mr. Speaker.

### DEMOCRATIC CAUCUS

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

Mr. FRANKEL. Thank you, Mr. Speaker.  
Democrats will caucus at 12:30; Democrats will caucus at 12:30. Thank you.

### STATEMENT BY MR. CRUZ

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Cruz, rise?

Mr. CRUZ. Personal privilege, Mr. Speaker.

The SPEAKER. Pardon me. I did not hear you.

Mr. CRUZ. Personal privilege, Mr. Speaker.

The SPEAKER. The gentleman is recognized under unanimous consent.

Mr. CRUZ. I just wanted to take the opportunity, Mr. Speaker, to have the rest of my colleagues wish the gentlelady from Delaware County a happy birthday. Yesterday was her birthday, Margo Davidson. So please join me in wishing her a happy birthday.

The SPEAKER. Happy birthday.

### RECESS

The SPEAKER. This House stands in recess until 3 p.m., unless sooner recalled by the Speaker.

### RECESS EXTENDED

The time of recess was extended until 3:30 p.m.; further extended until 3:45 p.m.

### AFTER RECESS

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

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

**HB 111, PN 747**

By Rep. CREIGHTON

An Act providing for requirements for operation of private correctional centers.

LOCAL GOVERNMENT.

**HB 2420, PN 3621**

By Rep. CREIGHTON

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

LOCAL GOVERNMENT.

**HB 2472, PN 4168 (Amended)**

By Rep. CREIGHTON

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for assessment of mobile homes and house trailers.

## LOCAL GOVERNMENT.

**HB 2479, PN 3758**

By Rep. GEIST

An Act designating the portion of State Route 30, from Wynnewood Road to Station Road, in Lower Merion Township, Montgomery County, as the Master Sergeant Scott Ball Memorial Avenue.

## TRANSPORTATION.

**HB 2605, PN 4169** (Amended)

By Rep. GEIST

An Act designating the Marshalls Creek Bypass, U.S. Route 209 from Twin Falls Road in Smithfield Township, Monroe County, to Oak Grove Drive in Middle Smithfield Township, Monroe County, as the Joseph W. Battisto Bypass; and designating State Route 739 in Pike County as Pike County Veterans' Way.

## TRANSPORTATION.

**HB 2624, PN 4019**

By Rep. GEIST

An Act designating a portion of Pennsylvania Route 376 in Moon Township, Allegheny County, commonly known as the Ewing Road interchange, as the Jack W. Wise Interchange.

## TRANSPORTATION.

**SB 86, PN 1680**

By Rep. GEIST

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for dealing in proceeds of unlawful activities, for the unlawful disposition of motor vehicles and for investigation by police officers; and repealing the Motor Vehicle Chop Shop and Illegally Obtained and Altered Property Act.

## TRANSPORTATION.

**SB 390, PN 2451** (Amended)

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in size, weight and load, further providing for width of vehicles.

## TRANSPORTATION.

**SB 1261, PN 1625**

By Rep. CREIGHTON

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for purposes and powers.

## LOCAL GOVERNMENT.

**SB 1531, PN 2388**

By Rep. GEIST

An Act amending Titles 51 (Military Affairs) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in State Veterans' Commission and Deputy Adjutant General for Veterans' Affairs, providing for funds for Veterans' Trust Fund; in registration of vehicles, providing for contributions to Veterans' Trust Fund; and, in registration of vehicles, further providing for special plates for veterans.

## TRANSPORTATION.

**BILL REREPORTED FROM COMMITTEE****HB 1232, PN 2835**

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for automated red light enforcement systems in first class cities, for applicability and uniformity of law and for disposition and use of liquid fuels and fuels tax.

## TRANSPORTATION.

**LEAVES OF ABSENCE**

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

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. Additionally, we notice the presence of the gentleman from York, Mr. Grove, on the floor of the House. His name will be added back to the master roll call.

**LEAVE OF ABSENCE**

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

**CALENDAR CONTINUED****BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 2536, PN 3931**, entitled:

An Act repealing the act of December 14, 1967 (P.L.746, No.345), known as the Savings Association Code of 1967, eliminating provisions for incorporation and organization, for names, for offices, for directors, officers, employees and attorneys, for members, for corporate powers, for savings operations, earnings, account insurance and reserves, for investment operations, for amendment of articles, for mergers, consolidations, conversions and reorganizations, for voluntary and involuntary dissolution and distribution of assets upon insolvency, for foreign and Federal associations, for provisions applicable to Department of Banking and for penalties and criminal provisions.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

\* \* \*

The House proceeded to second consideration of **SB 1345, PN 2285**, entitled:



An Act providing for streamlined procedures for reviewing applications for the modification or collocation of wireless communications facilities and wireless support structures.

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

\* \* \*

The House proceeded to second consideration of **HB 2591, PN 3980**, entitled:

An Act amending Titles 51 (Military Affairs) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for the calculation of military members' State Employees' Retirement System benefits.

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

\* \* \*

The House proceeded to second consideration of **SB 1480, PN 2074**, entitled:

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

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

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

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

\* \* \*

The House proceeded to second consideration of **SB 341, PN 2383**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, authorizing an Automotive Fuel Testing and Disclosure Program.

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

Mr. **DUNBAR** offered the following amendment No. **A13446**:

Amend Bill, page 9, lines 4 through 10, by striking out "Reformulated gasoline labeling requirements.—A person" in line 4, all of lines 5 through 9 and "reformulated" in line 10 and inserting (Reserved)

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Westmoreland County, Mr. Dunbar.

Mr. **DUNBAR**. Thank you, Mr. Speaker.

This amendment removes the reformulated gas, RFG, labeling requirements from the bill. The labeling requirements add an additional cost on to our businesses, which is needless and unnecessary at this time. Especially for those of us in western Pennsylvania, the counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Washington, and Westmoreland Counties, we are required to use summer gas, and in that time period we use summer gas that is a gas called RVP (Reid vapor pressure). There are currently discussions between DEP (Department of Environmental Protection) and EPA (Environmental Protection Agency) about having this RFG gas also to be utilized in that timeframe. If that would be the case, our gas stations could have a situation where one day they have RVP gas, the next day RFG gas, and have to go out and continually replace their notices on the pumps.

So with that, I ask for support of A13446 to remove this requirement. Thank you.

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

The following roll call was recorded:

YEAS—193

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

Dean	James	Pashinski	Waters
Deasy	Josephs	Payne	Watson
DeLissio	Kampf	Payton	Wheatley
Delozier	Kauffman	Peifer	White
DeLuca	Kavulich	Perry	Williams
Denlinger	Keller, F.	Petrarca	Youngblood
DePasquale	Keller, M.K.	Petri	
Dermody	Keller, W.	Pickett	Smith, S.,
DiGirolamo	Killion	Preston	Speaker
Donatucci	Kirkland	Pyle	

NAYS—0

NOT VOTING—0

EXCUSED—7

Bear	Evans, D.	Gerber	Swanger
Bishop	Galloway	Maher	

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. **PETRARCA** offered the following amendment No. **A13233**:

Amend Bill, page 1, line 2, by striking out "authorizing" and inserting

establishing

Amend Bill, page 5, line 14, by striking out "Authorization" and inserting

Establishment

Amend Bill, page 5, line 14, by striking out "may" and inserting

shall

Amend Bill, page 5, line 18, by striking out "may" and inserting

shall

Amend Bill, page 9, line 16, by striking out "may" and inserting

shall

Amend Bill, page 16, line 10, by striking out "in 30 days" and inserting

July 1, 2013

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Westmoreland County, Mr. Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

This piece of legislation deals with the testing of octane levels in gasoline. This issue has been around for several decades at least. Pennsylvania, as many of you know, is one of three States, one of only three States that does not test octane levels in gasoline. Although we test on a yearly basis for volume levels to see whether a gallon is a gallon, we still do not test, as I said, for octane levels.

This piece of legislation states that the Department of Agriculture may test for octane levels in gasoline. To me, it just does not make sense that we are going to pass a piece of legislation that really gives us what we have today. The Department of Agriculture may test for octane levels today.

What my amendment does, quite simply, it says that the Department of Agriculture shall test, shall test on a yearly basis octane levels in fuel. From a consumer standpoint, from a consumer protection standpoint, I think that our consumers that are paying approximately \$4 a gallon for gasoline should get what they are paying for. We hear from neighboring States that do testing that as much as 5 to 10 percent of the gas pumps have problems with octane. The levels are not reading where they should be reading.

So I think this amendment is a commonsense consumer protection amendment that will help Pennsylvania motorists again get what they pay for.

And also, the effective date of this amendment would be July 1, 2013, which would give us another budget season to deal with this implementation. Thank you, Mr. Speaker.

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

On that question, is the gentleman, Mr. Keller, from Perry County seeking recognition on the amendment?

Mr. M. KELLER. Yes, Mr. Speaker.

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

Mr. M. KELLER. Mr. Speaker, I would like to— Could I interrogate the maker of the amendment?

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

Mr. M. KELLER. Mr. Speaker, as I look at this amendment, this amendment is requiring the Department of Ag to do this inspection. Is that correct?

Mr. PETRARCA. That is correct, Mr. Speaker.

Mr. M. KELLER. And the way we passed this bill out of committee was they may do it. Is that correct?

Mr. PETRARCA. That is correct, Mr. Speaker.

Mr. M. KELLER. All right.

Mr. Speaker?

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

Mr. M. KELLER. On the amendment, Mr. Speaker.

I want to talk about this a little bit. What this basically does – and the good chairman is trying to make something happen here that is a mandate – what this basically does is say you have to do this. Now, this stretches more than just the Department of Ag. This also stretches back to the counties that actually implement this particular position of inspection. What it does is forces on a "shall" or is a required-to bill, it requires them to purchase a piece of equipment that we do not know the cost of and it puts a further burden on counties to actually spend more taxpayer dollars to do something that I think as an individual, as an ex-county commissioner, they should have the choice of whether they should be allowed or whether they should have to do it or not.

So I am asking that we defeat this amendment. It is in the best interest of the counties, of the Department of Ag, because their budgets have continually been cut, and we also – I personally do not want to basically mandate something on an organization.

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. Conklin.

Mr. CONKLIN. Thank you, Mr. Speaker.

May I interrogate the maker of the amendment?

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

Mr. CONKLIN. Mr. Speaker, the last interrogator brought up a very good point, and I remember you and I sitting in your office and I brought up this identical point. Could you please answer the question about the testing equipment for us, please, sir?

Mr. PETRARCA. I am sorry, Mr. Speaker. Would you repeat the question? I did not hear the question.

Mr. CONKLIN. I was asking the chairman that the last speaker brought up a very good point, and I remember sitting in your office before the meeting the other day asking you this same exact question from the counties' aspect about supplying the testing equipment for the octane testing for those counties that do it themselves. Could you please repeat that answer again?

Mr. PETRARCA. First of all, when you talk about counties in Pennsylvania, some counties do do some testing for volume.

The SPEAKER. Will the gentleman suspend just for a second.

I would like to ask the members to kindly hold the conversations down. If you need to, take them to the rear of the House, please. It is just getting a little bit loud and hard to hear. I would appreciate it. Thank you very much.

The gentleman, Mr. Petrarca, may proceed.

Mr. PETRARCA. Thank you, Mr. Speaker.

Counties in Pennsylvania that choose to do their own testing, they choose that; they choose that. They do not have to do their own testing. They do that by agreement with the Department of Agriculture.

