

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

FRIDAY, JUNE 28, 2013

SESSION OF 2013

197TH OF THE GENERAL ASSEMBLY

No. 50

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER PRO TEMPORE (JOHN MAHER) PRESIDING

#### PRAYER

The SPEAKER pro tempore. Today's prayer will be offered by Rev. Twila Ramirez, the associate pastor of the Hope of the Nations Christian Center in Reading, Pennsylvania.

REV. TWILA RAMIREZ, Guest Chaplain of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Let us bow our heads in prayer.

Heavenly Father, we come to You today asking for Your guidance, wisdom, and strength as we begin this legislative session day. Help our Representatives engage in meaningful discussion so as to resolve the matters at hand with expediency and efficiency. Fill them with Your grace as they make decisions that affect the 12.7 million residents of our great Commonwealth. God, remind them that all they do here today, all that they accomplish, is for the pursuit of the truth, for the greater glory of You, and for the service of humanity.

We ask these things in Your name. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Thursday, June 27, 2013, will be postponed until printed.

#### RESOLUTION REPORTED FROM COMMITTEE

HR 399, PN 2177

By Rep. HENNESSEY

A Resolution urging the Pennsylvania State Real Estate Commission to require the disclosure of "accessible attic" conditions in the Seller's Property Disclosure Statement.

PROFESSIONAL LICENSURE.

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

SB 379, PN 1279

By Rep. MARSICO

An Act providing for benevolent gestures relating to medical professional liability insurance.

JUDICIARY.

#### HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 402 By Representatives MIRABITO, MURT, READSHAW, KOTIK, WHEATLEY, YOUNGBLOOD, P. DALEY, COHEN and C. HARRIS

A Resolution supporting a closer economic and trade relationship between the United States and the Republic of China (Taiwan) by further stimulating the mutually beneficial partnership between Pennsylvania and Taiwan in energy development such as coal and shale gas.

Referred to Committee on STATE GOVERNMENT, June 28, 2013.

#### HOUSE BILLS INTRODUCED AND REFERRED

No. 1024 By Representatives FLECK, AUMENT, V. BROWN, CALTAGIRONE, CLYMER, DENLINGER, GRELL, C. HARRIS, LAWRENCE, MURT, PASHINSKI, STERN and SWANGER

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in licensees, further providing for Category 1 slot machine license, for Category 2 slot machine license and for Category 3 slot machine license.

Referred to Committee on GAMING OVERSIGHT, June 28, 2013.

No. 1592 By Representatives P. COSTA, ELLIS, BARRAR, BURNS, CALTAGIRONE, COHEN, D. COSTA, P. DALEY, DAVIS, DeLUCA, EVANKOVICH, FLECK, GAINEY, GIBBONS, HACKETT, HAGGERTY, HARHAI, KAVULICH, W. KELLER, KILLION, KIRKLAND, KULA, MAHONEY, MICOZZIE, MOLCHANY, MULLERY, O'BRIEN, PARKER, QUINN, READSHAW, SABATINA, SAINATO, SCHREIBER, STURLA, THOMAS, M. DALEY and DAVIDSON

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

Referred to Committee on FINANCE, June 28, 2013.

**No. 1593** By Representatives EVERETT, MILLARD, PASHINSKI, MENTZER, GROVE, CUTLER, DeLUCA, HESS and COHEN

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

Referred to Committee on FINANCE, June 28, 2013.

**No. 1594** By Representatives REGAN, STEPHENS, MILLARD, BIZZARRO, HELM, MCGINNIS, STERN, PICKETT, KAVULICH, BOBACK, V. BROWN, KAUFFMAN, CUTLER, FARINA, HAGGERTY, D. COSTA, MAJOR, DAVIS, SANKEY, SCHLOSSBERG, O'NEILL, YOUNGBLOOD, McGEEHAN, MARSHALL, LAWRENCE, RAPP, HARHAI, COHEN, MARSICO, GINGRICH, MURT, C. HARRIS, ROCK, STEVENSON, GROVE, MILNE and R. MILLER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of luring a child into a motor vehicle or structure.

Referred to Committee on JUDICIARY, June 28, 2013.

**No. 1595** By Representatives KIRKLAND, THOMAS, MIRANDA, HAGGERTY, PARKER, BROWNEE, KIM, FLYNN, GODSHALL, V. BROWN, CLAY, CALTAGIRONE and COHEN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for expungement of criminal history record information.

Referred to Committee on JUDICIARY, June 28, 2013.

**No. 1596** By Representatives KIRKLAND, BISHOP, MIRANDA, D. MILLER, CALTAGIRONE, THOMAS, HENNESSEY, CLAY, MILLARD, FARINA, YOUNGBLOOD, NEILSON, BARRAR, PARKER, KILLION, GODSHALL, KINSEY, MAHONEY, FLYNN, V. BROWN, GINGRICH, GROVE, COHEN and GOODMAN

An Act redesignating Concord Road (S.R. 3007) in Chester Township, Delaware County, as Judge Robert A. Wright Memorial Road.

Referred to Committee on TRANSPORTATION, June 28, 2013.

**No. 1597** By Representatives BISHOP, ROZZI, BARRAR, MILLARD, V. BROWN, SCHLOSSBERG, NEILSON, MAHONEY, YOUNGBLOOD, COHEN and MURT

An Act amending Titles 18 (Crimes and Offenses), 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, enhancing the offense of and penalty for unlawful restraint; and making editorial changes.

Referred to Committee on JUDICIARY, June 28, 2013.

### SENATE BILL FOR CONCURRENCE

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

#### SB 430, PN 360

Referred to Committee on STATE GOVERNMENT, June 28, 2013.

### ACTUARIAL NOTES

The SPEAKER pro tempore. The Speaker has received the following actuarial notes from the Public Employee Retirement Commission. The first relates to HB 1352, PN 1846, as amended by amendment Nos. 02189 and 02191.

The second actuarial note relates to HB 1353, PN 1847, as amended by amendments 02204 and 02259.

(Copies of actuarial notes are on file with the Journal clerk.)

The SPEAKER pro tempore. The House will be at ease temporarily.

The House will come to order.

### GUESTS INTRODUCED

The SPEAKER pro tempore. Located to the left of the rostrum, the Chair welcomes Jessica Miller, Albert Moran, Olufunke Fagbami, and Kyle Nocho. They are all guests of Representative Sims. Welcome to the hall of the House. Please stand.

Also located to the left of the rostrum, the Chair welcomes Leaira Collins from Slatington Elementary School. Leaira is the winner of Representative Harhart's "No Bullying" poster contest. Congratulations, and welcome to the hall of the House. Please be recognized.

The House also has a guest page today. He is located in the well of the House. Would you please join me in welcoming Luke Judy. He is a guest of Representative O'Neill. Welcome; you have picked a good day.

Located to the left of the rostrum, the Chair welcomes Brooke Ross, who is interning with Representative Fee for the summer. Brooke, welcome to the hall of the House.

The House will return to being at ease.

The House will come to order.

**MASTER ROLL CALL**

The SPEAKER pro tempore. For the information of the members, the Chair is about to take the master roll call. Members will proceed to vote.

The following roll call was recorded:

**PRESENT—202**

Adolph	English	Kirkland	Petri
Aument	Evankovich	Knowles	Pickett
Baker	Evans	Kortz	Pyle
Barbin	Everett	Kotik	Quinn
Barrar	Fabrizio	Krieger	Rapp
Benninghoff	Farina	Kula	Ravenstahl
Bishop	Farry	Lawrence	Readshaw
Bizzarro	Fee	Longietti	Reed
Bloom	Fleck	Lucas	Reese
Boback	Flynn	Mackenzie	Regan
Boyle, B.	Frankel	Maher	Roae
Boyle, K.	Freeman	Mahoney	Rock
Bradford	Gabler	Major	Roebuck
Briggs	Gainey	Maloney	Ross
Brooks	Galloway	Markosek	Rozzi
Brown, R.	Gergely	Marshall	Sabatina
Brown, V.	Gibbons	Marsico	Saccone
Brownlee	Gillen	Masser	Sainato
Burns	Gillespie	Matzie	Samuelson
Caltagirone	Gingrich	McCarter	Sankey
Carroll	Godshall	McGeehan	Santarsiero
Causer	Goodman	McGinnis	Saylor
Christiana	Greiner	McNeill	Scavello
Clay	Grell	Mentzer	Schlossberg
Clymer	Grove	Metcalfe	Schreiber
Cohen	Hackett	Metzgar	Simmons
Conklin	Haggerty	Micozzie	Sims
Corbin	Hahn	Millard	Smith
Costa, D.	Haluska	Miller, D.	Snyder
Costa, P.	Hanna	Miller, R.	Sonney
Cox	Harhai	Milne	Stephens
Cruz	Harhart	Mirabito	Stern
Culver	Harkins	Miranda	Stevenson
Cutler	Harper	Molchany	Sturla
Daley, M.	Harris, A.	Moul	Swanger
Daley, P.	Harris, J.	Mullery	Tallman
Davidson	Heffley	Mundy	Taylor
Davis	Helm	Murt	Thomas
Day	Hennessey	Mustio	Tobash
Dean	Hess	Neilson	Toepel
Deasy	Hickernell	Neuman	Toohil
DeLissio	James	O'Brien	Truitt
Delozier	Kampf	O'Neill	Turzai
DeLuca	Kauffman	Oberlander	Vereb
Denlinger	Kavulich	Painter	Vitali
Dermody	Keller, F.	Parker	Waters
DiGirolamo	Keller, M.K.	Pashinski	Watson
Donatucci	Keller, W.	Payne	Wheatley
Dunbar	Killion	Peifer	White
Ellis	Kim	Petrarca	Youngblood
Emrick	Kinsey		

**ADDITIONS—0**

**NOT VOTING—0**

**EXCUSED—1**

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**LEAVES ADDED—3**

Boback	Evans	Smith
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**LEAVES CANCELED—1**

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The SPEAKER pro tempore. Two hundred and two members voted on the master roll. A quorum is present.

**UNCONTESTED SUPPLEMENTAL CALENDAR D**

**RESOLUTION PURSUANT TO RULE 35**

Mr. BIZZARRO called up **HR 403, PN 2179**, entitled:

A Resolution designating the month of September 2013 as "Light the Night Walk Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—202**

Adolph	English	Kirkland	Petri
Aument	Evankovich	Knowles	Pickett
Baker	Evans	Kortz	Pyle
Barbin	Everett	Kotik	Quinn
Barrar	Fabrizio	Krieger	Rapp
Benninghoff	Farina	Kula	Ravenstahl
Bishop	Farry	Lawrence	Readshaw
Bizzarro	Fee	Longietti	Reed
Bloom	Fleck	Lucas	Reese
Boback	Flynn	Mackenzie	Regan
Boyle, B.	Frankel	Maher	Roae
Boyle, K.	Freeman	Mahoney	Rock
Bradford	Gabler	Major	Roebuck
Briggs	Gainey	Maloney	Ross
Brooks	Galloway	Markosek	Rozzi
Brown, R.	Gergely	Marshall	Sabatina
Brown, V.	Gibbons	Marsico	Saccone
Brownlee	Gillen	Masser	Sainato
Burns	Gillespie	Matzie	Samuelson
Caltagirone	Gingrich	McCarter	Sankey
Carroll	Godshall	McGeehan	Santarsiero
Causer	Goodman	McGinnis	Saylor
Christiana	Greiner	McNeill	Scavello
Clay	Grell	Mentzer	Schlossberg
Clymer	Grove	Metcalfe	Schreiber
Cohen	Hackett	Metzgar	Simmons
Conklin	Haggerty	Micozzie	Sims
Corbin	Hahn	Millard	Smith
Costa, D.	Haluska	Miller, D.	Snyder
Costa, P.	Hanna	Miller, R.	Sonney
Cox	Harhai	Milne	Stephens
Cruz	Harhart	Mirabito	Stern
Culver	Harkins	Miranda	Stevenson
Cutler	Harper	Molchany	Sturla
Daley, M.	Harris, A.	Moul	Swanger
Daley, P.	Harris, J.	Mullery	Tallman
Davidson	Heffley	Mundy	Taylor
Davis	Helm	Murt	Thomas
Day	Hennessey	Mustio	Tobash
Dean	Hess	Neilson	Toepel
Deasy	Hickernell	Neuman	Toohil
DeLissio	James	O'Brien	Truitt
Delozier	Kampf	O'Neill	Turzai
DeLuca	Kauffman	Oberlander	Vereb
Denlinger	Kavulich	Painter	Vitali
Dermody	Keller, F.	Parker	Waters
DiGirolamo	Keller, M.K.	Pashinski	Watson

Donatucci	Keller, W.	Payne	Wheatley
Dunbar	Killion	Peifer	White
Ellis	Kim	Petrarca	Youngblood
Emrick	Kinsey		

NAYS—0

NOT VOTING—0

EXCUSED—1

Miccarelli

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

## RULES AND APPROPRIATIONS COMMITTEE MEETINGS

### REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware County, the chairman of the Appropriations Committee, Representative Adolph, for the purpose of announcements.

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

Mr. Speaker, there will be an immediate Rules Committee meeting in the majority leader's conference room, and then at 2 o'clock there will be an Appropriations Committee meeting in the majority caucus room.

And there will be a Republican caucus at 2:15. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman for a further announcement.

Mr. ADOLPH. Thank you, Mr. Speaker.

We should be back on the floor at 3:30. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

There will be an immediate Rules Committee meeting in the majority leader's conference room, and then at 2 o'clock there will be an Appropriations Committee meeting in the majority caucus room.

### ANNOUNCEMENT BY MR. EVANKOVICH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland County, Representative Evankovich, for the purpose of an announcement.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

For the information of the members, the House Manufacturing Caucus will have a meeting immediately upon the break in room B-31 of the Main Capitol. The House Manufacturing Caucus will have a meeting immediately at the break in B-31 of the Main Capitol. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

## DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the minority caucus chair for the purpose of an announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

There will be a Democratic caucus at 2:15; 2:15, Democratic caucus. Thank you.

The SPEAKER pro tempore. Any further announcements?

## GUESTS INTRODUCED

The SPEAKER pro tempore. Just arriving in the gallery, above the House floor, the Chair welcomes the recipients of the 2013 Pennsylvania Legislative Black Caucus scholarship and their families. Please join me in welcoming them and congratulating them.

## STATEMENT BY MS. BROWN

The SPEAKER pro tempore. I see a pretty big cardboard check up there, so congratulations, and in connection with that, I understand that Representative Vanessa Brown seeks recognition under unanimous consent.

Ms. V. BROWN. Yes, Mr. Speaker.

The SPEAKER pro tempore. You may proceed.

Ms. V. BROWN. Thank you.

It is a great pleasure and honor to welcome to the House of Representatives of this great Commonwealth of Pennsylvania the 2013 Pennsylvania Legislative Black Caucus scholarship recipients.

Today we were so honored to give 10 of those award recipients a \$1,000 check to attend colleges right here in Pennsylvania. So I just want to thank them and their families for traveling from Pennsylvania, all over Pennsylvania, from Pittsburgh, Harrisburg, Delaware County, Philadelphia. And these children will be going to school all over, as far as Erie County. So I am so honored to be here to know that our future is bright looking at these children of today.

Thank you so much, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

## RECESS

The SPEAKER pro tempore. This House will stand in recess until 3:30 p.m., unless sooner recalled by the Chair.

## RECESS EXTENDED

The time of recess was extended until 4 p.m.

## AFTER RECESS

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

**LEAVES OF ABSENCE**

The SPEAKER pro tempore. The Chair recognizes the gentleman from York County, the majority whip, who asks that the gentleman from Jefferson County, Representative SMITH, be placed on leave temporarily. Without objection, that leave is granted.

**BILLS REREPORTED FROM COMMITTEES**

**HB 473, PN 2161** By Rep. TURZAI

An Act amending the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, further providing for definitions; and providing for State Construction Notices Directory and for notice of commencement and furnishing requirements.

RULES.

**HB 939, PN 2150** By Rep. ADOLPH

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in responsible utility customer protection: further providing for definitions, for cash deposits and household information requirements, for payment agreements, for termination of utility service, for reconnection of service, for late payment charge waiver and for complaints filed with commission; providing for public utility duties; and further providing for automatic meter readings, for reporting to General Assembly and Governor, for nonapplicability and for construction.

APPROPRIATIONS.

**HB 1090, PN 2005** By Rep. TURZAI

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for protective custody of newborn children in the areas of criminal liability, child protective services and newborn protection.

RULES.

**HB 1263, PN 2021** By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions; and providing for transfer of ownership of vehicles used for human habitation.

APPROPRIATIONS.

**HB 1337, PN 1815** By Rep. ADOLPH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for surcharge for deposit into the Access to Justice Account.

APPROPRIATIONS.

**SB 259, PN 1290** By Rep. ADOLPH

An Act amending the act of July 20, 1979 (P.L.183, No.60), entitled "An act regulating the terms and conditions of certain leases regarding natural gas and oil," adding definitions; providing for payment information to interest owners for accumulation of proceeds from production, for apportionment and for conflicts; and making editorial changes.

APPROPRIATIONS.

**BILLS ON CONCURRENCE  
REPORTED FROM COMMITTEE**

**HB 513, PN 2169** By Rep. TURZAI

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for payments to family and funeral directors, for settlement of small estates on petition and for estates not exceeding \$25,000.

RULES.

**HB 1122, PN 2085** By Rep. TURZAI

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in creation, alteration and termination of condominiums, further providing for contents of declaration for all condominiums, for contents of declaration for flexible condominiums and for amendment of declaration; in protection of purchasers, further providing for declarant's obligation to complete and restore; and, in creation, alteration and termination of planned communities, further providing for contents of declaration for all planned communities, for contents of declaration for flexible planned communities and for amendment of declaration.

RULES.

**HB 1124, PN 2061** By Rep. TURZAI

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, further providing for definitions, for license requirements, for exceptions to license requirements, for general requirements, for mortgage loan business prohibitions, for requirements as to open-end loans, for application for license, for prelicensing and continuing education, for licensee requirements, for licensee limitations, for surrender of license, for authority of department, for suspension, revocation or refusal, for penalties, for applicability and for procedure for determination on noncompliance with Federal law.

RULES.

**COMMUNICATION FROM  
DEPARTMENT OF REVENUE**

The SPEAKER pro tempore. The Chair acknowledges receipt of the Department of Revenue's list of all organizations receiving contributions from business firms granted a tax credit pursuant to Act 4 of 2001 and Act 85 of 2012.

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

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

The House proceeded to second consideration of **SB 963, PN 1107**, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to dedicate, grant and convey a right-of-way for a roadway situate in East Hanover Township, Lebanon County.

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 964, PN 1108**, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to First Capital Equities, Inc., certain land of the Commonwealth of Pennsylvania situate in East Hanover Township, Lebanon County, being a portion of Fort Indiantown Gap lands.

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 351, PN 1222**, entitled:

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

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 492, PN 456**, entitled:

An Act amending the act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal Allocation Law, further providing for allocated money.

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

Mr. **STURLA** offered the following amendment No. **A02438**:

Amend Bill, page 1, line 9, by striking out "allocated money" and inserting

definitions and for moneys appropriated to municipalities

Amend Bill, page 1, lines 12 through 20; page 2, lines 1 through 5, by striking out all of said lines on said pages and inserting

Section 1. Section 2 of the act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal Allocation Law, is amended by adding clauses to read:

Section 2. As used in this act—

\* \* \*

(8) "Commissioner" means the Commissioner of the Pennsylvania State Police.

(9) "Interstate highway" means a freeway on the Dwight D. Eisenhower System of Interstate and Defense Highways.

(10) "Local full-time police patrol services" means patrol services provided by a municipality, including a municipality which has contracted for patrol services with one or more municipalities, for a period of twenty-four hours a day, seven days a week.

(11) "Patrol services" means police services provided to protect public safety by maintaining order, protecting people and property and enforcing motor vehicle and criminal laws, by routine visits through a municipality.

Section 2. Section 4(1) and (3) of the act, amended November 23, 2004 (P.L.944, No.138), are amended and the section is amended by adding a clause to read:

Section 4. The money hereby appropriated to municipalities shall be paid to the municipalities in accordance with the following formula and subject to the provisions of this act:

(1) The money hereby allocated shall be paid to the cities, boroughs, towns and townships in accordance with the following formula:

Five-tenths of this allocation divided by the total miles of public roads and streets which are maintained by municipalities. Multiplied By Plus The number of miles in the particular municipality.