In terms of testing devices, it is my understanding that the Department of Agriculture could decide to get a number of testing devices, maybe one testing device. Also in Pennsylvania we believe that the Department of Revenue has gasoline testing, octane testing devices.

Mr. CONKLIN. Just one final question. The way this bill is worded, again I think we may be missing the point, that it is my understanding that this bill is to give consumers the comfort that when they go to a filling station like all the other States do except a few, that they know if they are paying for 92 octane, they are getting 92 octane, but in Pennsylvania right now we have that option that we may test it anyway. Would you tell me without your amendment, would there be any change at all for the consumer of what they are going to get if we do not put your amendment in? What would be the change?

Mr. PETRARCA. I do not think there would be a change, Mr. Speaker. The Department of Agriculture can test today if they would like to. If this legislation passes without my amendment, they may test, they may not test. The consumer has absolutely, absolutely no protection. And if you are looking at a situation if there is bad gas out there, if there is a shipment of bad gasoline, if there is a problem at a refinery, are they going to send that gasoline to Pennsylvania? Maybe. We just do not know because we are not testing.

Mr. CONKLIN. Thank you.

On the bill, Mr. Speaker? I mean on the amendment.

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

Mr. CONKLIN. Thank you, Mr. Speaker.

I realize many times many of my colleagues are hesitant about mandating anything, but I also realize that sometimes we as a chamber have an obligation to the citizenry to make sure that they are protected.

You know, the act of government is not to mandate; the act of government is to protect. Whom are we looking after on this bill? If we leave it as "may," we are basically looking after those who produce, those who sell. If we change it to "shall," we are looking at the over 12 million residents who live here and those people visiting to make sure they are getting what they paid for.

I think it is a very simple decision. I believe that we as a legislative body should always come down on the consumer, should come down on the side of that consumer, come down to make sure that the products that they purchase are that that are listed at the pump.

So I am asking my colleagues, I believe this is a commonsense amendment. I believe it is one that will only make sure that the consumer is protected. So I am asking those to vote for the chairman's recommendation to make "shall" as part of it. It is an easy amendment. Let us just vote for the consumer on this one.

Thank you, Mr. Speaker.

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

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I agree with the gentleman from Centre that this is a commonsense amendment. It is pro-consumer that ought to be supported.

I would like to add that the more rates per gallon go up, the older the population gets, the more there is communication over the Internet, including Skype and other forms of person-to-person communication, the more people are making decisions in their mind about, should we drive today? Should I go where I want to go? Should I try to take a bus or a train, if that is appropriate geographically?

Well, I believe that the auto industry and the gas dealers are pressured like they have never been pressured before and that having some guarantee that people are paying for precisely what they intend to pay for could only be helpful to the gasoline dealers and to the gasoline supply industries in this Commonwealth. What Representative Petrarca is offering is a policy that is in effect in 47 other States. It has been in effect there for a long time, and I would urge that we support the gentleman from Westmoreland's amendment.

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

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

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

The prior speaker is exactly correct and right on. The gentleman from Westmoreland is addressing a concern that I know has been expressed to me as the Democratic chair of the Transportation Committee.

You can look at newspapers around the country and almost on a weekly basis there is some unscrupulous gasoline seller who is fiddling with the pumps. It is selling gas that is the wrong octane, selling super that is supposed to be 92 octane, and they are selling it at a premium price that is only 87 octane.

There is a reason why 47 other States test octane and mandate the testing of octane, because it is good for the people you and I represent. What the gentleman from Westmoreland County is doing is protecting not only his people but your people, your people.

Without this "shall" provision, this kind of fiddling, particularly when gas is reaching \$5 a gallon, it is so critical that we assure the public that the gas they are paying for is the gas that is going into their vehicles. It is good for my constituents, it is good for your constituents, and we should be the 48th State to do it. It makes common sense, and the gentleman from Westmoreland County should be commended. We should support this amendment.

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

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

Mr. DENLINGER. Thank you, Mr. Speaker.

Mr. Speaker, in this matter of the amendment, which would be a mandate down from the State level, I must disagree with my good friend, the Democratic chairman of the Ag Committee, and call for opposition to this amendment.

Continually in State government we place mandates without sending the proper funding into place, and the provision of the "shall" in this language I think is troubling. I think "may" is the correct wording in the original legislation, SB 341, and so I must rise in objection to this placement of a mandate.

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 Cambria County, Mr. Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in support of the amendment. Without the amendment, this bill is nothing more than a flowery piece. It is one thing to say that it is a mandate; it is another thing to say what the reality of the situation is. The reality of the situation is, 47 States say that if you claim something is 92 octane, it has got to be 92 octane. This bill says it is a deceptive practice if you do that but only if there happens to be some testing. So the whole underlying purpose of the bill goes away if you do not have testing.

Now, it is one thing to say that it is not necessary that it is a mandate if the cost of a gallon of gas was 25 cents. It is another thing to say that it is not a mandate if the cost is a dollar. But when you start telling somebody that they have got to spend \$80 to fill up their truck, like I have to fill up my truck, and then you say that you have got 87 octane or 89 octane but what you give them is 87, and this bill says that is a deceptive trade practice, well, it is not going to be a deceptive trade practice if you never test to see if the 87 is 87 or 89 is 89 or 92 is 92. We owe it to the consumers if we are going to have \$4 gas to make sure the octane level is right. Forty-seven other States do. We should do it too.

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

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

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

Would the gentleman from Armstrong please stand for interrogation, please?

The SPEAKER. The sponsor of the amendment from Westmoreland County will stand for interrogation.

Mr. PASHINSKI. From Westmoreland. Is that under redistricting you got Armstrong?

Mr. PETRARCA. Thank you, Mr. Speaker.

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

Could the gentleman please clarify, what is the process at the present time for inspecting our pumps?

Mr. PETRARCA. At the present time, Mr. Speaker, there is no testing of octane levels, octane quality. The Department of Agriculture does once a year go out and physically test the volume at the gas pumps.

Mr. PASHINSKI. Okay. So once a year we check to make sure the pumps are actually pumping the amount of volume into the various automobiles. Is that correct?

Mr. PETRARCA. That is correct.

Mr. PASHINSKI. Okay. If your amendment were to be initiated and they would also test for octane, could it be done at the same time?

Mr. PETRARCA. Absolutely, Mr. Speaker.

Mr. PASHINSKI. And would there be any kind of equipment that would be cost prohibitive in making these tests accurate?

Mr. PETRARCA. They would need an octane testing device.

Mr. PASHINSKI. Is there any amount of money that you are aware of for the kind of equipment necessary to make these tests valid?

Mr. PETRARCA. That is why under my amendment the effective date of the legislation would be July 1 of 2013, so that can be discussed during the next budget season. But there is also a fining mechanism under this legislation that gas stations, parties can be fined up to \$5,000.

Mr. PASHINSKI. Okay. So there is a funding mechanism for that. It is my understanding that the equipment does not have to be extremely sophisticated in order to test the octane.

Have you received the reports like I have from my constituents indicating that their automobiles, many times, do not run as efficiently as possible and much of their equipment, the two-cycle engines, are having difficulties and that actually they are malfunctioning?

Mr. PETRARCA. Yes, Mr. Speaker. Fuel injector problems, sputtering, stalling, I have heard it. I think many of us have heard it. We continue to hear that from folks, changes in fuel mileage, miles per gallon, from week to week, from station to station. I think there is a problem in Pennsylvania. The bottom line is, we just do not know because we do not test.

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

On the amendment, please.

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

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

I think it is pretty obvious that the laws are in place to protect the consumer. We have the officials making sure that the pumps are actually pumping the volume. I think we could also do a service to our customers by making sure that the octane levels that they are purchasing with their hard-earned dollars are actually those octane levels that they are receiving.

I would encourage, I would encourage a strong recommendation of support for amendment A13233. Thank you.

Thank you, Mr. Speaker.

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

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

Ms. JOSEPHS. Thank you, Mr. Speaker.

As many of you know, I do not drive. I do not own a car. I have never owned a car. I do not intend to ever drive. Many of my constituents do not drive. That is why they are in Center City.

But I am voting for this amendment because I care about consumers across the State. And it just baffles me, I am so confused why people who live in areas where driving is absolutely imperative are not flocking to this amendment. I have never voted against your consumers and I do not intend to.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—95

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

NAYS—97

Adolph	Evans, J.	Keller, M.K.	Pickett
Aument	Everett	Killion	Pyle
Baker	Farry	Knowles	Quigley
Barrar	Fleck	Krieger	Quinn
Benninghoff	Gabler	Lawrence	Rapp
Bloom	Gillen	Mackenzie	Reed
Boback	Gillespie	Major	Roae
Boyd	Gingrich	Maloney	Rock
Brooks	Godshall	Marshall	Saccone
Brown, R.	Grell	Marsico	Saylor
Causar	Grove	Masser	Simmons
Christiana	Hackett	Metcalfe	Sonney
Clymer	Hahn	Metzgar	Stephens
Cox	Harhart	Miccarelli	Stern
Creighton	Harper	Micozzie	Stevenson
Culver	Harris	Millard	Tallman
Cutler	Heffley	Miller	Taylor
Day	Helm	Milne	Toohil
Delozier	Hennessey	Moul	Turzai
Denlinger	Hess	Murt	Verab
DiGirolamo	Hickernell	O'Neill	Watson

Dunbar	Hutchinson	Oberlander	
Ellis	Kampf	Peifer	Smith, S.,
Emrick	Kauffman	Perry	Speaker
Evankovich	Keller, F.	Petri	

NOT VOTING—1

Scavello

EXCUSED—7

Bear	Evans, D.	Gerber	Swanger
Bishop	Galloway	Maher	

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

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

Mr. **PETRARCA** offered the following amendment No. **A13239**:

Amend Bill, page 5, line 26, by inserting after "basis"  
and upon consumer complaint

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Westmoreland County, Mr. Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

This legislation I feel again is not particularly worth the paper that it is written on because we are not mandating octane testing in Pennsylvania. What this amendment does, what this amendment does, it at least requires the Department of Agriculture to go out and perform an octane test based on a consumer complaint. At least this will be a situation where there will be some testing, and if our consumers complain, which they have certainly complained to me and I assume have complained to many of you about a certain situation, a certain gas station, the Department of Agriculture at that point at least will be required to go out and test the octane levels. Thank you.

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

The following roll call was recorded:

YEAS—193

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

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bear	Evans, D.	Gerber	Swanger
Bishop	Galloway	Maher	

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

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

(Bill as amended will be reprinted.)

\* \* \*

The House proceeded to second consideration of **HB 2626, PN 3997**, entitled:

An Act establishing the Promoting Employment Across Pennsylvania Program; and providing for tax benefits to qualified companies in the form of withholding tax relief.

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

Ms. **MUNDY** offered the following amendment  
No. **A13483**:

Amend Bill, page 6, by inserting between lines 16 and 17  
(e) Employee Notification.—A qualified company or third party contracted by the qualified company shall provide a notice to each employee that the qualified company is receiving benefits under this act that explains the benefits received by the qualified company under section 302 in the same time frame and manner by which the employee receives his paycheck or pay period deductions. The information provided to the employees must be easily understandable and at the minimum explain that the employee's withholding tax or taxes are being retained by the qualified company pursuant to this act.

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

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

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

This amendment requires that employees be notified using clear and understandable language when their State payroll taxes are being retained by their employer under this program. The notice can be worded however the qualified company or third party wishes. However, at a minimum, the language must be easily understandable and explained that the employee's withholding tax or taxes are being retained by the qualified company under the act. If you believe that taxpayers have the right to know how their tax dollars are being spent, then you really must support this amendment. Employee payroll taxes would normally go into the General Fund, and how those dollars are used is clearly spelled out in our State budget. I believe that taxpayers have a right to know how their tax dollars are being used.