Five-tenths of this allocation divided by the total official population of the municipalities as of January first of the year in which the money is to be paid to the municipalities. Multiplied By Minus The official population of the particular municipality as of January first of said year.

The per capita cost of the Pennsylvania State Police to provide patrol services to the particular municipality, only if the particular municipality does not provide local full-time police patrol services. Multiplied By The official population of January first of said year.

(Amount due the particular municipality)

To be expended by the authorities of the respective municipalities (i) for the maintenance, repair, construction or reconstruction of such public roads or streets, including bridges, culverts and drainage structures for which they are legally responsible and including the lining of streams incidental to the drainage of highways, and for the maintenance, repair, construction or reconstruction of curb ramps from a road, street or highway to provide for access by individuals with disabilities consistent with Federal and State law; (ii) for the acquisition, maintenance, repair and operation of street signs, traffic signs and traffic signal control systems; (iii) for the maintenance, repair, construction or reconstruction of alleys, ways and courts for which they are legally responsible. Where road, bridge, alley, way or court work is performed by the political subdivision the moneys herein allocated may be used only for labor, hiring of equipment, payrolls, purchase of material, including repair parts necessary for the maintenance of equipment, small tools, road drags and snow fences and, in addition, an amount not to exceed twenty per centum of the total annual allocation received by each municipality, may be used for the purchase of road machinery and road equipment; and (iv) for the acquisition of computer-related hardware, software and training required for the electronic processing of information concerning the funds appropriated and allocated under this act, including the preparation and electronic submission of the required annual reports for payment certification, provided that expenditures under this subclause may not exceed one thousand dollars (\$1,000) annually.

No municipality shall receive less than the amount allocated to such municipality during the fiscal year ending June 30, 1969. So much as is necessary of the taxes collected on each gallon of liquid fuel under "The Liquid Fuel Tax Act" and on each gallon of fuel under the "Fuel Use Tax Act" is hereby appropriated out of the Motor License Fund to municipalities of the Commonwealth for the purpose of making any additional payments required under the provisions hereof. Funds hereby appropriated shall be in addition to funds appropriated under the provisions of section 3 of this act.

\* \* \*

(3) The moneys allocated in clause (1) shall be paid over, in the manner provided by law, by the department to the respective cities, boroughs, towns and townships, on the first days of July and December, 1956, and the first day of [April] March of each subsequent year.

(4) By March first of each year, the commissioner must calculate and make available the per capita cost and total cost to the Pennsylvania State Police in providing patrol services to each municipality. In determining the total cost, the commissioner shall exclude the cost of Pennsylvania State Police patrol services on interstate highways.

Section 3. This act shall take effect in 60 days.

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

The SPEAKER pro tempore. On the question of the amendment, the Chair recognizes the gentleman from Lancaster County, Representative Sturla, for a brief summary of your amendment.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would amend the Liquid Fuels Tax Municipal Allocation Law by allowing the State Police Commissioner to determine the per capita cost of patrolling each municipality without a local police department, multiplying that figure by their population, and then reducing the municipality's municipal liquid fuels allocation by the calculated amount. This amendment will allow the State Police Commissioner to exclude the cost of patrolling interstate highways in municipalities regardless of whether there is a local police department since these highways generally serve more people from outside the municipality than from within. The amendment rectifies the inequity between municipalities that operate a local police department and those that rely solely on the Pennsylvania State Police for their coverage.

For fiscal year 2013-14, the Governor has proposed a transfer of \$619,063,000 from the Motor License Fund to the Pennsylvania State Police, of which \$563 million is budgeted for general government operations. Motor License Fund support of the State Police has increased by over 75 percent over the last decade.

Now, Mr. Speaker, because the Pennsylvania Constitution has restrictions that require that any motor license funds be used, and I quote, "...solely for construction, reconstruction, maintenance and repair of and safety on public highways and bridges and costs and expenses incident thereto..." These funds are, in effect, these municipalities' share of road funding. For all intents and purposes, the \$563 million is used by the State Police to patrol municipalities that do not have a local police department. I will point out that there is an almost equal amount of money that comes out of the General Fund that is used for all the other things that the State Police does, but because these funds are restricted because they come out of the Motor License Fund, they can only be used for patrolling roads and are only done in the municipalities that do not have a local police department.

The State Police provides primary police coverage and services to only 21 percent of the State's population, while locally funded police departments provide full-time police services to 72 percent of the population. Approximately 7 percent of the State's population is covered through a combination of local police departments that are part-time and the Pennsylvania State Police. There is no question that all

Pennsylvania residents help to fund the State Police through the taxes they pay, but it is also true that 79 percent of the State's population is paying for both Pennsylvania State patrols in municipalities without a local police department and their own local police services. In other words, 21 percent of the population is receiving 100 percent of the Pennsylvania State Police highway patrol services, but only paying 21 percent of the costs. It is simply unfair that 79 percent of our constituents are paying twice.

We cannot continue to transfer a larger portion of the Motor License Fund each year so the State Police can offer police services to those municipalities that decide not to operate their own local police department, while the majority of our constituents pay twice.

In municipalities that provide their own police protection, the cost is 30-50 percent of a local taxpayer's bill. This legislation would more equitably redistribute \$200 million per year for statewide road and bridge work without raising a cent of State tax. This is particularly important given the recent talks about funding for roads and bridges in this State. If a transportation funding package is ever acted upon, this number would increase. Municipalities with local police departments do not get this double-dip in Motor License Fund revenues, and they are funding their local police departments with local tax revenues.

Mr. Speaker, 100 percent of my legislative district has local police, and my constituents are paying for it. In my district, we receive zero percent of the \$563 million. On the other hand, one of the members that lives in a district that has 100 percent of his district patrolled by the State Police, that means when the motor license funds are distributed to the State Police, that legislative district essentially gets \$13.2 million per legislative district off the top of the Motor License Fund, and then when we begin the discussion as to how much revenue the municipality gets in road and bridge funding, the rest is divided. And since the formula for this funding is 50 percent based on a municipality's proportion of local road mileage to the statewide total of road mileage, many of these rural municipalities that rely solely on State Police are getting an even bigger share of what is left because they have lots of roads and not many people.

This notwithstanding, at least the distribution is driven out by a formula as opposed to the State Police transfer from the Motor License Fund that is monopolized by municipalities with no local police department, or at the very least, a regional police department. For example, Mr. Speaker, the city of Lancaster spends \$20 million annually to police 60,000 residents. Conversely, a legislative district with no local police department spends zero in local taxes annually and gets \$13.2 million per year, all of which is subsidized by Pennsylvanians. Contrast this with the legislative district that has local police coverage, none of which is paid for by State taxpayers. If every municipality with a local police department were to disband, the cost to the State Police to patrol these new municipalities would be between \$1.5 billion and \$1.8 billion – an amount equal to the Governor's total proposed transportation plan.

Mr. Speaker, we simply cannot afford to keep taking more than a half a billion dollars from the Motor License Fund every year to benefit 21 percent of the State's population and then wonder why there is not enough money left to fix roads and bridges.

Mr. Speaker, there are 80 members of the legislature which have 100 percent of their district covered by full-time local

police that get zero of these funds. They are the 1st Legislative District, the 16th Legislative District, the 18th, 19th, 20th, 21st, 22d, 23d, 24th, 25th Districts, the 28th, 29th, 30th, 31st, 32d, the 34th Legislative District, 35th, 36th, 38th, 40th, 41st, 42d, 43d, 45th, 53d, 61st, 79th, 87th, 95th, 96th, 97th, 103d, 113th, 127th, 132d, 135th, 140th, 141st, 146th, 148th, 149th, 151st, 152d, 153d, 154th, 156th, 157th, 159th, 161st, 162d, 163d, 164th, 165th, 166th, 169th, 170th, 172d, 173d, 174th, 175th, 177th, 178th, 179th, 180th, 181st, 182d, 184th, 186th, 188th, 190th, 191st, 192d, 194th, 195th, 197th, 200th, 201st, 202d, 203d.

Mr. Speaker, there are another 41 districts that have at least 75 percent of their district patrolled exclusively by the local police, which means they do not get funding for their municipalities for local police protection from the State. Mr. Speaker, if members actually vote their district, they will take this \$563 million and use it to do roads and bridges. And if the municipality says, well, we actually really want the police protection instead, this amendment allows them to opt to keep that police protection from the Pennsylvania State Police and deduct the amount that they would get in local fuels tax for roads and bridges in their district. But Mr. Speaker, you cannot have it both ways.

Now, one of the ironic things about this is that if you look at a map of where these municipalities are, they actually cover a fairly large land mass. But we do not do things by one acre, one vote; we do things by one person, one vote. And as I pointed out earlier, it is only 21 percent of the State's population. Amazingly, most of those areas are also covered by Marcellus Shale, where they are now getting an impact fee, in some cases, to help pay for police protection. But they do not have a local police department, so it does not go to that.

Mr. Speaker, we have an opportunity to recapture a half a billion dollars for roads and bridges in this State with this amendment. I ask for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of the amendment, the Chair recognizes the gentleman from Cumberland County, Representative Bloom.

Mr. BLOOM. Thank you, Mr. Speaker.

Mr. Speaker, I was the prime sponsor of a bill identical to the underlying Senate bill that recently passed our House Transportation Committee, and I want to speak in opposition to the gentleman from Lancaster's amendment, because the amendment essentially eviscerates the actual underlying purpose of the bill. The purpose of the bill is simply to speed the release of these liquid fuel tax moneys to our local municipalities. It is a small measure of relief in these difficult financial times to help these municipalities deal with their costs of snow removal and other vital road-related activities that they must undertake. Often these municipalities have to borrow the money to do these services because of the delay and the release of these funds. This speeds up the release of the funds, gives them that small measure of financial relief.

Under the amendment, these same municipalities, instead of being helped out, would actually be punished. We would remove the relief that was intended for them, and instead, take it all away and punish those municipalities; in particular, the struggling municipalities that cannot afford their own police departments.

So, Mr. Speaker, I would respectfully request the members to rise in opposition and vote in opposition to the amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the question of the amendment, the Chair recognizes the gentleman from Allegheny County, Representative Costa.

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

I rise in support of this amendment.

I represent the 34th Legislative District, and obviously, that was on the list that Representative Sturla mentioned. I represent 15 different municipalities; 2 of those municipalities pay other municipalities for their police service. Our communities are paying for our police departments. It is only fair that everyone else does.

When I was on the Appropriations Committee last two sessions, I asked the State Police, what if those municipalities that are paying for police service opted to not pay anymore? His response was that they could not handle it. So we are actually doing a benefit to the Commonwealth by our municipalities that are paying our other municipalities to provide police service. It is only fair that the ones that are not paying should pay into a system that we all benefit from.

So I support Representative Sturla's amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of the amendment, the Chair recognizes the gentleman from Lancaster County, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

I was wondering if the maker of the amendment might stand for brief interrogation?

The SPEAKER pro tempore. The gentleman indicates he will receive your interrogation. You are in order to proceed.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, it is my understanding that the city of Philadelphia actually has a police barracks within its boundaries. Under your proposal, how would that be handled? Would the residents of Philadelphia be required to pay through this formula in the same manner?

Mr. STURLA. Mr. Speaker, this amendment exempts any patrols that are done on State highways – or excuse me, interstate highways, but other than that, if the State Police are patrolling in those municipalities, they would come under that purview also.

Mr. CUTLER. All right. Thank you, Mr. Speaker.

Very briefly, on the amendment, please.

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

Mr. CUTLER. Thank you, Mr. Speaker.

What the gentleman from Lancaster County is really debating is the allocation of resources as a Commonwealth, Mr. Speaker, and perhaps it would work in the world where residents do not cross municipal boundaries. Mr. Speaker, as a rural resident, I recognize that when I dial 911, or any of the residents who live in the district dial 911, we will have a substantially longer response time for the police. We understand that. We also understand that we will have significantly less active police coverage in our area. That is a choice that the residents in the 100th District choose to make, by and large. Mr. Speaker, the converse of that is that in the city there is a much quicker response time, and additionally, there is much more active police coverage, active patrols and things.



Mr. Speaker, we are a Commonwealth for a reason. There are certain shared societal costs that we must bear. Mr. Speaker, if the gentleman's amendment would address all other funding areas, perhaps education, Medicaid, social welfare spending, and correction costs under the same formula and have each resident area manage those costs, it would perhaps make sense. I would argue that that would weaken us as a Commonwealth, though.

Mr. Speaker, the reality is, the residents of the county actually subsidize things in the city all the time. Probably the biggest example can be seen from miles away: It is the Lancaster County Convention Center, Mr. Speaker, right in the middle of Lancaster city. We as county taxpayers are on the hook for that debt, and we are the final obligator that is responsible for all of that money.

Mr. Speaker, I believe that this formula, if it is true, should be applied in every area, but I would argue that we are a Commonwealth for the common good, and I would oppose this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of the amendment, the Chair recognizes the gentleman from Allegheny County, Representative Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

I rise in support of amendment A2438, and I want to commend the maker of the amendment from Lancaster County.

Mr. Speaker, I represent the 38th Legislative District. I have eight municipalities, and from my hometown I have a small municipality, Dravosburg, and our police force went away several years ago. We were economically incapable of that force, so what we did was contract with McKeesport police force. The good people of Dravosburg, 2,000 strong, decided that they would put up the tax and pay the fee to the McKeesport police force so that we would have expedient, good police protection. They did not shirk their duty and let it drop onto the State Police. They elected to fund a police force, and they have done a good job of it, Mr. Speaker.

Mr. Speaker, \$563 million is taken out of the Motor License Fund to have State Police protection. We can use that money for the roads and bridges that are truly impacted in this State. The gentleman from Lancaster County has a way to do that. He has a way to fund the State Police on the people who should be paying something and really are not, and we have a way to divert that money and put it to roads and bridges, where we are lacking tremendously in this State. And here we are on the cusp of debate, getting ready to debate a transportation bill where there is \$563 million that should be being used for that.

So, Mr. Speaker, I would urge all my colleagues to vote "yes" to the amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentelady, Ms. Mundy, on the amendment.

Ms. MUNDY. Thank you, Mr. Speaker.

Mr. Speaker, I represent a legislative district, the 120th, that contains 13 boroughs and townships. Each and every one of my boroughs and townships maintains its own police force and pays its own way. And if somebody in this chamber can tell me why huge townships, wealthy townships, should use my constituents' tax dollars to fund State Police coverage for their townships, then maybe I will vote "no" on the Sturla amendment. But I support the Sturla amendment because I think those townships

should pay their own way just like mine do. And those of you who are voting against the Sturla amendment, in which every one of your townships and boroughs pays their own way, you are voting against your own district and your own constituents.

Yesterday we heard a lot during the discussion about HB 1047 and HB 939, about how we are protecting those who pay their own way, who pay their utility bills against those who do not. Well, I am asking every citizen of this Commonwealth to pay their fair share for their own police protection, or chip in to help pay for the State Police that they use to cover their own districts.

Fair is fair. Vote for the Sturla amendment.

The SPEAKER pro tempore. The Chair thanks the gentelady and recognizes, on the question of the amendment, the gentleman from McKean County, Representative Causer.

Mr. CAUSER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is a blatant attack on rural Pennsylvania. When you look at the language in this amendment it – as I said, a blatant attack on rural Pennsylvania. I come from a part of the State that is probably, three counties that are probably the most rural counties in the State. I have municipalities that have as few as 100 people in them and other municipalities that have several thousand. Now, to look at a township that has 100 people in population and to tell them they need to pay for a police force is absolutely absurd and is a real problem for rural PA. We pay our State taxes and we are not asking for special services. We are just asking for a basic level of police service when we actually do need the State Police.

So I think it is very problematic. It is, as I said, a blatant attack on rural PA. And if we want additional police services, then our municipalities can hire police forces, but we are not asking for that. So let us defeat this amendment and move on with the bill.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of the amendment, the Chair recognizes the gentleman from Allegheny County, Representative Kotik.

Mr. KOTIK. Thank you, Mr. Speaker.

Would the maker of the amendment stand for interrogation?

The SPEAKER pro tempore. He indicates that he will.

Mr. KOTIK. May I have a little order, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Allegheny is quite correct. It is going to be difficult for the questioner and answerer to hear each other. I would ask that particularly the staff who are gathered and involved in conversations, if you would please find a seat, and members would keep your conversations down.

Mr. Kotik, please proceed.

Mr. KOTIK. Thank you, Mr. Speaker.

Mr. Speaker, on the question of eligibility for the State Police to patrol your municipality, are there any restrictions as to what a municipality can engage the State Police to patrol their municipality?

Mr. STURLA. Mr. Speaker, as I understand it, if a municipality says to the State Police, hey, we have a local police department, but there is some special event going on; you know, the President is coming to town and we need a special detail. They will assign a special detail, but as a matter of practice, they do not do routine highway patrols in municipalities that have their own police department. If a municipality does not have a police department and simply says,

I am sorry, we do not have any local police that we pay for with local taxes, they call up the State Police and say, you are now responsible for patrolling our area because we do not have a local police force.

Mr. KOTIK. Mr. Speaker, if one of my municipalities that is under severe financial distress and they are contemplating their budget for the coming year decides to disband their police department, will the State Police come in and take over the police duties of that municipality?

Mr. STURLA. Yes, Mr. Speaker, they will. And in fact, in recent years there have been multiple municipalities that have decided to do just that because they do not want to have to raise local taxes from one mill to two mills, or something like that, and so they just decide that they are just going to disband their police department and have the State come do their patrols for them.

The SPEAKER pro tempore. Will the gentleman suspend, please.

Please, let us maintain conversation at a quiet level. You may proceed.

Mr. KOTIK. Mr. Speaker, that concludes my interrogation. On the amendment.

The SPEAKER pro tempore. Do you wish to speak on the amendment?

Mr. KOTIK. Yes.

The SPEAKER pro tempore. You are in order to proceed.

Mr. KOTIK. Thank you, Mr. Speaker.

You know, I served in local government for 10 years, and we were in very poor communities and did not have a lot of money to raise. And in all of these communities, the prototypical taxpayer is a 75-year-old widow that is making \$1,000 a month Social Security. But we are still paying over a million dollars in some of my local municipalities for police protection. So we are going to engage in a system where, little by little, when these communities go belly-up or go Act 47, the State Police are going to come in and take over the policing of that community. So if that is the direction we are headed and we have no control over this situation, I would advise my communities to save their taxpayers some money and just disband their police departments and ask for State Police protection.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of the amendment, the Chair recognizes the gentleman from Lycoming County, Representative Everett.

Mr. EVERETT. Thank you, Mr. Speaker.

I just want to maybe clear up a few details that the folks have been talking about.

In Lycoming County, where I serve, we have a mixed bag of municipalities that have departments and municipalities that do not have departments, and we have State Police coverage for the whole county, whether you have got a police force or not. Some of the police forces are not 24/7, 365, and when they are not going to be on duty, they call into the 911 center and let them know that they will be uncovered, and that if anybody calls in 911, that the calls should go to the State Police instead of the local police. We have a municipality, a city, Williamsport, which has a paid police department that is full-time. And I have checked with our State Police locally and they actually respond and serve in Williamsport, with the largest paid department in Lycoming County, more often than they respond to any other municipality. And that is just because there are more people in

Williamsport – not that it is anything else, but there are more people and more activity in Williamsport, and they have a mutual aid agreement with the local police, with all the local police, and so they respond into Williamsport also and into every other jurisdiction that has a police department, as well as those that are uncovered.

So I think that things are just fine the way they are. I do not disagree, which is kind of unusual, with the maker of the amendment in that there might be a better way for us to fund the State Police, but I do not think that we should make up that difference by putting that burden on rural areas and small towns who cannot afford police departments and cannot afford this assessment that we are going to see.

So I would respectfully submit that things are quite fine the way they are, the way they have always been. Municipalities can choose to have police departments of the size and scope that they want to, and that should be each local municipality's decision based on their local needs, and I would respectfully ask for a "no" vote on the amendment.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of the amendment, the Chair recognizes the gentleman from Allegheny County, Representative DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I support the Sturla amendment.

You know, we heard about liquid fuel, because it takes up their liquid fuel for some of the communities that do not have police departments. Well, you know what? We do have a police department, and the fact is, if we did not have the police department, we would be able to do more roads. We would be able to take care of that municipality a little differently.