Please support this measure requiring full disclosure and transparency to those employees whose taxes are being used in this way. I thank you for your support of my 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.

For the members' notification, this has been discussed heavily in committee. Republicans believe in full disclosure as well, and we support the gentlelady on her amendment. Thank you.

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

The following roll call was recorded:

YEAS-193

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bear	Evans, D.	Gerber	Swanger
Bishop	Galloway	Maher	

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. It is the Speaker's understanding that the other amendments have been withdrawn. Thank you.

**LEAVE OF ABSENCE**

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

**CONSIDERATION OF HB 2626 CONTINUED**

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

Mr. **BOYD** offered the following amendment No. **A13275**:

Amend Bill, page 1, lines 16 and 17; page 2, lines 1 through 4, by striking out all of said lines on said pages and inserting

Section 305. Optional remittance.

Section 306. Recapture of withholding taxes.

Section 307. Quarterly report.

Section 308. Annual form.

Section 309. Prohibitions.

Section 310. New employee credit.

Section 311. Administration and regulation.

Section 312. Review.

Section 313. Report to General Assembly.

Amend Bill, page 2, line 23, by inserting after "employees"

, in the same occupation,

Amend Bill, page 4, lines 20 through 23, by striking out "relocate an existing business facility, office, " in line 20, all of lines 21 and 22

and "other operation to this Commonwealth" in line 23 and inserting

be located in this Commonwealth and meet the requirements under section 302(a)

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

Section 305. Optional remittance.

(a) Remittance.—The Department of Revenue may allow qualified companies who are approved to receive benefits under this act to remit 100% of employee withholding tax to the Commonwealth and receive a rebate equivalent to the amount authorized to be retained under section 302(b) and (c).

(b) Fee.—The Department of Revenue may assess a fee of not more than \$15 per new employee of the qualified company whose withholding tax is subject to this act.

(c) Election.—A qualified company must elect the option under subsection (a), if offered by the Department of Revenue, prior to entering into the agreement established under section 304.

Amend Bill, page 8, line 9, by striking out "305" and inserting 306

Amend Bill, page 8, by inserting between lines 18 and 19

Section 307. Quarterly report.

(a) Filing.—Within 30 days from the end of each calendar quarter for the duration of the agreement, a qualified company shall file a quarterly report with the Department of Revenue on a form prescribed by the Department of Revenue, in conjunction with the department.

(b) Contents.—The form under subsection (a) shall request the following information:

(1) The name and Employer Identification Number of the qualified company.

(2) The effective date of the agreement.

(3) The reporting period end date.

(4) All information relating to each new employee of the qualified company, including:

(i) The name of the new employee.

(ii) The last four digits of the new employee's Social Security number.

(iii) The employee's start or hire date.

(iv) The employee's termination date.

(v) The wages paid for the quarter and the total withholding taxes for each new employee.

(5) The amount retained by the qualified company.

(6) The amount remitted to the Department of Revenue.

(7) Any other information required by the department.

Amend Bill, page 8, line 19, by striking out "306" and inserting

308

Amend Bill, page 9, line 10, by striking out "307" and inserting 309

Amend Bill, page 9, line 14, by inserting after "company's" new employees

Amend Bill, page 9, line 17, by striking out "payments" and inserting grants

Amend Bill, page 9, by inserting between lines 20 and 21 Section 310. New employee credit.

A new employee whose withholding tax is subject to this act shall be credited 100% of the withholding tax withheld from the new employee's paycheck as if the qualified company remitted 100% of the withholding tax to the Commonwealth.

Amend Bill, page 9, line 21, by striking out "308" and inserting 311

Amend Bill, page 9, line 25, by striking out "309" and inserting 312

Amend Bill, page 9, line 29, by striking out "308" and inserting 311

Amend Bill, page 10, line 7, by striking out "310" and inserting 313

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

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

Mr. BOYD. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is the result of some extensive discussions in the Finance Committee when the bill moved out of committee. It makes a number of technical fixes to the legislation. It also removes a provision that only employers from outside Pennsylvania relocating in Pennsylvania would qualify for the incentive in this program. This would apply to existing businesses in Pennsylvania that would hire new workers, and it also clarifies that the average wage in individual counties would be further defined by specific occupations.

It is an agreed-to amendment with the prime sponsor, and I would appreciate everyone's support. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—192

Adolph	Ellis	Kortz	Quigley
Aument	Emrick	Kotik	Quinn
Baker	Evankovich	Krieger	Rapp
Barbin	Evans, J.	Kula	Ravenstahl
Barrar	Everett	Lawrence	Readshaw
Benninghoff	Fabrizio	Longietti	Reed
Bloom	Farry	Mackenzie	Reese
Boback	Fleck	Mahoney	Roae
Boyd	Frankel	Major	Rock
Boyle, B.	Freeman	Maloney	Roebuck
Boyle, K.	Gabler	Mann	Ross
Bradford	Geist	Markosek	Sabatina
Brennan	George	Marshall	Saccone
Briggs	Gergely	Marsico	Sainato
Brooks	Gibbons	Masser	Samuelson
Brown, R.	Gillen	Matzie	Santarsiero
Brown, V.	Gillespie	McGeehan	Santoni
Brownlee	Gingrich	Metcalfe	Saylor
Burns	Godshall	Metzgar	Scavello
Buxton	Goodman	Miccarelli	Schmotzer
Caltagirone	Grell	Micozzie	Simmons

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Bear	Daley	Galloway	Maher
Bishop	Evans, D.	Gerber	Swanger

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

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

The SPEAKER. The gentleman from Cambria County, Mr. Barbin, has your amendment been withdrawn?

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

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

Mr. BARBIN. Thank you, Mr. Speaker.

I will be withdrawing this amendment on the basis of an assurance that a veterans tax credit bill will be brought up for a vote on the following Monday. Thank you.

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

Mr. WHITE offered the following amendment No. A13255:

Amend Bill, page 1, line 3, by inserting after "relief" and for Marcellus Shale employs Pennsylvania workers - job tax credits

Amend Bill, page 2, by inserting between lines 4 and 5 Chapter 5. Marcellus Shale Employs Pennsylvania Workers - Job Tax Credit



Section 501. Definitions.

Section 502. Eligibility.

Section 503. Application process.

Section 504. Tax credits.

Section 505. Prohibitions.

Section 506. Penalties.

Section 507. Annual reports.

Section 508. Notice of availability of tax credits.

Amend Bill, page 11, by inserting between lines 3 and 4

#### CHAPTER 5

#### MARCELLUS SHALE EMPLOYEES

#### PENNSYLVANIA WORKERS - JOB TAX CREDIT

Section 501. Definitions.

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

"Department." The Department of Labor and Industry of the Commonwealth.

"Job." A full-time employment position, the average hourly rate, excluding benefits, for which must be at least 150% of the Federal minimum wage, created within three years from a company's start date within this Commonwealth. The term does not include temporary or seasonal work.

"Pennsylvania Marcellus Shale job tax credit." Tax credits for which the Department of Labor and Industry has issued a certificate under this chapter.

"Qualified apprenticeship training program." A program registered with the Apprenticeship and Training Council within the Department of Labor and Industry that is in compliance with applicable Federal and State laws and regulations and which requires at least 2,000 but not more than 10,000 hours of on-the-job apprenticeship training.

"Resident." Any natural person who is considered a resident under the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, and who has completed a qualified apprenticeship training program or a job training program approved by the Department of Labor and Industry.

"Start date." The date on which a company may begin employing residents which may be eligible for job creation tax credits.

Section 502. Eligibility.

In order to be eligible to receive Pennsylvania Marcellus Shale job tax credits, a company must demonstrate to the department the following:

(1) The ability to conduct business in Pennsylvania, including the appropriate licenses and certifications.

(2) Leadership in the Marcellus Shale drilling industry, including conformity to industry laws and regulations overseen and enforced by the Department of Environmental Protection.

(3) Financial stability and the company's financial viability.

(4) The intent to maintain operations in this Commonwealth and employ residents for a period of five years from the date the company submits its tax credit certificate to the Department of Revenue.

(5) The intent to employ residents with full-time family-sustaining jobs with an average hourly rate and benefits.

Section 503. Application process.

(a) Application.—A company must complete and submit to the department a Pennsylvania Marcellus Shale job tax credit application along with a copy of the permit issued by the Department of Environmental Protection providing that the company has obtained the necessary permit allowing the company to drill in this Commonwealth or a statement from the Department of Environmental Protection stating the same. The Department of Environmental Protection shall notify the department and the Department of Revenue upon suspension or revocation of drilling permits or other changes that affect the company's ability to continuously drill in this Commonwealth.

(b) Employment of residents.—At least 75% of the applicant's

workforce in the Commonwealth must be composed of residents.

(c) Approval.—If the department approves the company's application, the department and the company shall execute a commitment letter containing the following:

(1) A description of the project.

(2) The number of Pennsylvania residents employed.

(3) The amount of private capital investment in the project.

(4) The maximum Pennsylvania Marcellus Shale job tax credits amount the company may claim.

(5) A signed statement that the company intends to maintain its operation in this Commonwealth and employ residents for five years from the start date.

(6) A signed statement from the company that the company will provide to the department a list of workers for which the company will claim tax credit, including documentation of each worker's status as a Pennsylvania resident and fulfillment of apprenticeship or job training requirements.

(7) A signed statement that the company will refund the Commonwealth all Pennsylvania Marcellus Shale job tax credits in accordance with section 506 for noncompliance.

(8) Such other information as the department deems appropriate.

(d) Commitment letter.—After a commitment letter has been signed by both the Commonwealth and the company, the company shall receive a Pennsylvania Marcellus Shale job tax credit certificate and filing information.

Section 504. Tax credits.

(a) Maximum amount.—A company may claim a tax credit of \$2,500 per resident employed up to the maximum tax credit amount specified in the commitment letter.

(b) Applicable taxes.—A company may apply the tax credit to 100% of the company's State corporate net income tax, capital stock and franchise tax or the capital stock and franchise tax of a shareholder of the company if the company is a Pennsylvania S corporation, gross premiums tax, gross receipts tax, bank and trust company shares tax, mutual thrift institution tax, title insurance company shares tax, personal income tax or the personal income tax of shareholders of a Pennsylvania S corporation or any combination thereof.

(c) Tax credit term.—A company may claim Pennsylvania Marcellus Shale job tax credits for each resident employed, as approved by the department, for a period determined by the department but not to exceed five years from the date the company first submits a Pennsylvania Marcellus Shale job tax credit certificate.

(d) Availability of tax credits.—Each fiscal year, \$25,000,000 in tax credits shall be made available to the department and may be awarded by the department in accordance with this chapter. In addition, in any fiscal year, the department may reissue or assign prior fiscal year tax credits which have been recaptured under section 506(a) or (b) and may award prior fiscal year credits not previously issued. Prior fiscal year credits may be reissued, assigned or awarded by the department.

Section 505. Prohibitions.

The following actions with regard to Pennsylvania Marcellus Shale job tax credits are prohibited:

(1) Approval of residents who were employed prior to the start date.

(2) The assignment, transfer or use of credits by any other company, provided, however, that tax credits may be assigned in whole or in part to an affiliated entity. As used in this paragraph, the term "affiliated entity" means an entity which is part of the same "affiliated group," as defined by section 1504(a)(1) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1504(a)(1)), as the company awarded the credit.

Section 506. Penalties.

(a) Failure to maintain operations.—A company which receives Pennsylvania Marcellus Shale job tax credits and fails to substantially maintain existing operations and the operations related to the

Pennsylvania Marcellus Shale job tax credits in this Commonwealth for a period of five years from the date the company first submits a Pennsylvania Marcellus Shale job tax credit certificate to the Department of Revenue shall be required to refund to the Commonwealth the total amount of credit or credits granted.

(b) Failure to employ residents.—A company which receives Pennsylvania Marcellus Shale job tax credits and fails to continuously employ the approved number of qualified residents within three years of the start date will be required to refund to the Commonwealth the total monetary amount of credit or credits granted. It shall not be considered failure to employ residents under this section if a company continues to provide remuneration to employees during a work stoppage that is due to an event or circumstances beyond the employer's control.

(c) Waiver.—The department may waive the penalties outlined in subsections (a) and (b) if it is determined that a company's operations were not maintained or the residents were not employed because of circumstances beyond the company's control. Such circumstances include natural disasters, unforeseen industry trends or a loss of a major supplier or market.

Section 507. Annual reports.

(a) Report.—The department shall provide an annual report on the operation of the program, which at a minimum shall include:

(1) A list of all Marcellus Shale job tax credit certificates provided during the previous fiscal year.

(2) The name and location of each company receiving Marcellus Shale job tax credit certificates.

(3) An analysis of the Marcellus Shale job tax credit program's ability to create jobs in this Commonwealth.

(4) Any other information that may be deemed relevant by the department.

(b) Submission.—The annual report shall be submitted to the Governor, the Majority Leader of the Senate, the Minority Leader of the Senate, the Majority Leader of the House of Representatives and the Minority Leader of the House of Representatives by March 1 of the first full year following the implementation of this section and March 1 of each year thereafter.

Section 508. Notice of availability of tax credits.

The department shall publish notice of the availability of this tax credit on its publicly accessible Internet website and make information available annually to the Statewide Workforce Investment Board for distribution to local boards.

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

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

Mr. WHITE. Thank you, Mr. Speaker.

This amendment would create a tax credit for Pennsylvania companies that hire Pennsylvania workers to work in the Marcellus Shale. This would be a \$25 million per year tax credit that would be used for companies that hire 75 percent of their workers from Pennsylvania. I think it works very nicely with this piece of legislation. It is a great way to show we are committed to hiring Pennsylvania workers to work in this industry, and I would ask for the chamber's support.

### GERMANENESS QUESTIONED

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.

While I think the maker of this amendment is very well intended, I would argue and formally request the fact that this is not germane to this bill. This is a stand-alone bill at that.

### LEAVE OF ABSENCE

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

### CONSIDERATION OF HB 2626 CONTINUED

The SPEAKER. The gentleman, Mr. Benninghoff, from Centre County raised the question of whether amendment A13255 is germane.

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

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

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

Mr. BENNINGHOFF. I would ask the members to vote "no" to this amendment. We believe that the stand-alone—

The SPEAKER. The question was your— Unless I misunderstood you, the question before the House is whether or not this amendment is germane.

Mr. BENNINGHOFF. Yes, sir; yes, Mr. Speaker.

The SPEAKER. That was the motion you made?

Mr. BENNINGHOFF. Yes, sir.

The SPEAKER. Do you want to proceed in that direction?

Mr. BENNINGHOFF. Yes, sir.

The SPEAKER. Then the gentleman will be recognized on the germaneness of the amendment or nongermaneness.

Mr. BENNINGHOFF. Thank you.

Again, we respect the gentleman's interest in this amendment but believe that the stand-alone bill does not make his tax credit amendment applicable to this, and I would ask the members to vote "no."

The SPEAKER. On the question of germaneness, the Speaker recognizes the gentleman from Washington County, Mr. White.

Mr. WHITE. Thank you, Mr. Speaker.

I think we all see what is being played out here. I would submit that this amendment is absolutely germane.

And I think that to the Pennsylvanians out there who are trying to get jobs in the energy industry in Pennsylvania, many of which are in my district, I think that they want to see results from this chamber. They want to see a paycheck. They want to see these good-paying, high-quality jobs in the energy industry we have been hearing about. They do not want to hear about germaneness.

We all know this is the right thing to do. This is a good vote, this is good policy, and I would ask the chamber to say that this is a germane amendment. Thank you.

The SPEAKER. On the question of germaneness, the Speaker recognizes the gentleman from Clinton County, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Likewise, I rise to encourage members to rule this amendment germane to this bill.

Mr. Speaker, this bill is about an incentive for job creation. This amendment is about exactly the same thing. This could not be more germane. This is a vote about whether you want these Marcellus Shale jobs to go to Pennsylvania workers or whether you want them to go to out-of-State workers. So we are asking that you rule that the amendment is germane, and I thank you, Mr. Speaker.

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, will the gentleman from Centre County who raised the question of germaneness stand for brief interrogation?

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, in the underlying bill, does it apply to companies in the drilling industry if they create new jobs?

Mr. BENNINGHOFF. The job creation that we are trying to establish here are companies that are outside the Commonwealth coming in. Our proposal is designed to not be utilized in conjunction with other tax incentive programs, and that is why I asked for this to not be voted as being germane.

Mr. STURLA. But my question is, if a drilling company comes in from outside the State of Pennsylvania and hires more than 100 people, would your underlying bill apply to them?

Mr. BENNINGHOFF. Yes. The bill applies to any company that comes in and meets all the criteria. They have to meet income-level criteria. DCED (Department of Community and Economic Development) would then set up a contract with them, but if they meet those requirements and establish criteria with DCED under the contract, yes, they would.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, if I could?

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

Mr. STURLA. Thank you, Mr. Speaker.

As was pointed out by the sponsor of the bill himself, the underlying bill applies, among other things, to companies that do drilling in the State of Pennsylvania, and it deals with tax credits for those companies. The amendment applies to companies that deal with drilling in the State of Pennsylvania and tax credits for those companies. I am not sure how any more germane you can get than this amendment.

I would encourage members to vote that this is a germane amendment. Thank you, Mr. Speaker.

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

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

I am just dealing with the point of the old Venn diagram, if, therefore, in dealing with logic, and I am looking at the sponsor of the bill's title where it says, on line 10, "This act shall be known and may be cited as the Promoting Employment Across Pennsylvania Act.

"Section 102. Scope of act," quote, unquote, from the bill itself. "This act relates to fostering economic development, creating new jobs and opportunities for the citizens of this Commonwealth and providing incentives to locate business facilities, other operations and jobs in this Commonwealth."

My goodness, if one is saying we want to hire people in Pennsylvania and this is an opportunity act for Pennsylvania, are we trying to still say one and one equals three? We know that this should be about Pennsylvania, and if you care about the people in the rural areas – it does not affect my area as much – if you care about the jobs that the people are going to be trained for and we offer the appropriate tax incentives and job training programs, how can this not be germane?

I just read it. Let me read it one more time, and sometime maybe, maybe I misquoted it somehow. Again from line 10, "This act shall be known and may be cited as the Promoting Employment Across Pennsylvania Act." This is the sponsor's bill, and all the gentleman from Washington County is saying, hey, let us hire some of our own family first. Let us try to give those companies that want to come into Pennsylvania a little enthusiasm about looking at our employees, our constituents, and the people who live here in Pennsylvania and the young generation to come. That is all this is about. I do not think I need to read it again, but I think if we say this is germane, then we will be back to one and one does equal two. If not, then that is your problem, not ours here.

Thank you, Mr. Speaker.

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

On the question of germaneness, the Chair recognizes the gentleman from Indiana County, Mr. Reed.

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

For a number of reasons, we believe this amendment not to be germane, but not the least of which is the very fact that by allowing this amendment, which is a Tax Code amendment, into this particular bill, you disqualify the companies from actually being eligible for the original bill itself. So if the companies actually take advantage of the tax credit, they are disqualified from the original program, which was the original intent of the bill, and you could actually reference that on page 9 of the bill starting with line 11, where we say under prohibitions, "A qualified company claiming benefits under this act may not do any of the following," and then if you move to line 17, section (2), "Claim any payments or credits authorized by the General Assembly or any other program established by the Commonwealth, if the payments or credits would be earned for the hiring of new employees." The credit proposed by the gentleman from Washington County is a credit to be earned for the hiring of new employees which would then prohibit the use of the original bill to begin with.

So for that reason, among the other reasons noted by the sponsor of the bill, we would ask folks to vote that this amendment is not germane. Thank you, Mr. Speaker.

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

You are only allowed to be recognized one time on germaneness. You are not in order to be recognized on the question of germaneness; one time.

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

The following roll call was recorded:

YEAS—86

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

NAYS—105

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

NOT VOTING—0

EXCUSED—9

Beard	Evans, D.	Galloway	Maher
Bishop	Fleck	Gerber	Swanger
Daley			

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

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

Mr. **WHITE** offered the following amendment No. **A13517**:

Amend Bill, page 1, line 2, by striking out "and"  
Amend Bill, page 1, line 3, by inserting after "relief"  
; and establishing a dog or cat adoption tax credit  
Amend Bill, page 2, by inserting between lines 4 and 5  
Chapter 5. Dog or Cat Adoption Tax Credit  
Section 501. Tax credit for adoption of dog or cat.  
Amend Bill, page 11, by inserting between lines 3 and 4  
CHAPTER 5

DOG OR CAT ADOPTION TAX CREDIT  
Section 501. Tax credit for adoption of dog or cat.

(a) General rule.—A taxpayer shall be allowed a credit against the tax otherwise due under Article III of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, for the cost of adopting a dog or cat from a qualifying pound, shelter, society or association for the prevention of cruelty to animals, humane society or dog, cat or other protective or rescue association located in this Commonwealth. The amount of the credit shall not exceed \$150 per taxable year for any individual taxpayer.

(b) Limitation.—The Department of Revenue shall not approve, in the aggregate, more than \$3,750,000 of tax credits under this section in any calendar year.

(c) Ineligibility.—No taxpayer who has been convicted of a violation of 18 Pa.C.S. § 3129 (relating to sexual intercourse with animal) or 5511 (relating to cruelty to animals) may be eligible for the tax credit under this section.

(d) Expiration.—This chapter shall expire five years from the effective date of this section.

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

The **SPEAKER**. On that question, the Speaker recognizes the gentleman from Washington County, Mr. White.

Mr. **WHITE**. Thank you, Mr. Speaker.

This is an amendment that would provide for the animal adoption tax credit. What this would do is – we dealt with something similar – it is a \$150 tax credit for the adoption of a stray dog or cat from a qualified shelter or rescue group in Pennsylvania.

I ask for an affirmative vote.

**GERMANENESS QUESTIONED**

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.

Very briefly, I would argue that this is not germane as well with the same reasons we did in the last credit trying to be applied to a stand-alone bill, negating that bill from its original intent. Thank you.

The **SPEAKER**. The gentleman from Centre County, Mr. Benninghoff, has raised the question of whether amendment A13517 is germane.

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

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

The SPEAKER. On that question, the Speaker recognizes—  
Do you seek recognition on why, on the argument of germaneness?

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

Mr. BENNINGHOFF. I think I made that argument,  
basically, that I do not believe it is applicable, adding a tax  
credit in the stand-alone bill that is not a tax credit, and  
therefore could negate the availability for these companies to  
apply for the original intent of my bill.