We also heard about a blatant attack on rural communities. Well, let me say this: I do not have a city. I represent a municipality. But I do not think crime stops at certain borders, and maybe if we disbanded all the municipalities and the boroughs and townships, maybe the rural community would get their own police department because of the fact that you would have more crime in your districts, because the fact is, crime does not stop at certain areas. And as far as affording a police department, I do not know any community that can afford a police department. The communities I represent can afford them, and that is one of the biggest items in their budget. Now, I am sure if we would want to disband our police department, have the State Police come in, and maybe some of the criminals or some of the lawbreakers who we are catching might want to go out to the rural communities where you do not have all that protection and you might have a problem.

We should be voting for this Sturla amendment because it is fair, everybody should pay their share, and this is an amendment we have been arguing for about 6 years, trying to get something done in this type of situation.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of the amendment, the Chair recognizes the gentleman from Huntingdon County, Representative Fleck.

Mr. FLECK. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition as well.

I represent the ninth largest district. We have many municipal and borough police officers; however, we have a large number of rural townships – like the township I live in that

is only a few hundred people – and I can count on one hand the number of times I have seen State Police up Fleck Road in Springfield Township. Luckily, we do not have the crime that some areas do.

I understand what you are saying. I just do not feel that it is appropriate that my constituents should have to pay for that. I ask for a "no" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes, on the question of the amendment, the gentleman from Luzerne County, Representative Pashinski.

Mr. PASHINSKI. Thank you, Mr. Speaker.

Would the gentleman please stand for interrogation?

The SPEAKER pro tempore. The maker of the amendment indicates he will stand for interrogation.

I will remind the members that, of course, interrogation is to discern information that you cannot otherwise understand about the amendment.

Mr. PASHINSKI. Thank you, Mr. Speaker.

Mr. Speaker, I would like for you, if possible, could you give me an example, could you give us an example of the kinds of size of the townships relative to their financial status and their ability or lack thereof to pay for a police force?

Mr. STURLA. Mr. Speaker, the municipalities that have police departments range from large cities like Philadelphia and Pittsburgh to tiny municipalities, some of them very rural, that are part of a regional police force or buy police services from other municipalities. In terms of the municipalities that do not have a local police department, they range from some of those small rural communities to townships that have as many as 40,000 people. I believe Hempfield Township in Westmoreland County has something like 40,000 people; estimated cost to patrol that for the State Police is something like \$6 million a year.

Mr. PASHINSKI. So I think we can agree that there may be some municipalities that are financially strapped and not capable of supporting their own police force, and the State Police in this case will fill that gap appropriately.

Mr. STURLA. Some of those distressed municipalities also do have their own police force.

Mr. PASHINSKI. Yes; in fact, I have a couple myself.

Now, those large municipalities, do you have any figures on the kind of budgets they may have relative to their capabilities of paying for those police forces?

Mr. STURLA. I do not know their exact budgets, Mr. Speaker, but I know I have been contacted since first floating this notion by municipalities, some of which say that in order to pay for local police, they would have to raise – they would have to double their millage, and they would go from one mill to two.

I know in my municipality, not in my lifetime have we ever been at two; we have not been at four, we have not been at six, we have not been at eight. We are way above that. And so the notion that somebody has to go to two mills of tax in order to provide police protection so that they do not have to get the handout from the State each year I do not think is a burden on those municipalities.

Mr. PASHINSKI. My municipalities, as well, pay far beyond 2 percent—

The SPEAKER pro tempore. Will the gentleman suspend.

Are you having a conversation or are you having an interrogation?

Mr. PASHINSKI. This is still interrogation.

The SPEAKER pro tempore. Well, please present a question and not a comment then.

Mr. PASHINSKI. All right. Then the next question that I have under interrogation, Mr. Speaker, is could you tell me, could you tell this body, what is the status of the State Police force relative to being staffed appropriately for State purpose?

Mr. STURLA. Well, Mr. Speaker, since the State Police do not patrol in my district, I do not pay as much attention to that as perhaps I should. I understand their complement is down. But the reality is that there are a whole lot of police that are assigned to crime issues within the State. I will point out that those ones that are assigned to crime units in the State, those ones that are responding to the mutual aid calls when there is a murder in a municipality – even one that has a local police department – those are not funded out of these funds, because those funds, those dollars have to come out of the General Fund. And we fund an equal amount of money for the State Police out of the General Fund, because these funds, because they come out of the Motor License Fund, are restricted strictly to highway patrols. So these are just the State Police that you see patrolling the roads in the State of Pennsylvania, not the ones that are answering crime calls. These are just the road patrols.

Mr. PASHINSKI. All right. Thank you, Mr. Speaker. On the amendment?

The SPEAKER pro tempore. The gentleman is in order to proceed on the amendment.

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

I do rise to support the Sturla amendment, A02438, and the reason I do is because as we have talked about in this august body many times, we are all for one, one for all. We all pay our taxes. We all distribute the dollars to help each and every one of us in one shape, form, or another, whether it is police or fire, whether it is in aid to children or to schools. We all equally pay, or should equally pay, to help all of us in need.

It is my understanding, based upon some of the reports relative to the budget, that our State Police is indeed understaffed by some 800 troopers. And what I would ask the members of this House to think about is our State Police themselves, because it is my understanding that a State policeman that is responsible for these municipalities that do not have their own police department, they may have to travel at speeds in excess of 100 miles per hour in order to try to achieve the call, to react to the call of an emergency that may be 70, 80, 90, 100 miles away. I would suggest that when our State Police are fully staffed, that this system may indeed be one that may be worth it, but at this point, when we are understaffed by several hundred troopers, putting them in harm's way and delaying the time for their service, it is time that we rethink this.

The amendment, A02438, would help in this situation. It would make it safer for our troopers. It would be more equitable for all of us that pay taxes in our great State, and it would be safe, secure, and it would also provide the service that they need. I urge a strong "yea" vote for A02438. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and, on the question of the amendment, recognizes the gentleman from Armstrong County, Representative Pyle.

Mr. PYLE. Thank you, Mr. Speaker.

Will the maker of the amendment hazard a few questions, maybe? I have some uncertainty here.

The SPEAKER pro tempore. The gentleman indicates he will receive your interrogation. You may proceed.

Mr. PYLE. So if I read this correctly, sir, and feel free to correct, if you do not maintain a full-time police force – take it from there. I am not sure I am clear on your concept.

Mr. STURLA. Mr. Speaker, right now if you do not have a local police force, you call up the State Police and you say, we are not in charge of patrolling ourselves. We have shunned our responsibility locally. You are in charge; come patrol for us. And the cost of that patrolling comes out of the Motor License Fund to the tune of \$563 million a year. Now, because the State Police only patrol the roads for 21 percent of the State's population, to break it down by legislative district, that is the equivalent— If 100 percent of your district does not have a local police department, and you get 100-percent State Police coverage, that is the equivalent of a \$13 million a year wham.

Mr. PYLE. Thank you. Thank you, that was very explicative. May I ask another question, Mr. Speaker?

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

Mr. PYLE. What do we do about places that run part-time police departments? And what I bring up, Mr. Speaker, is lovely North Buffalo Township, 1 of 29 municipalities in the 60th District. It is entirely bisected by high-speed four-lane Route 28, the main northeast connector in and out of Pittsburgh. To answer the gentleman from Allegheny County who brought up what would happen if we abolished all the local departments: I know. They generally flow upriver to me, because I am right next to the gentleman's district.

My question would be this. I believe this is a fairness issue, is what we are addressing here. What do you do about the local municipalities that maintain less-than-40-hour, part-time police forces that are not allowed to patrol State highways, hunting for speeders and transgressors and whatnot? How does your amendment address this?

Mr. STURLA. Mr. Speaker, this amendment says that the State Police, we would carve dollars out of that \$563 million to pay for State Police patrols on interstates, because I understand that it is an excess cost to a municipality that may otherwise be in the middle of nowhere that just has an interstate running through it. It brings a lot of other people in just because of the interstate.

Mr. PYLE. Mr. Speaker, if I am not mistaken, maybe just last year I believe we passed language that said, if you do not maintain a full-time police force, and the State Police make an apprehension within your township, contrary to the prior system, they now keep all fine moneys collected on State highways. I do not know how that is not a cost-effective solution for a place like little wee North Buffalo that gave up eight, nine thousand dollars a year tracking down mostly drug trade coming northeast out of Pittsburgh.

Mr. Speaker, on the amendment?

The SPEAKER pro tempore. The gentleman is in order. You have concluded your interrogation. You are in order to proceed on the amendment, Mr. Pyle.

Mr. PYLE. Thank you, Mr. Speaker.

Mr. Speaker, I am sorry; 29 municipalities, 574.9 square miles, 2 counties, 11 Little Leagues – you want me to keep going? This is not good for the little places, Mr. Speaker. Please vote "no."

The SPEAKER pro tempore. On the question of the amendment, those in favor shall vote "aye"; those opposed, "nay"— Is the gentleman, Mr. Sturla, seeking recognition for the second time? Oh, is that not something?

The gentleman from Allegheny County, Representative Miller, is recognized on the question of the amendment.

Mr. D. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this amendment, and I appreciate the information provided by Mr. Sturla in dissertation of this amendment. I would note, of course, that I found that there is flexibility in the word choice here that allows for options. I think that most people would be surprised to know that when it comes to local policing that there are sections to which people are not paying their fair share. I know that my district, of course, has elements of it that there are mergers, there are consolidations, there are cooperations that actually go with the State Police. There is a lot of flexibility that comes in, but people pay their fair share. Right now, of course, my district is paying not only the local police but the State Police aspects of their tax dollars, and that is okay. But they are paying twice and that is fine. The problem is, they are also kind of paying third for the people who are not paying any aspect of the local policing besides what they pay regularly to the State Police.

I believe this to be a fair, flexible amendment. I would ask everybody and encourage people to vote "yes."

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question of the amendment, the Chair recognizes for the second time the Representative from Lancaster County, Representative Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this is not a Republican or Democrat issue. I pointed out earlier the districts, you know, on the other side of the aisle: the 18th, 100 percent of the district has local, 100-percent local police; the 28th, the 29th, the 30th, the 40th, the 41st, the 43d, the 53d, the 61st, the 79th, the 87th, the 97th, the 151st, the 152d, the 156th—

The SPEAKER pro tempore. If the gentleman would suspend for a moment. I would remind him that actually, under Jefferson's Manual, reading from material is not in bounds. We are rather relaxed about that, but the gentleman has already read that material once. I would ask you to refrain from reading it a second time.