I would ask the members to vote "no." Thank you.

The SPEAKER. On the question of germaneness, the  
Speaker recognizes the gentleman from Washington County,  
Mr. White.

Mr. WHITE. Mr. Speaker, I was just wondering if it would  
be in violation of House ethics rules to place a bet on how this  
was going to turn out.

The SPEAKER. Is that a parliamentary inquiry?

Mr. WHITE. Sure. I will withdraw.

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

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

The following roll call was recorded:

YEAS—76

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

NAYS—115

Adolph	Everett	Lawrence	Rapp
Aument	Farry	Mackenzie	Reed
Baker	Gabler	Major	Reese
Barbin	Geist	Maloney	Roe
Barrar	Gillen	Marshall	Rock
Benninghoff	Gillespie	Marsico	Ross
Bloom	Gingrich	Masser	Saccone
Boback	Godshall	Metcalfe	Saylor
Boyd	Grell	Metzgar	Scavello
Brooks	Grove	Miccarelli	Schmotzer
Brown, R.	Hackett	Micozzie	Simmons
Causar	Hahn	Millard	Sonney
Christiana	Harhart	Miller	Staback
Clymer	Harper	Milne	Stephens

Cox	Harris	Mirabito	Stern
Creighton	Heffley	Moul	Stevenson
Culver	Helm	Murt	Sturla
Cutler	Hennessey	Mustio	Tallman
Davidson	Hess	O'Neill	Taylor
Davis	Hickernell	Oberlander	Tobash
Day	Hornaman	Payne	Toepel
Dean	Hutchinson	Peifer	Toohil
Delozier	Kampf	Perry	Truitt
Denlinger	Kauffman	Petri	Turzai
DiGirolamo	Keller, F.	Pickett	Vereb
Dunbar	Keller, M.K.	Preston	Watson
Ellis	Killion	Pyle	
Emrick	Knowles	Quigley	Smith, S.,
Evankovich	Krieger	Quinn	Speaker
Evans, J.			

NOT VOTING—0

EXCUSED—9

Bear	Evans, D.	Galloway	Maher
Bishop	Fleck	Gerber	Swanger
Daley			

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

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

Mrs. DAVIS offered the following amendment No. A13402:

Amend Bill, page 8, line 10, by inserting before "If"

(a) Compliance with terms and conditions.—

Amend Bill, page 8, by inserting between lines 18 and 19

(b) Relocation.—If a qualified company relocates outside of this  
Commonwealth within the five-year period immediately following the  
last year the company received benefits under this act, the following  
apply:

(1) If a qualified company relocates within three years  
from the last year the company received benefits under this act,  
an amount equal to 66% of the aggregate withholding taxes  
retained by the qualified company or remitted to the qualifying  
company by a third party under this act shall be refunded to the  
Commonwealth.

(2) If a qualified company relocates within three to five  
years from the last year the company received benefits under this  
act, an amount equal to 33% of the aggregate withholding taxes  
retained by the qualified company or remitted to the qualifying  
company by a third party under this act shall be refunded to the  
Commonwealth.

(c) Waiver.—The department may waive or modify recapture  
requirements under subsection (b) if the department determines that the  
qualified company's relocation was due to circumstances beyond the  
control of the company, including, but not limited to:

- (1) natural disaster; or
- (2) loss of a major supplier or market.

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

The SPEAKER. On that question, the Speaker recognizes the  
lady from Bucks County, Mrs. Davis.

Mrs. DAVIS. Mr. Speaker, I appreciate the chairman's efforts on a bill that not only helps our businesses but also is a step towards much-needed accountability. HB 2626 on its face is a good proposal. However, it does not go far enough. Too many companies have been offered incentives in the past and relocated out of this State. This means companies get all of the benefits and contribute nothing to the Commonwealth. My amendment simply expands on the recapture provisions in the bill.

The language that I have chosen for this amendment is based on a graduated recapture approach that I have adapted from similar tax incentive language already found in the Tax Reform Code.

My amendment would allow for the collection of taxes that were to be withheld under this bill if the qualified company relocates outside of the Commonwealth within a 5-year period following the end of the tax benefit. Companies receiving the benefits of HB 2626 and then relocating out of the Commonwealth within 3 years would be required to refund the Commonwealth 66 percent of the withholding they were allowed to keep.

Companies receiving the benefits of HB 2626 and then relocating out of the Commonwealth between 3 and 5 years would be required to refund the Commonwealth 33 percent of the withholding.

This approach is not unbending, however, as DCED may provide a waiver for these companies if they are forced to relocate out of Pennsylvania due to circumstances beyond their control, such as a natural disaster or the loss of a major supplier or market. It simply allows us to protect our investment in these companies.

Without this amendment, there is nothing that would prohibit out-of-State companies from coming into Pennsylvania, get the tax incentive, and then leaving immediately afterwards. This gamesmanship is especially harmful to the fiscal health of the Commonwealth if these companies take employees from existing businesses. This bill simply provides more accountability on the back end.

I thank you for your support.

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

The following roll call was recorded:

YEAS—191

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Bear	Evans, D.	Galloway	Maher
Bishop	Fleck	Gerber	Swanger
Daley			

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

\* \* \*

The House proceeded to second consideration of **HB 2480, PN 4086**, entitled:

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for definitions and for prohibited acts and penalties; and providing for ephedrine and pseudoephedrine and electronic tracking.

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

Mr. **WATERS** offered the following amendment  
No. **A13301**:

Amend Bill, page 6, line 7, by striking out "180" and inserting  
270

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

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

Mr. **WATERS**. Thank you, Mr. Speaker.

Mr. Speaker, this amendment, A13301, changes the effective date from 180 days, or 6 months, to 270 days, or 9 months.

A13301 is the result of a compromise between both sides of the aisle and the stakeholders. The reason for the change in the effective date is to allow retailers, particularly small mom-and-pop pharmacies, the time necessary to get into compliance in order to allow them to serve their constituents at their best.

It is my understanding that this is an agreed-upon amendment, and I ask for a "yes" vote from all of us. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the lady from Bucks County, Ms. Quinn.

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

This is an agreed-upon amendment, and I ask my colleagues to support it.

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

The following roll call was recorded:

**YEAS—191**

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

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

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—9**

Bear	Evans, D.	Galloway	Maher
Bishop	Fleck	Gerber	Swanger
Daley			

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

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

Mr. **DERMODY** offered the following amendment  
No. **A13493**:

Amend Bill, page 3, line 16, by striking out "limited from sales" and inserting  
prohibited from making sales to an individual of,  
Amend Bill, page 3, line 17, by striking out "limited from purchases of" and inserting  
prohibited from purchasing,  
Amend Bill, page 3, line 19, by inserting after "in"  
excess of  
Amend Bill, page 3, line 30, by inserting after "identification"  
, or other document considered acceptable under Federal law for this purpose.

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

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

Mr. **DERMODY**. Thank you, Mr. Speaker.

Mr. Speaker, this amendment clarifies language in the bill so that it prohibits retailers from making sales to individuals in excess of 3.6 grams of ephedrine or pseudoephedrine per day and more than 9 grams of ephedrine or pseudoephedrine for a 30-day period. It makes this bill consistent with the bill's intent and with the Federal law.

This amendment also would permit the use of other identification documents that are acceptable under Federal law

to be able to be presented to purchase products containing ephedrine or pseudoephedrine.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the lady from Bucks County, Ms. Quinn.

Ms. QUINN. Thank you, Mr. Speaker.

I appreciate the clarification of the language, and I support this amendment. I ask my colleagues to do the same.

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

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Bear	Evans, D.	Galloway	Maher
Bishop	Fleck	Gerber	Swanger
Daley			

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

\* \* \*

The House proceeded to second consideration of **SB 1147, PN 1912**, entitled:

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.

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

Mr. **GEIST** offered the following amendment No. **A13418**:

Amend Bill, page 1, line 2, by inserting after "Statutes," in commercial drivers, further providing for employer responsibilities and for requirement for commercial driver's license;

Amend Bill, page 1, line 3, by striking out "AND," and inserting in rules of the road, further providing for vehicles required to stop at railroad crossings; in powers of department and local authorities, further providing for applicability and uniformity of title; in liquid fuels and fuels tax, further providing for disposition and use of tax;

Amend Bill, page 1, lines 10 and 11, by striking out all of said lines and inserting

Section 1. Sections 1605(b) and 1606(a) of Title 75 of the Pennsylvania Consolidated Statutes are amended to read:

§ 1605. Employer responsibilities.

\* \* \*

(b) Prohibitions.—No employer shall knowingly allow, require, permit or authorize a driver to drive a commercial motor vehicle [during any period]:

- (1) during any period in which:
  - (i) the driver's license was suspended, revoked or canceled by a state;
  - (ii) the driver has lost the privilege to drive a commercial motor vehicle in a state;
  - (iii) the driver has been disqualified from driving a commercial motor vehicle;
  - (iv) the driver is not licensed to drive a commercial vehicle;
  - (v) the driver is not qualified by required class or endorsement to operate the commercial vehicle being driven; or
  - (vi) the driver, or the commercial motor vehicle the driver is driving, or the motor carrier operation is subject to an out-of-service order; [or]



(2) during any period in which the driver has more than one driver's license[.]; or

(3) in violation of a Federal, State or local law or regulation pertaining to railroad-highway grade crossing.

\* \* \*

§ 1606. Requirement for commercial driver's license.

(a) When required.—No person, except those specifically exempted in subsection (b), shall drive a commercial motor vehicle unless [the person has been issued and is in immediate possession of a valid commercial driver's license and applicable endorsements valid for the vehicle he is driving.];

(1) the person has been issued a commercial driver's license;

(2) the person's commercial driver's license is in his immediate possession; and

(3) the person's commercial driver's license was issued for the class of commercial motor vehicle operated and contains all applicable license endorsements.

\* \* \*

Section 2. Section 1943 of Title 75 is amended by adding a subsection to read:

Amend Bill, page 1, by inserting between lines 17 and 18

Section 3. Section 3342(g) of Title 75 is amended and the section is amended by adding subsections to read:

§ 3342. Vehicles required to stop at railroad crossings.

\* \* \*

(g) Requirement upon approaching tracks.—[Every] Upon approaching any track of a railroad, the driver of every commercial motor vehicle as defined by section 1603 (relating to definitions) other than those listed in subsection (b) shall[, upon approaching any track or tracks of a railroad, be driven at a rate of speed which will permit the commercial motor vehicle to be stopped before reaching the nearest rail of the railroad crossing and shall not be driven upon or over such crossing until the course is clear.];

(1) reduce the rate of speed of the commercial motor vehicle and check that the tracks are free of approaching trains; and

(2) stop the vehicle if the tracks are not clear.

(h) Railroad grade crossing.—No commercial motor vehicle may proceed onto a railroad grade crossing unless:

(1) there is sufficient space to drive completely through the crossing without stopping; and

(2) the vehicle has sufficient undercarriage clearance to allow the vehicle to drive completely through the railroad grade crossing without stopping.

(i) Traffic control.—No driver of a commercial motor vehicle may fail to obey a traffic control device or direction of an enforcement officer at a railway grade crossing.

Amend Bill, page 1, line 18, by striking out "2" and inserting

4

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

5

Amend Bill, page 4, line 7, by striking out "4" and inserting

6

Amend Bill, page 4, by inserting between lines 22 and 23

Section 7. Section 6101 of Title 75 is amended to read:

§ 6101. Applicability and uniformity of title.

(a) Requirement.—The provisions of this title shall be applicable and uniform throughout this Commonwealth and in all political subdivisions in this Commonwealth, and no local authority shall enact or enforce any ordinance on a matter covered by the provisions of this title unless expressly authorized.

(b) Sanctions.—When a court of competent jurisdiction determines and notifies the department that an ordinance adopted by a local authority is in violation of subsection (a), commencing 40 days following entry of a final order, unless an appeal has been timely filed with a court of record, the following sanctions apply until the local authority repeals or substantially amends the ordinance to remove the

language that was found to be in violation of subsection (a):

(1) Suspension of unobligated capital expenditures for bridges and highways.

(2) Suspension of allocation under the act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal Allocation Law.

(3) Suspension of allocation and apportionment under section 9010(c.1) (relating to disposition and use of tax).

(4) Suspension of expenditures from the special fund into which allocations under the act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal Allocation Law, are deposited, unless a contract for the work that is the subject of the expenditure has been fully executed or the moneys have been otherwise obligated.

(c) Suspended funds.—Upon notification that the local authority has repealed or substantially amended the ordinance to remove the language that was found to be in violation of subsection (a), the department shall immediately end all sanctions against the local authority and return all suspended funds to the local authority.

Section 8. Section 9010(c) introductory paragraph of Title 75 is amended and the section is amended by adding subsections to read:

§ 9010. Disposition and use of tax.

\* \* \*

(c) Allocation of money.—[The] Except as set forth in subsection (c.1), the county commissioners may allocate and apportion money from the County Liquid Fuels Tax Fund to the political subdivisions within the county in the ratio as provided in this subsection. When the unencumbered balance in the County Liquid Fuels Tax Fund is greater than the receipts for the 12 months immediately preceding the date of either of the reports, the county commissioners shall notify the political subdivisions to make application within 90 days for participation in the redistribution of the unencumbered balance. Redistribution shall be effected within 120 days of the date of either of the reports. The county commissioners may distribute the unencumbered balance in excess of 50% of the receipts for the previous 12 months to the political subdivisions making application in the following manner:

\* \* \*

(c.1) Forfeiture.—All money allocated under subsection (c) to a political subdivision which, under section 6109(a) (relating to specific powers of department and local authorities), violates section 6101(a) (relating to applicability and uniformity of title) shall be withheld by the county during the period of time in which the municipality is in violation of section 6101(a).

(c.2) Release funds.—Upon notification that the local authority has repealed or substantially amended the ordinance to remove the language that was found to be in violation of section 6101(a), the county shall release those funds withheld by the county and due the local agency.

\* \* \*

Amend Bill, page 4, line 23, by striking out "5" and inserting

9

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Blair County, Mr. Geist.

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

This is really a clarifying amendment. We have voted for all of this stuff in the past many times in the House, and I would urge a "yes" vote.

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

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

Mr. VITALI. Thank you, Mr. Speaker.

Will the—

The SPEAKER. Will the gentleman suspend.

The gentleman is in order.

Mr. VITALI. Will the maker of the amendment stand for brief interrogation?

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

Mr. VITALI. Thank you for the brief explanation you gave. Could you just maybe break down some of the component pieces of this amendment? I was scanning it quickly and noticed it covered several different subject matters.

The SPEAKER. Mr. Speaker, I would only be able to reiterate what he already went over in caucus.

Mr. VITALI. In other words, as I recall your explanation, it was simply we have covered all this stuff before without getting into the specific subject matters that we covered before. So could you just sort of outline what is in this amendment?

Mr. GEIST. Thank you. Once again, you have already caucused on it. The word "stuff" is a word that we commonly use in our part of the State, which means all kinds of stuff.

So I would urge a "yes" vote on the amendment. It is nothing that we have not voted on before.

Mr. VITALI. Okay. If I can interrogate further, I kind of remember in caucus – the problem is, we caucused on so many things and different members have different amendments – I recall something about red light cameras and forfeitures. Does this amendment contain anything with regard to red light cameras and forfeitures by municipalities?

Mr. GEIST. I am sorry, Mr. Speaker. Could you repeat that.

Mr. VITALI. Does this amendment contain anything with regard to red light cameras and forfeitures by municipalities of any funds?

Mr. GEIST. Thank you very much.

Look, there is nothing about red light cameras here. We took red light cameras out. We already passed that. This amendment I am sure that you went over in caucus. It does not even come close to a red light amendment.

Mr. VITALI. Well, you see, that is the question. I think the problem is— Mr. Speaker, I am wondering if perhaps we could get someone else who may stand for interrogation on this. Maybe the minority chair of the Transportation Committee, someone who is really— Clearly, the maker of the amendment is not—

The SPEAKER. The gentleman will suspend.

Mr. VITALI. He is being an obstructionist.

The SPEAKER. The gentleman will suspend.

Mr. VITALI. Yes.

The SPEAKER. Is there anyone else that is willing to stand for interrogation?

The House will be at ease for a moment.

The House will come to order.

It is the indication that the minority chairman of the Transportation Committee is not standing for interrogation.

Does the gentleman seek further recognition on the amendment?

Mr. VITALI. I am wondering if, since there are some legitimate questions of interrogation and the majority chair is clearly not cooperative, maybe we could pass over this for a few minutes until we can maybe find someone else or have time to sort of review the contents ourselves. This is very problematic

when the majority chair or any one member refuses to explain his own amendment. It is really discourteous and not in keeping with the spirit of this chamber.

### POINT OF ORDER

Mr. TURZAI. Mr. Speaker, point of order.

The SPEAKER. The gentleman, Mr. Turzai, state your point of order.

Mr. TURZAI. Sir, with all due respect, I do think that the good gentleman from Delaware County is out of line casting aspersions on the Transportation chair.

In addition, I would just suggest that perhaps the gentleman from Delaware County just take time and go read the amendment, because I think a lot of the questions he is asking, the answers are right in the bill itself, and you are only supposed to use interrogation if you do not know the answer, and that is a readily identifiable answer, and the good gentleman, our Transportation chair, has been doing a very good job, a straightforward job in answering those questions.

The SPEAKER. The Speaker thanks the gentleman.

Is the gentleman, Mr. Vitali, seeking to make a motion? You posed a kind of rhetorical question of the Chair, but you did not state anything definitively.

Mr. VITALI. Mr. Speaker, if I can solve it. We have staff who will just give a private explanation, if we can just hold off for about 3 minutes so we can—

The SPEAKER. If the gentleman, Mr. Vitali, wants, he may return to the microphone and be recognized. In the meantime, I am going to proceed if there are other members who would like to comment or debate on this legislation.

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 to interrogate the majority chair of Transportation.

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

Mr. SAMUELSON. My question is on the amendment that is on the screen now, 13418, which I believe is a four-page amendment. A moment ago there was another amendment that was put on the screen, but we are back to 418. Is that the one we are voting on?

Mr. GEIST. Yes.

Mr. SAMUELSON. Okay.

Two questions about this. On page 4 of this amendment, this amendment appears to have language that would take funding away, transportation funding away from municipalities if they have passed legislation such as passing a ban on cell phones in their community. Is that contained in this legislation?

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

It is a wonderful question. First of all, it does not take any money away from any municipality. This has not changed since I think it was offered 30 years ago. What it does is the uniformity clause, you do not want Philadelphia passing their own vehicle code. You do not want Crawford County passing traffic laws up there that anybody that drives there has no idea what those laws are.

We have spent many, many years in this General Assembly defining uniformity of PENNDOT laws. Municipalities – it is

just not cell phone laws; it is all kinds of other laws. It is arbitrary speed limit signs when they should not be there without doing the 85 percentile rule. It is many, many things that have gone on in this State.

I do not know anybody in here who has been here for years who has not voted "yes" on the uniformity clause. I may be wrong, but I cannot find incidences of anybody voting against having one set of driving laws in the State of Pennsylvania.

Mr. SAMUELSON. A follow-up question: But have we ever voted on an amendment that would actually withhold funding from municipalities?

Mr. GEIST. Yes. It has passed—

Mr. SAMUELSON. I do not recall that. When was that amendment?

Mr. GEIST. It has passed before and repeatedly.

Mr. SAMUELSON. It passed when?

Mr. GEIST. It has passed before and repeatedly.

Mr. SAMUELSON. Okay. The most recent time, do you know when that has been passed?

Mr. GEIST. Yes. Two years ago is the last time. I believe it passed in '99 also, but it has been up many times and it has passed every time.

Mr. SAMUELSON. Okay.

One more question. This language talks about withholding funding from the municipalities. How many municipalities would be impacted if this were to become law, and how much funding would be withheld?

Mr. GEIST. Well, I would believe that everybody that passes their own vehicle code would have their moneys withheld until they vote it down, and I have no idea how many that would be; nobody knows. It has to be struck down by a court now.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I would like to speak briefly on the bill.

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

Mr. SAMUELSON. Thank you, Mr. Speaker.

The last answer that we got here raises significant questions about this amendment. The prime sponsor of the bill, the Transportation chair, said he does not know how many municipalities in Pennsylvania this affects. It is worded so that the county would withhold transportation funding from municipalities. We do not know if we are talking about 5 percent of the State's counties or 20 percent or a majority of the State's counties or how many municipalities. So the fact that we are here on the House floor debating an amendment where we do not know the impact – we do not know how many municipalities are affected, and we do not know how much transportation funding would be withheld – those are significant questions that we should have answered before we vote on such an amendment.

Also, the second point, as I read this amendment, most of this has to do with a commercial driver's license, but now we also have a second subject added in about withholding money from municipalities, and we just had some recent votes on germaneness just a few minutes ago on this House floor. This sounds like two disparate topics put together. While there is some merit that we should move forward on the commercial driver's license portion of this, the fact that we do not know how many municipalities we are talking about, that is a significant question, reason enough to vote down this amendment.

Thank you, Mr. Speaker.

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

Is the gentleman from Delaware County, Mr. Vitali, seeking recognition on the amendment again? Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—176

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

#### NAYS—15

Boyle, K.	DeLissio	Neuman	Vitali
Brown, V.	Freeman	Roae	White
Cohen	Hanna	Samuelson	Williams
Curry	Josephs	Thomas	

#### NOT VOTING—0

#### EXCUSED—9

Bear	Evans, D.	Galloway	Maher
Bishop	Fleck	Gerber	Swanger
Daley			

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

On the question,

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Blair County, Mr. Geist, who offers up amendment A13406, which the clerk will read.

Excuse me; the gentleman indicates he is withdrawing the amendment.

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

\* \* \*

The House proceeded to second consideration of **SB 623, PN 2408**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for contracting with veteran-owned small businesses; and imposing duties on the Department of General Services and other Commonwealth purchasing agencies.

On the question,

Will the House agree to the bill on second consideration?

Mr. **WHEATLEY** offered the following amendment No. **A13532**:

Amend Bill, page 8, by inserting between lines 10 and 11

(c) Antifraud provisions.—The Department of General Services shall establish policy and promulgate regulations establishing antifraud provisions to deter and penalize businesses that are not owned by those who are service-disabled or by veterans but who falsely claim that they are in order to receive any action authorized by this chapter.

(d) Notice.—Notice of the antifraud provisions and an e-mail address and telephone number to report violations of the antifraud provisions to the Department of General Services shall be included, if feasible, in any application to be certified or to be included in any source list authorized by this chapter. The Department of General Services shall include in its annual reports to the General Assembly information about the number of businesses penalized for violating antifraud provisions.

On the question,

Will the House agree to the amendment?