Mr. STURLA. Thank you, Mr. Speaker.

The SPEAKER pro tempore. You may proceed.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, the point I was trying to make was that this really is not a Republican or Democrat issue; this is about are your constituents already paying for a local police department? And if you look at municipal police departments throughout the State – whether they are in big towns, small towns; Republican districts, Democratic districts – on average, those constituents are paying about \$300 per person to receive local police protection, and then they are also charged a State bill to pay for State police that only patrol in areas that do not have a local tax bill for police.

Now, I understand it when those members who stood up and said, look, my people chose to just opt for the State Police. That is great. My people did not choose to opt to pay for it, and all this amendment is doing is saying, if you want to opt for those

State Police to patrol your areas at a rate that is about half of what it might cost you if you had a local police department, at least pay for it, but do not send constituents that opted for a higher-priced police department the bill.

And, Mr. Speaker, if you actually vote your district, whether it is Republican or Democrat, based on whether or not there is a police department or not and whether or not your constituents are benefiting from this, this amendment will pass. There are about 130 members that have more than 75 percent of their district where the – 75 percent of the people pay for a local police department. There are more than 100 members where more than 90 percent of the district pays for a local police department. And we are not talking about \$10 million or \$20 million; we are talking about \$563 million each and every year.

So when you go home to your constituents and they say, how come the guy in the district 50 miles away from here that does not have a local police department gets to take home \$13 million in police services every year that you are making me pay for, what did you bring home? All this is doing is trying to correct that inequity that goes on year after year after year after year and costs a half a billion dollars each and every year.

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—78**

Bishop	DiGirolamo	Kinsey	Petri
Boyle, B.	Donatucci	Kirkland	Ravenstahl
Boyle, K.	Dunbar	Kortz	Readshaw
Briggs	Evankovich	Kotik	Roebuck
Brown, V.	Evans	Markosek	Rozzi
Brownlee	Farina	Matzie	Sabatina
Caltagirone	Flynn	McCarter	Samuelson
Clay	Frankel	McGeehan	Santarsiero
Cohen	Freeman	McNeill	Schlossberg
Costa, D.	Gainey	Miller, D.	Schreiber
Costa, P.	Galloway	Miranda	Sims
Cruz	Gergely	Molchany	Stephens
Daley, M.	Godshall	Mullery	Sturla
Davidson	Hackett	Mundy	Thomas
Davis	Haggerty	Neilson	Vitali
Dean	Harhai	Neuman	Waters
Deasy	Harris, J.	O'Brien	Wheatley
DeLissio	Kavulich	Parker	White
DeLuca	Keller, W.	Pashinski	Youngblood
Dermody	Kim		

**NAYS—123**

Adolph	Farry	Krieger	Pickett
Aument	Fee	Kula	Pyle
Baker	Fleck	Lawrence	Quinn
Barbin	Gabler	Longiatti	Rapp
Barrar	Gibbons	Lucas	Reed
Benninghoff	Gillen	Mackenzie	Reese
Bizzarro	Gillespie	Maher	Regan
Bloom	Gingrich	Mahoney	Roae
Boback	Goodman	Major	Rock
Bradford	Greiner	Maloney	Ross
Brooks	Grell	Marshall	Saccone
Brown, R.	Grove	Marsico	Sainato
Burns	Hahn	Masser	Sankey
Carroll	Haluska	McGinnis	Saylor
Causar	Hanna	Mentzer	Scavello

Christiana	Harhart	Metcalfe	Simmons
Clymer	Harkins	Metzgar	Snyder
Conklyn	Harper	Micozzie	Sonney
Corbin	Harris, A.	Millard	Stern
Cox	Heffley	Miller, R.	Stevenson
Culver	Helm	Milne	Swanger
Cutler	Hennessey	Mirabito	Tallman
Daley, P.	Hess	Moul	Taylor
Day	Hickernell	Murt	Tobash
Delozier	James	Mustio	Toepel
Denlinger	Kampf	O'Neill	Toohil
Ellis	Kauffman	Oberlander	Truitt
Emrick	Keller, F.	Painter	Turzai
English	Keller, M.K.	Payne	Vereb
Everett	Killion	Peifer	Watson
Fabrizio	Knowles	Petrarca	

**NOT VOTING—0**

**EXCUSED—2**

Miccarelli	Smith
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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?  
Bill was agreed to.

The SPEAKER pro tempore. The Chair rescinds his prior announcement of a report from the Appropriations Committee by Representative Adolph.

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

**SB 725, PN 1295** By Rep. ADOLPH

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

**APPROPRIATIONS.**

**SB 726, PN 1296** By Rep. ADOLPH

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

**APPROPRIATIONS.**

**SB 727, PN 748** By Rep. ADOLPH

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University—Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of such appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

## APPROPRIATIONS.

**SB 728, PN 1297**

By Rep. ADOLPH

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University-Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

## APPROPRIATIONS.

**SB 729, PN 1298**

By Rep. ADOLPH

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

## APPROPRIATIONS.

**SB 1002, PN 1178**

By Rep. ADOLPH

An Act providing for the capital budget for the fiscal year 2013-2014.

## APPROPRIATIONS.

**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 665, PN 1495**, entitled:

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

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Philadelphia, Representative Keller.

Mr. W. KELLER. Thank you, Mr. Speaker.

We are going to withdraw all our amendments on HB 665.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, the majority leader, Mr. Turzai.

Mr. TURZAI. Thank you, Mr. Speaker.

All Republican amendments to HB 665 have been withdrawn.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

\* \* \*

The House proceeded to second consideration of **HB 796, PN 1496**, entitled:

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

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Philadelphia, Mr. Keller.

Mr. W. KELLER. Thank you, Mr. Speaker.

I am happy to announce we are withdrawing all our amendments on HB 796 also.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Allegheny County, the majority leader, Mr. Turzai.

Mr. TURZAI. Thank you, Mr. Speaker.

HB 796, all Republican amendments have been withdrawn.

The SPEAKER pro tempore. Will the House agree to the bill?

On that question, the Chair recognizes the gentleman from Bucks County, Representative DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Just for the information of the members, I have agreed to withdraw my amendments, but I do not want that to mislead anybody in thinking that I would support the bill, because I will be a "no" on the bill tomorrow on final passage. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and, on the question, recognizes the gentleman from Lancaster County, Representative Cutler, who waives off.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 79, PN 58**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for compensation and retirement of justices, judges and justices of the peace.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

The SPEAKER pro tempore. 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—157

Adolph	Evans	Kirkland	Peifer
Barbin	Everett	Knowles	Petrarca
Barrar	Fabrizio	Kortz	Petri
Bishop	Farina	Krieger	Pickett
Bizzarro	Farry	Kula	Quinn
Boback	Fleck	Longietti	Ravenstahl

Boyle, B.	Flynn	Lucas	Readshaw
Boyle, K.	Frankel	Mackenzie	Reed
Bradford	Freeman	Maher	Regan
Briggs	Gainey	Mahoney	Roebuck
Brown, R.	Galloway	Major	Ross
Brown, V.	Gergely	Markosek	Rozzi
Brownlee	Gibbons	Marshall	Sabatina
Burns	Gillen	Marsico	Sainato
Caltagirone	Gillespie	Masser	Samuelson
Carroll	Gingrich	Matzie	Sankey
Christiana	Godshall	McCarter	Santarsiero
Clay	Goodman	McGeehan	Saylor
Clymer	Grell	McGinnis	Scavello
Cohen	Grove	McNeill	Schlossberg
Conklin	Haggerty	Metzgar	Schreiber
Corbin	Hahn	Micozzie	Simmons
Costa, D.	Haluska	Millard	Sims
Cox	Hanna	Miller, D.	Snyder
Cruz	Harhai	Mirabito	Sonney
Culver	Harhart	Miranda	Stevenson
Daley, M.	Harkins	Molchany	Sturla
Daley, P.	Harper	Moul	Taylor
Davidson	Harris, A.	Mullery	Thomas
Davis	Harris, J.	Mundy	Tobash
Dean	Heffley	Murt	Toohil
Deasy	Helm	Mustio	Turzai
DeLissio	Kampf	Neilson	Veréb
DeLuca	Kavulich	Neuman	Vitali
Dermody	Keller, M.K.	O'Brien	Waters
Donatucci	Keller, W.	O'Neill	Watson
Ellis	Killion	Parker	Wheatley
Emrick	Kim	Pashinski	White
English	Kinsey	Payne	Youngblood
Evankovich			

## NAYS—44

Aument	DiGirolamo	Keller, F.	Rapp
Baker	Dunbar	Kotik	Reese
Benninghoff	Fee	Lawrence	Roae
Bloom	Gabler	Maloney	Rock
Brooks	Greiner	Mentzer	Saccone
Causser	Hackett	Metcalfe	Stephens
Costa, P.	Hennessey	Miller, R.	Stern
Cutler	Hess	Milne	Swanger
Day	Hickernell	Oberlander	Tallman
Delozier	James	Painter	Toepel
Denlinger	Kauffman	Pyle	Truitt

## NOT VOTING—0

## EXCUSED—2

Miccarelli      Smith

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.

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 10, PN 1247**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in safe schools, further providing for Office for Safe Schools and providing for allocation of certain appropriated funds.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Lackawanna County, Representative Haggerty.

Mr. HAGGERTY. Mr. Speaker, I will be withdrawing my amendment, but I would like to say a few words on the amendment.

The SPEAKER pro tempore. You are recognized on second consideration. You may proceed.

Mr. HAGGERTY. Thank you, Mr. Speaker.

Last budget, the school safety line item was \$500,000 in the entire State of Pennsylvania, and it is just not adequate enough. My amendment called for \$80 million more than is going to be coming through on this bill. What took place in Newtown, Connecticut, is in the minds and hearts and prayers of everybody in this Assembly, and sometimes in this country we are better off reacting. We react to situations, and we do a really good job at that, especially in times of tragedy, but right now we need to be proactive. We need to fund adequately our schools around this Commonwealth so that our children could learn and grow and succeed in a very safe, nurturing environment. We need to add more money to school safety in Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Will the House agree to the bill?