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

Mr. **WHEATLEY**. Thank you, Mr. Speaker.

This would just direct antifraud policies for any company that might be claiming a veteran-owned status but has proven not to actually be a veteran-owned status.

I would urge my colleagues to support it.

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

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

Mr. **BARRAR**. Thank you, Mr. Speaker.

Could I ask the maker of the amendment to stand for a brief interrogation?

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

Mr. **BARRAR**. Thank you, Mr. Speaker.

I just want to try to find out with your amendment, with the adoption of your amendment, is there currently any penalty imposed on a business that would falsely hold themselves out as a veteran-owned business?

Mr. **WHEATLEY**. We are not aware of any. We know that the Federal government has them, but we are not aware if DGS (Department of General Services) has any.

Mr. **BARRAR**. So in what we are doing, we are not creating any penalty. The person would just be kicked out of the program.

Mr. **WHEATLEY**. Yes, sir.

Mr. **BARRAR**. Thank you, Mr. Speaker.

On the amendment, please.

Mr. **WHEATLEY**. I am sorry; just for clarity. We are directing DGS to create whatever penalties that they deem might be appropriate for something like that.

Mr. **BARRAR**. Okay. On the amendment?

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

Mr. **BARRAR**. Thank you, Mr. Speaker.

I would ask the members to support the amendment. I think this will absolutely make the bill better, and I would ask for a "yes" vote. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—191

Adolph	Ellis	Kortz	Quigley
Aument	Emrick	Kotik	Quinn
Baker	Evankovich	Krieger	Rapp
Barbin	Evans, J.	Kula	Ravenstahl
Barrar	Everett	Lawrence	Readshaw
Benninghoff	Fabrizio	Longietti	Reed
Bloom	Farry	Mackenzie	Reese
Boback	Frankel	Mahoney	Roae
Boyd	Freeman	Major	Rock
Boyle, B.	Gabler	Maloney	Roebuck
Boyle, K.	Geist	Mann	Ross
Bradford	George	Markosek	Sabatina
Brennan	Gergely	Marshall	Saccone
Briggs	Gibbons	Marsico	Sainato
Brooks	Gillen	Masser	Samuelson
Brown, R.	Gillespie	Matzie	Santarsiero
Brown, V.	Gingrich	McGeehan	Santoni
Brownlee	Godshall	Metcalfe	Saylor
Burns	Goodman	Metzgar	Scavello
Buxton	Grell	Miccarelli	Schmotzer
Caltagirone	Grove	Micozzian	Simmons
Carroll	Hackett	Millard	Smith, K.
Causer	Hahn	Miller	Smith, M.
Christiana	Haluska	Milne	Sonney

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Bear	Evans, D.	Galloway	Maher
Bishop	Fleck	Gerber	Swanger
Daley			

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

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

The SPEAKER. It is the understanding that the other amendments offered by the gentleman, Mr. Wheatley, have been withdrawn. The Speaker thanks the gentleman.

Additionally, it is the Speaker's understanding that the other amendments that have been filed to this bill have been withdrawn.

On the question recurring,  
Will the House agree to the bill on second consideration 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 235, PN 3584**, entitled:

An Act providing for the National Human Trafficking Resource Center Hotline Notification Act; imposing duties on the Department of Labor and Industry; and providing for victim services.

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

**RULES SUSPENDED**

The SPEAKER. On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Clymer, for the purpose of making a motion.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, we have an amendment that is an agreed-to amendment, but since it was filed just recently, we need a suspension of the rules so we can consider this amendment. It is amendment A13556.

The SPEAKER. The gentleman, Mr. Clymer, moves to suspend the rules for the consideration of amendment A13556.

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

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

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I would urge our members to support the motion to suspend the rules.

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

The following roll call was recorded:

YEAS—181

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

Dean	James	Payton	Watson
Deasy	Josephs	Peifer	Wheatley
DeLissio	Kampf	Perry	White
Delozier	Kauffman	Petrarca	Williams
DeLuca	Kavulich	Petri	Youngblood
Denlinger	Keller, F.	Pickett	
DePasquale	Keller, M.K.	Preston	Smith, S.,
Dermody	Keller, W.	Pyle	Speaker
DiGirolamo	Killion	Quigley	

NAYS—10

Cutler	Lawrence	Mullery	Roae
Gillen	Mackenzie	Neilson	Truitt
Grell	Metzgar		

NOT VOTING—0

EXCUSED—9

Bear	Evans, D.	Galloway	Maher
Bishop	Fleck	Gerber	Swanger
Daley			

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

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

Mr. **CLYMER** offered the following amendment  
No. **A13556**:

Amend Bill, page 1, lines 1 through 4, by striking out all of said lines and inserting  
Providing for the National Human Trafficking Resource Center Hotline Notification Act; imposing duties on the Department of Labor and Industry; and prescribing penalties.

Amend Bill, page 1, lines 7 through 13; pages 2 and 3, lines 1 through 30; page 4, lines 1 through 11, by striking out all of said lines on said pages and inserting

Section 1. Short title.

This act shall be known and may be cited as the National Human Trafficking Resource Center Hotline Notification Act.

Section 2. Definitions.

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

"Drinking establishment." Any bar, tavern or club which:

(1) operates pursuant to an eating place retail dispenser's license, restaurant liquor license or retail dispenser's license under the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code; and

(2) has been found to be a drug-related nuisance under 42 Pa.C.S. Ch. 83 Subch. H (relating to drug nuisances) or declared a common nuisance under section 1 of the act of June 23, 1931 (P.L.1178, No.319), entitled "An act declaring buildings and parts of buildings used for purposes of fornication, lewdness, assignation, and prostitution to be nuisances; providing a method of abating same; establishing a method of procedure against those who use said buildings, or parts thereof, for such purposes; and providing penalties for violations of this act."

"Establishment." Includes:

- (1) A personal service establishment.
- (2) A drinking establishment.
- (3) An adult entertainment enterprise featuring nude or partially nude dancing or providing live adult entertainment.

(4) A hotel or motel found to be a drug-related nuisance under 42 Pa.C.S. Ch. 83 Subch. H (relating to drug nuisances) or declared a common nuisance under section 1 of the act of June 23, 1931 (P.L.1178, No.319), entitled "An act declaring buildings and parts of buildings used for purposes of fornication, lewdness, assignation, and prostitution to be nuisances; providing a method of abating same; establishing a method of procedure against those who use said buildings, or parts thereof, for such purposes; and providing penalties for violations of this act."

(5) An airport, train station or bus station.

(6) A welcome center or rest area operated by the Department of Transportation or the Pennsylvania Turnpike Commission.

(7) A full-service truck stop as defined in section 2 of the act of June 13, 2008 (P.L.182, No.27), known as the Clean Indoor Air Act.

"Licensing authority." The governmental agency authorized by law to license any aspect of the business of an establishment.

"Personal service establishment." A place which:

(1) allows physical contact with another individual in a closed door setting for the purpose of, but not limited to, maintaining good health and establishing and maintaining good physical condition through the physical contact regardless of whether the place is required to obtain a license or permit from the Commonwealth for its operation; and

(2) has been found to be a drug-related nuisance under 42 Pa.C.S. Ch. 83 Subch. H (relating to drug nuisances) or declared a common nuisance under section 1 of the act of June 23, 1931 (P.L.1178, No.319), entitled "An act declaring buildings and parts of buildings used for purposes of fornication, lewdness, assignation, and prostitution to be nuisances; providing a method of abating same; establishing a method of procedure against those who use said buildings, or parts thereof, for such purposes; and providing penalties for violations of this act."

Section 3. Required posting.

(a) Sign.—An establishment shall post a sign containing information regarding the National Human Trafficking Resource Center Hotline. Any other establishment or business may post a sign.

(b) Posting.—Establishments shall post at least one sign in a conspicuous manner clearly visible to the public and employees of the establishment.

(c) Size, information and design.—The sign shall be no smaller than 8 1/2 by 11 inches.

(1) The Department of Labor and Industry shall design the sign to include the following information:

(i) The National Human Trafficking Resource Center Hotline at 1-888-373-7888.

(ii) Victims of human trafficking are protected under United States and Pennsylvania law.

(2) The Department of Labor and Industry may consult with human trafficking victim advocates to determine other information that may be included on the sign.

(3) The Department of Labor and Industry shall design the sign to draw attention to the telephone number of the National Human Trafficking Resource Center Hotline by showing the number in bold type and large font.

(4) The sign shall be posted in English, Spanish and any other language mandated by the Voting Rights Act of 1965 (Public Law 89-110, 42 U.S.C. § 1973 et seq.) in the county where the sign will be posted.

(d) Notice.—

(1) The licensing authority shall provide notice of this section to an establishment whose business it has authority to license.

(2) The Department of Labor and Industry shall provide the sign required by subsection (a) on its Internet website for establishments to print as needed.

Section 4. Enforcement.

(a) Complaints.—A complaint regarding a possible violation of this act may be made to the appropriate law enforcement agency or the licensing authority if the establishment is subject to licensure. A complaint to the licensing authority shall be made in one of the following manners:

- (1) In writing.
- (2) By telephone call to the licensing authority's toll-free telephone number.
- (3) By an electronic submission to the licensing authority's regularly maintained Internet website.

(b) Responsibilities.—

(1) Except as provided under paragraph (2), upon receipt of a complaint by the licensing authority, the following apply:

(i) Except as set forth under subparagraph (ii), the licensing authority shall investigate the complaint and enforce this act.

(ii) If the establishment is subject to licensure by an agency of the Commonwealth, the licensing authority shall refer the complaint to the appropriate Commonwealth licensing agency for investigation and enforcement of this act.

(2) If the complaint is made to a law enforcement agency, the agency shall investigate the complaint and enforce this act.

#### Section 5. Violation.

It is a violation of this act to fail to post a sign as required by section 3.

#### Section 6. Affirmative defenses.

(a) General rule.—Any of the following shall be an affirmative defense by an owner, operator or manager to a prosecution or imposition of an administrative penalty under this act:

(1) When the violation occurred, the actual control of the establishment was not exercised by the owner, operator or manager, but by a lessee.

(2) The owner, operator or manager made a good faith effort to post the required signs.

(b) Affidavit.—An owner, operator or manager asserting an affirmative defense shall do so in the form of a sworn affidavit setting forth the relevant information under subsection (a)(1) or (2).

#### Section 7. Administrative penalties.

(a) Penalty.—In addition to another remedy available at law or in equity for a violation of the posting requirements of section 3, the licensing authority may, under subsection (b), assess an administrative penalty upon a person for the violation. In assessing the penalty, the licensing authority must give notice to the person and provide an opportunity for a hearing. The penalty shall be payable to the licensing authority and shall be collectible in a manner provided by law for the collection of debt.

(b) Schedule of sanctions.—

(1) If the licensing authority determines that a person has violated the posting requirements of section 3, the person shall be given a warning.

(2) If the licensing authority determines that a person has violated the posting requirements of section 3 within one year of receiving a warning under paragraph (1), the person shall be subject to a penalty of not more than \$250.

(3) If the licensing authority determines that a person has violated the posting requirements of section 3 within one year of receiving a penalty under paragraph (2), the person shall be subject to a penalty of not more than \$500.

(c) Penalties collected.—The penalties collected under this section shall be retained by the licensing authority initiating the enforcement action.

(d) Procedure.—This section is subject to 2 Pa.C.S. Chs. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and 7 Subch. A (relating to judicial review of Commonwealth agency action).