On that question, the Chair recognizes the gentleman, Representative Day.

Mr. DAY. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this bill here today.

I want to say that I was extremely honored to lead our House select committee on school safety, established by this House to examine the different issues to do with school safety. This bill begins to address many of the things that we have seen in the hearings we have held. We have held three hearings so far. We will have a fourth in July and present a report in September. This select committee, I am proud to say, is probably the most bipartisan committee right now in the House of Representatives. We are finding that not just safety, security, and facility security is important, but also there are some other components that will be contained in our report that we submit to this House of Representatives in the fall.

I would like to be as brief as possible, so I just want to rise today in support of this great first step towards school safety for all the schools in Pennsylvania, and remind the House to look forward to our report, and also, the Senate committee will have a report that is due in December. And hopefully this fall and next spring we will be able to continue to address this issue, but I extremely urge all my colleagues to support this measure today. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and, on the question, recognizes the gentlelady from Philadelphia County, Cherelle Parker.

Mrs. PARKER. Thank you, Mr. Speaker.

Mr. Speaker, as the vice chair of the School Safety Committee, I rise to join my colleague on the other side of the aisle, the chairman of that committee. We have worked in a bipartisan fashion to address the issue of school safety in the

Commonwealth of Pennsylvania. This bill takes us one more step in the right direction, and I ask my colleagues on both sides of the aisle for an affirmative vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

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

### LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the minority whip, who asks that the gentleman from Philadelphia, Representative EVANS, be placed on leave for the balance of the day. Without objection, leave is granted.

### SUPPLEMENTAL CALENDAR A

#### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 473, PN 2161**, entitled:

An Act amending the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, further providing for definitions; and providing for State Construction Notices Directory and for notice of commencement and furnishing requirements.

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

### SUPPLEMENTAL CALENDAR C

#### BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 513, PN 2169**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for payments to family and funeral directors, for settlement of small estates on petition and for estates not exceeding \$25,000.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, the caucus administrator, Representative Stevenson.

Mr. STEVENSON. Thank you, Mr. Speaker.

Just a brief explanation of the amendments inserted by the Senate. The amendment is in keeping with the original intent of the bill and passed the Senate by 50 to nothing. Under the Senate amendment, HB 513 amends the following provisions regarding payment to family and funeral directors under section 3101. The limit on the amount of money that can be paid by a bank, savings and loan or credit union from the account of a depositor who has died to the depositor's family will be raised from the current amount of \$3500 to \$10,000.

Further, the amount that can be paid from a patient's care account by a facility that cared for the patient who died when the patient received medical assistance, which can be paid to a funeral director, will be raised, again, from \$3500 to \$10,000. The balance of the money will be paid to the family if burial expenses do not exceed \$10,000.

The bill also requires that these payments shall be made, and removes the "may" provision in that regard. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

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

The following roll call was recorded:

#### YEAS—200

Adolph	Emrick	Kinsey	Petrarca
Aument	English	Kirkland	Petri
Baker	Evankovich	Knowles	Pickett
Barbin	Everett	Kortz	Pyle
Barrar	Fabrizio	Kotik	Quinn
Benninghoff	Farina	Krieger	Rapp
Bishop	Farry	Kula	Ravenstahl
Bizzarro	Fee	Lawrence	Readshaw
Bloom	Fleck	Longietti	Reed
Boback	Flynn	Lucas	Reese
Boyle, B.	Frankel	Mackenzie	Regan
Boyle, K.	Freeman	Maher	Roae
Bradford	Gabler	Mahoney	Rock
Briggs	Gainey	Major	Roebuck
Brooks	Galloway	Maloney	Ross
Brown, R.	Gergely	Markosek	Rozzi
Brown, V.	Gibbons	Marshall	Sabatina
Brownlee	Gillen	Marsico	Saccone
Burns	Gillespie	Masser	Sainato
Caltagirone	Gingrich	Matzie	Samuelson
Carroll	Godshall	McCarter	Sankey
Causar	Goodman	McGeehan	Santarsiero
Christiana	Greiner	McGinnis	Saylor
Clay	Grell	McNeill	Scavello
Clymer	Grove	Mentzer	Schlossberg
Cohen	Hackett	Metcalfe	Schreiber
Conklin	Haggerty	Metzgar	Simmons
Corbin	Hahn	Micozzie	Sims
Costa, D.	Haluska	Millard	Snyder
Costa, P.	Hanna	Miller, D.	Sonney
Cox	Harhai	Miller, R.	Stephens
Cruz	Harhart	Milne	Stern
Culver	Harkins	Mirabito	Stevenson
Cutler	Harper	Miranda	Sturla
Daley, M.	Harris, A.	Molchany	Swanger
Daley, P.	Harris, J.	Moul	Tallman
Davidson	Heffley	Mullery	Taylor
Davis	Helm	Mundy	Thomas
Day	Hennessey	Murt	Tobash
Dean	Hess	Mustio	Toepel
Deasy	Hickernell	Neilson	Toohil
DeLissio	James	Neuman	Truitt
Delozier	Kampf	O'Brien	Turzai
DeLuca	Kauffman	O'Neill	Vereb
Denlinger	Kavulich	Oberlander	Vitali
Dermody	Keller, F.	Painter	Waters
DiGirolo	Keller, M.K.	Parker	Watson
Donatucci	Keller, W.	Pashinski	Wheatley
Dunbar	Killion	Payne	White
Ellis	Kim	Peifer	Youngblood



NAYS—0

NOT VOTING—0

EXCUSED—3

Evans                      Miccarelli                      Smith

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The House proceeded to consideration of concurrence in Senate amendments to **HB 1122, PN 2085**, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in creation, alteration and termination of condominiums, further providing for contents of declaration for all condominiums, for contents of declaration for flexible condominiums and for amendment of declaration; in protection of purchasers, further providing for declarant's obligation to complete and restore; and, in creation, alteration and termination of planned communities, further providing for contents of declaration for all planned communities, for contents of declaration for flexible planned communities and for amendment of declaration.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—200

Adolph	Emrick	Kinsey	Petrarca
Aument	English	Kirkland	Petri
Baker	Evankovich	Knowles	Pickett
Barbin	Everett	Kortz	Pyle
Barrar	Fabrizio	Kotik	Quinn
Benninghoff	Farina	Krieger	Rapp
Bishop	Farry	Kula	Ravenstahl
Bizzarro	Fee	Lawrence	Readshaw
Bloom	Fleck	Longietti	Reed
Boback	Flynn	Lucas	Reese
Boyle, B.	Frankel	Mackenzie	Regan
Boyle, K.	Freeman	Maher	Roae
Bradford	Gabler	Mahoney	Rock
Briggs	Gainey	Major	Roebuck
Brooks	Galloway	Maloney	Ross
Brown, R.	Gergely	Markosek	Rozzi
Brown, V.	Gibbons	Marshall	Sabatina
Brownlee	Gillen	Marsico	Saccone
Burns	Gillespie	Masser	Sainato
Caltagirone	Gingrich	Matzie	Samuelson
Carroll	Godshall	McCarter	Sankey
Causser	Goodman	McGeehan	Santarsiero
Christiana	Greiner	McGinnis	Saylor
Clay	Grell	McNeill	Scavello
Clymer	Grove	Mentzer	Schlossberg
Cohen	Hackett	Metcalfe	Schreiber
Conklin	Haggerty	Metzgar	Simmons
Corbin	Hahn	Micozzie	Sims
Costa, D.	Haluska	Millard	Snyder
Costa, P.	Hanna	Miller, D.	Sonney
Cox	Harhai	Miller, R.	Stephens
Cruz	Harhart	Milne	Stern

Culver	Harkins	Mirabito	Stevenson
Cutler	Harper	Miranda	Sturla
Daley, M.	Harris, A.	Molchany	Swanger
Daley, P.	Harris, J.	Moul	Tallman
Davidson	Heffley	Mullery	Taylor
Davis	Helm	Mundy	Thomas
Day	Hennessey	Murt	Tobash
Dean	Hess	Mustio	Toepel
Deasy	Hickernell	Neilson	Toohil
DeLissio	James	Neuman	Truitt
DeLozier	Kampf	O'Brien	Turzai
DeLuca	Kauffman	O'Neill	Vereb
Denlinger	Kavulich	Oberlander	Vitali
Dermody	Keller, F.	Painter	Waters
DiGirolo	Keller, M.K.	Parker	Watson
Donatucci	Keller, W.	Pashinski	Wheatley
Dunbar	Killion	Payne	White
Ellis	Kim	Peifer	Youngblood

NAYS—0

NOT VOTING—0

EXCUSED—3

Evans                      Miccarelli                      Smith

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The House proceeded to consideration of concurrence in Senate amendments to **HB 1124, PN 2061**, entitled:

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, further providing for definitions, for license requirements, for exceptions to license requirements, for general requirements, for mortgage loan business prohibitions, for requirements as to open-end loans, for application for license, for prelicensing and continuing education, for licensee requirements, for licensee limitations, for surrender of license, for authority of department, for suspension, revocation or refusal, for penalties, for applicability and for procedure for determination on noncompliance with Federal law.

On the question,

Will the House concur in Senate amendments?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Monroe County, Representative Scavello, for a brief description of those amendments.

Mr. SCAVELLO. Thank you, Mr. Speaker.

The Senate added language to make the bill reflect what is stated in HUD (Department of Housing and Urban Development) regulations. The bill now clarifies that employees such as securities broker-dealers and insurance agents are not required to be licensed as mortgage originators if they are only engaged in recommending, referring, or steering a borrower or prospective borrower to a financial institution.