#### Section 8. Criminal penalties.

(a) First offense.—A person that violates the posting requirements of section 3 commits a summary offense and shall, upon conviction, be given a warning.

(b) Offense following warning.—A person that violates the posting requirements of section 3 within one year of being warned under subsection (a) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than \$250.

(c) Misdemeanor.—A person that violates the posting requirements of section 3 within one year of being sentenced under subsection (b) commits a misdemeanor and shall, upon conviction, be sentenced to pay a fine of not more than \$500.

(d) Municipal enforcement.—Except as set forth in subsection (e), the penalties collected under this section shall be retained by the municipality in which the law enforcement agency initiating the enforcement action is located.

(e) Pennsylvania State Police enforcement.—If an enforcement action is initiated by the Pennsylvania State Police, the Pennsylvania State Police shall retain the penalties collected under this section.

Amend Bill, page 4, line 12, by striking out "3" and inserting  
9

Amend Bill, page 5, line 10, by striking out "10" and inserting  
20

On the question,

Will the House agree to the amendment?

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, this is an amendment that has product and input from Senator Daylin Leach and his staff, Senator Pileggi and his staff.

This amends HB 235, which is the National Human Trafficking Resource Center Hotline Notification Act. As we all know, this bill requires designated establishments to post at least one sign in various languages. The amendment also states the sign shall be designed by the Department of Labor and Industry, which may consult with the human trafficking victim advocates. The sign must include the National Human Trafficking Resource Center Hotline and that the victims of human trafficking are protected under Federal and State laws.

This amendment also includes the amendment that we adopted some weeks ago when it came up for second consideration, and that is, Representative DeLissio had put in an amendment that stated that if there was money available somehow through Federal and State input, those moneys would be used on behalf of the victims. That is the size of it. So that amendment that we agreed to is still in HB 235.

Mr. Speaker, this is really an important consideration for the members, and we have numerous groups that have endorsed this. I would just mention a few: the Polaris foundation, which is out of Washington; SEPTA (Southeastern Pennsylvania Transportation Authority); NFIB (National Federation of Independent Business); Pennsylvania Restaurant Association; the Pennsylvania Tavern Association; Women's Way; the Pennsylvania rape association; and the list goes on ad infinitum.

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

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

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Bear	Evans, D.	Galloway	Maher
Bishop	Fleck	Gerber	Swanger
Daley			

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

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

Bill as amended was agreed to.

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0



## EXCUSED—9

Bear	Evans, D.	Galloway	Maher
Bishop	Fleck	Gerber	Swanger
Daley			

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. MURT**

The SPEAKER. Is the gentleman from Montgomery County, Mr. Murt, seeking recognition under unanimous consent relative to the legislation that just passed?

Mr. MURT. That is affirmative, Mr. Speaker.

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

Mr. MURT. Mr. Speaker, the trafficking of human beings is one of the most heinous of crimes one can imagine. On the street they call it modern-day slavery or dead bondage. Human trafficking occurs around the world in the most developed as well as in Third World nations. Despite our collective affluence as a society, human trafficking is sadly alive and well in our nation and also in our Commonwealth.

Mr. Speaker, human trafficking is one of the fastest growing criminal endeavors in the world. After drugs, humans are the second most trafficked item on the planet. It is a \$9 billion a year operation which uses force, physical restraint, violence, fraud, coercion, and threats to force victims into various forms of slavery.

Across the U.S. over 60,000 adults are enslaved as victims of human trafficking each year. The actual numbers are much higher due to a gross underreporting of the crime. This underreporting is due to the victims being kept physically and socially isolated from the general public. Frequently the victims are mistakenly believed to be prostitutes who have chosen the lifestyle or simply illegal immigrants whom society has chosen to ignore.

Victims are relocated frequently and, even when being rescued, are reluctant to cooperate with authorities. They have been taught to fear law enforcement and are unaware that they have rights under U.S. law. Sadly, the supply of human trafficking victims from around the world is seemingly endless.

In our Commonwealth victims of sex and labor trafficking include U.S. citizens and foreign nationals as well as children and adults. A recent human trafficking case here in Pennsylvania involved girls between the ages of 15 and 17 who were forced into sexual activity at truck stops. Pennsylvania, although primarily a pass-through State for human trafficking, is also a destination.

In addition to commercial-front businesses and agricultural operations, traffickers utilize the many highways of our Commonwealth to move victims between locations in Ohio, New Jersey, and New York and to connect with the Interstate 95 corridor where victims are easily moved along the eastern seaboard from New York to Maryland, DC, Georgia, and Florida. In Pennsylvania, truck stops, especially along the Miracle Mile, are well known for playing host to sex trafficking.

HB 235 reaches out to identify and save the victims in our Commonwealth. This bill is designed to give our law enforcement professionals more weapons to use in their efforts to find and stop human traffickers and to rescue victims.

Finally, Mr. Speaker, it is certainly tragic and heartbreaking that in a civilized nation such as ours, forms of slavery still exist. It is appalling we have not done more to stop it. It is past time to stop this crime and rescue the victims. A human being selling another human into slavery is a crime against humanity and must be stopped.

Thank you, Mr. Speaker.

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 2249, PN 4087**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, defining the offense of online impersonation; prescribing a penalty; and providing for damages in actions for online impersonation.

On the question,

Will the House agree to the bill on second consideration?

Mr. NEUMAN offered the following amendment No. **A13510**:

Amend Bill, page 3, lines 22 through 27, by striking out "TO:" in line 22 and all of lines 23 through 27 and inserting to a law enforcement officer or the agent of a law enforcement officer acting in the course and legitimate scope of the law enforcement officer's or agent's duties.

Amend Bill, page 6, lines 19 through 24, by striking out "TO:" in line 19 and all of lines 20 through 24 and inserting to a law enforcement officer or the agent of a law enforcement officer acting in the course and legitimate scope of the law enforcement officer's or agent's duties.

On the question,

Will the House agree to the amendment?

**AMENDMENT WITHDRAWN**

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

The House will be at ease for a moment.

The gentleman, Mr. Neuman, indicates he is going to withdraw the amendment at this time.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. MARSICO offered the following amendment No. **A13496**:

Amend Bill, page 3, lines 5 through 27, by striking out all of said lines and inserting

(a) Offense defined.—A person commits the offense of online impersonation if the person:

(1) uses the name, persona or identifying information of another person or of a fictitious person to do any of the following:

- (i) create a web page;
- (ii) post one or more messages on a commercial social networking site;
- (iii) send an electronic mail, instant message, text message or similar communication;
- (iv) open an e-mail account; or
- (v) open an account or profile on a commercial social networking site; and

(2) the person engages in activity prohibited under any of the following:

- (i) Section 2706 (relating to terroristic threats);
- (ii) Section 2709 (relating to harassment);
- (iii) Section 2709.1 (relating to stalking);
- (iv) Section 4952 (relating to intimidation of witnesses or victims);
- (v) Section 4953 (relating to retaliation against witness, victim or party).

(b) Grading.—A violation of subsection (a) shall be classified as a misdemeanor of the second degree or one degree higher in the classification specified in section 106 (relating to classes of offenses) than the classification of the underlying offense set forth in subsection (a)(1), whichever is greater.

Amend Bill, page 3, line 28, by striking out "(D)" and inserting

(c)

Amend Bill, page 4, line 1, by striking out "(E)" and inserting

(d)

Amend Bill, page 4, line 4, by striking out "(F)" and inserting

(e)

Amend Bill, page 4, line 17, by striking out "(G)" and inserting

(f)

Amend Bill, page 6, lines 18 through 24, by striking out all of said lines

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

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

Mr. MARSICO. Thank you, Mr. Speaker.

I know that this is an agreed-to amendment, and I appreciate the hard work of Chairman Caltagirone and his staff and the majority Judiciary staff for working together in support of this amendment.

I ask for a positive vote. Thank you.

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

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

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I would just concur in Chairman Marsico's comments that it is an agreed-to amendment, and I would appreciate an affirmative vote. Both staffs worked very diligently on this amendment, and I would appreciate your support. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—191

Adolph	Ellis	Kortz	Quigley
Aument	Emrick	Kotik	Quinn
Baker	Evankovich	Krieger	Rapp
Barbin	Evans, J.	Kula	Ravenstahl

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Bear	Evans, D.	Galloway	Maher
Bishop	Fleck	Gerber	Swanger
Daley			

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

On the question,  
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 SPEAKER. For the information of the members, there will be no further votes this evening.

### COMMITTEE MEETING CANCELED

The SPEAKER. Is the gentleman, Mr. Hess, seeking recognition for an announcement?

Mr. HESS. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. HESS. Mr. Speaker, I would like to announce the Commerce Committee that was supposed to meet tomorrow morning at 10:30, the meeting has been canceled. Thank you.

### REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. For what purpose does the gentleman from Montgomery County, Mr. Stephens, rise?

Mr. STEPHENS. Under unanimous consent, Mr. Speaker.

The SPEAKER. The gentleman is recognized under unanimous consent.

Mr. STEPHENS. I just have some remarks to submit for the record, Mr. Speaker.

The SPEAKER. The gentleman will submit them to the clerk and they will be noted for the record.

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

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

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

Whereas, Nicholas Ward earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Nicholas is a member of Troop 540.

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

### STATEMENT BY MRS. DAVIDSON

The SPEAKER. For what purpose does the lady from Delaware County, Mrs. Davidson, seek recognition?

Mrs. DAVIDSON. Unanimous consent.

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

Mrs. DAVIDSON. I just want to thank all the wonderful members of this great House for all of my birthday wishes and to let you know that there still are pieces of cake in the back for all the members. Thank you.

The SPEAKER. The Speaker thanks the lady.

### AGING AND OLDER ADULT SERVICES COMMITTEE MEETING

The SPEAKER. For what purpose does the gentleman from Chester County, Mr. Hennessey, rise?

Mr. HENNESSEY. A committee announcement.

The SPEAKER. The gentleman is in order for an announcement.

Mr. HENNESSEY. Thank you, Mr. Speaker.

I would like to announce to the membership that the House Aging and Older Adult Services Committee will hold a meeting tomorrow at the first break, at the call of the Chair, but at the first break is what is planned to review SB 201, which passed today unanimously in the Senate. It deals with the prohibition against mandatory mail order. I would remind the membership to please be there so we have a quorum so we can take some action on this bill after we consider it as a committee. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

The Aging and Older Adult Services Committee will meet at the first break tomorrow to review SB 201.

### BILLS RECOMMENDED

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

HB 2249;  
HB 2480;  
HB 2536;  
HB 2591;  
HB 2626;  
SB 341;  
SB 623;  
SB 1147;  
SB 1345; and  
SB 1480.

On the question,

Will the House agree to the motion?

Motion was agreed to.

### BILLS REMOVED FROM TABLE

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

HB 710;  
HB 1020;  
HB 2470;  
HB 2627;  
HB 2635;  
SB 79;  
SB 941; and  
SB 943.

On the question,

Will the House agree to the motion?

Motion was agreed to.

### RESOLUTION

Mr. TURZAI called up **HR 16, PN 3514**, entitled:

A Resolution memorializing Congress to address concerns raised by security screening methods employed by the Transportation Security Administration.

On the question,  
Will the House adopt the resolution?

### **RESOLUTION TABLED**

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 16 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 16 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, the Speaker recognizes the lady, Ms. Brownlee, from Philadelphia County, who moves that this House do adjourn until Wednesday, October 3, 2012, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 5:49 p.m., e.d.t., the House adjourned.