Additionally, the amendment makes it clear that these individuals cannot be compensated for making referrals for a mortgage product. I ask the members for unanimous vote. Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

#### YEAS—199

Adolph	Emrick	Kinsey	Petri
Aument	English	Kirkland	Pickett
Baker	Evankovich	Knowles	Pyle
Barbin	Everett	Kortz	Quinn
Barrar	Fabrizio	Kotik	Rapp
Benninghoff	Farina	Krieger	Ravenstahl
Bishop	Farry	Kula	Readshaw
Bizzarro	Fee	Lawrence	Reed
Bloom	Fleck	Longietti	Reese
Boback	Flynn	Lucas	Regan
Boyle, B.	Frankel	Mackenzie	Roae
Boyle, K.	Freeman	Maher	Rock
Bradford	Gabler	Mahoney	Roebuck
Briggs	Gainey	Major	Ross
Brooks	Galloway	Maloney	Rozzi
Brown, R.	Gergely	Markosek	Sabatina
Brown, V.	Gibbons	Marshall	Saccone
Brownlee	Gillen	Marsico	Sainato
Burns	Gillespie	Masser	Samuelson
Caltagirone	Gingrich	Matzie	Sankey
Carroll	Godshall	McCarter	Santarsiero
Causar	Goodman	McGeehan	Saylor
Christiana	Greiner	McGinnis	Scavello
Clay	Grell	McNeill	Schlossberg
Clymer	Grove	Mentzer	Schreiber
Cohen	Hackett	Metcalfe	Simmons
Conklin	Haggerty	Micozzie	Sims
Corbin	Hahn	Millard	Snyder
Costa, D.	Haluska	Miller, D.	Sonney
Costa, P.	Hanna	Miller, R.	Stephens
Cox	Harhai	Milne	Stern
Cruz	Harhart	Mirabito	Stevenson
Culver	Harkins	Miranda	Sturla
Cutler	Harper	Molchany	Swanger
Daley, M.	Harris, A.	Moul	Tallman
Daley, P.	Harris, J.	Mullery	Taylor
Davidson	Heffley	Mundy	Thomas
Davis	Helm	Murt	Tobash
Day	Hennessey	Mustio	Toepel
Dean	Hess	Neilson	Toohil
Deasy	Hickernell	Neuman	Truitt
DeLissio	James	O'Brien	Turzai
Delozier	Kampf	O'Neill	Vereb
DeLuca	Kauffman	Oberlander	Vitali
Denlinger	Kavulich	Painter	Waters
Dermody	Keller, F.	Parker	Watson
DiGirolamo	Keller, M.K.	Pashinski	Wheatley
Donatucci	Keller, W.	Payne	White
Dunbar	Killion	Peifer	Youngblood
Ellis	Kim	Petrarca	

#### NAYS—1

Metzgar

#### NOT VOTING—0

#### EXCUSED—3

Evans                      Miccarelli                      Smith

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

Ordered, That the clerk inform the Senate accordingly.

### SUPPLEMENTAL CALENDAR B

#### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1263, PN 2021**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions; and providing for transfer of ownership of vehicles used for human habitation.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

(Bill analysis was read.)

The SPEAKER pro tempore. 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—198

Adolph	Emrick	Kinsey	Petri
Aument	English	Kirkland	Pickett
Baker	Evankovich	Knowles	Pyle
Barbin	Everett	Kortz	Quinn
Barrar	Fabrizio	Kotik	Rapp
Benninghoff	Farina	Krieger	Ravenstahl
Bishop	Farry	Kula	Readshaw
Bizzarro	Fee	Lawrence	Reed
Bloom	Fleck	Longietti	Reese
Boback	Flynn	Lucas	Regan
Boyle, B.	Frankel	Mackenzie	Roae
Boyle, K.	Freeman	Maher	Rock
Bradford	Gabler	Mahoney	Roebuck
Briggs	Gainey	Major	Ross
Brooks	Galloway	Maloney	Rozzi
Brown, R.	Gergely	Markosek	Sabatina
Brown, V.	Gibbons	Marshall	Saccone
Brownlee	Gillen	Marsico	Sainato
Burns	Gillespie	Masser	Samuelson
Caltagirone	Gingrich	Matzie	Sankey
Carroll	Godshall	McCarter	Santarsiero
Causar	Goodman	McGeehan	Saylor
Christiana	Greiner	McGinnis	Scavello
Clay	Grell	McNeill	Schlossberg
Clymer	Grove	Mentzer	Schreiber
Cohen	Hackett	Micozzie	Simmons
Conklin	Haggerty	Millard	Sims
Corbin	Hahn	Miller, D.	Snyder
Costa, D.	Haluska	Miller, R.	Sonney
Costa, P.	Hanna	Milne	Stephens
Cox	Harhai	Mirabito	Stern
Cruz	Harhart	Miranda	Stevenson

Culver	Harkins	Molchany	Sturla
Cutler	Harper	Moul	Swanger
Daley, M.	Harris, A.	Mullery	Tallman
Daley, P.	Harris, J.	Mundy	Taylor
Davidson	Heffley	Murt	Thomas
Davis	Helm	Mustio	Tobash
Day	Hennessey	Neilson	Toepel
Dean	Hess	Neuman	Toohil
Deasy	Hickernell	O'Brien	Truitt
DeLissio	James	O'Neill	Turzai
Delozier	Kampf	Oberlander	Vereb
DeLuca	Kauffman	Painter	Vitali
Denlinger	Kavulich	Parker	Waters
Dermody	Keller, F.	Pashinski	Watson
DiGirolamo	Keller, M.K.	Payne	Wheatley
Donatucci	Keller, W.	Peifer	White
Dunbar	Killion	Petrarca	Youngblood
Ellis	Kim		

NAYS—2

Metcalfe Metzgar

NOT VOTING—0

EXCUSED—3

Evans Miccarelli Smith

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 939, PN 2150**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in responsible utility customer protection: further providing for definitions, for cash deposits and household information requirements, for payment agreements, for termination of utility service, for reconnection of service, for late payment charge waiver and for complaints filed with commission; providing for public utility duties; and further providing for automatic meter readings, for reporting to General Assembly and Governor, for nonapplicability and for construction.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER pro tempore. The clerk will strike the board.

The gentleman from Washington County is seeking recognition on final passage. The gentleman, Mr. Daley, may proceed.

Mr. DALEY. Thank you, Mr. Speaker.

This bill is the bill that we discussed yesterday for quite a few hours with various amendments. What this bill is is fundamentally going to chapter 14. It is the piece of legislation that we, Mr. Godshall and myself, had meetings with all the stakeholders regarding a comprehensive amendment. This is that comprehensive amendment, and I ask for an affirmative vote, Mr. Speaker, to this bill.

The SPEAKER pro tempore. The Chair thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

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

HB 939 makes comprehensive amendments to chapter 14 of Title 66 which is known as the "Responsible Utility Customer Protection Act." The addition of chapter 14 to Title 66 established security deposit, service termination and reconnection procedures for utilities. The chapter also provides terms for payment agreements issued by the PUC. The legislature added chapter 14 to Title 66 to protect timely paying customers from increases in rates due to overdue balances of customers who can pay their bills but choose not to.

As noted by the PUC in its biennial reports on chapter 14, the chapter has been successfully implemented to achieve the goals intended by the legislature and, due to expanded investment and enrollment in customer assistance programs, low-income customers have fared better since chapter 14 was enacted. HB 939 implements lessons learned over the past 8 years and adopts many suggestions for improvement suggested by stakeholders.

HB 939 amends chapter 14 to provide additional protections for all consumers, including low-income customers, while ensuring that the improvements in utility collections realized since 2004 continue. The bill makes reasonable, responsible amendments to provide customers up to 90 days to pay cash deposits, provide for interest on cash deposits as established by the Secretary of Revenue on an annual basis, allow a deposit to be held until a timely payment history is established and to prohibit service terminations on a Friday unless the utility can accept restoration payments until noon on Saturday and restore service by 6 p.m. that day.

This bill also makes chapter 14 applicable to wastewater, small natural gas, and steam heat utilities. HB 939 originated as a bill to bring wastewater utilities within the purview of the chapter; however, the addition of other utilities was requested by the PUC. Today customers throughout the Commonwealth will have a single standard set of rules that apply to all of their utility services. This will mitigate the confusion that sometimes results when various rules apply, depending on the type of utility service.

The provisions of HB 939 will ensure that all customers in the Commonwealth have access to utility services, that low-income customers continue to receive payment assistance, and that all utility ratepayers will be protected from rate increases caused by the bad debt of those who can pay their bills but choose not to.

I ask for your support of HB 939.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair takes pleasure in noting the return to the House floor of the gentleman from Delaware County, Representative Miccarelli, whose name will be added to the master roll call. Welcome home.

CONSIDERATION OF HB 939 CONTINUED

The SPEAKER pro tempore. On the question of final passage, the gentleman from Delaware County waives off.

On the question recurring, Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—188

Table listing names of members who voted 'YEAS' (188 total). Includes names like Adolph, Aument, Baker, Barbin, Barrar, Benninghoff, Bishop, Bizzarro, Bloom, Boback, Boyle, B., Boyle, K., Bradford, Briggs, Brooks, Brown, R., Brown, V., Burns, Caltagirone, Carroll, Causer, Christiana, Clymer, Cohen, Conklin, Corbin, Costa, D., Costa, P., Cox, Culver, Cutler, Daley, M., Daley, P., Davis, Day, Dean, Deasy, Delozier, DeLuca, Denlinger, Dermody, DiGiroloamo, Donatucci, Dunbar, Ellis, Emrick, English, Evankovich, Everett, Fabrizio, Farina, Farry, Fee, Fleck, Flynn, Frankel, Freeman, Gabler, Gainey, Galloway, Gergely, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Goodman, Greiner, Grell, Grove, Hackett, Haggerty, Hahn, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, A., Heffley, Helm, Hennessey, Hess, Hickernell, James, Kampf, Kauffman, Kavulich, Keller, F., Keller, M.K., Keller, W., Killion, Kirkland, Knowles, Kortz, Kotik, Krieger, Kula, Lawrence, Longiotti, Lucas, Mackenzie, Maher, Mahoney, Major, Maloney, Markosek, Marshall, Marsico, Masser, Matzie, McGeehan, McGinnis, McNeill, Mentzer, Metcalfe, Metzgar, Miccarelli, Micozzie, Millard, Miller, D., Miller, R., Milne, Mirabito, Molchany, Moul, Mullery, Mundy, Murt, Mustio, Neilson, Neuman, O'Brien, O'Neill, Oberlander, Painter, Pashinski, Payne, Peifer, Petrarca, Petri, Pickett, Pyle, Quinn, Rapp, Ravenstahl, Readshaw, Reed, Reese, Regan, Roae, Rock, Roebuck, Ross, Rozzi, Sabatina, Saccone, Sainato, Samuelson, Sankey, Santarsiero, Saylor, Scavello, Schlossberg, Schreiber, Simmons, Sims, Snyder, Sonney, Stephens, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, Tobash, Toepel, Toohil, Truitt, Turzai, Verb, Vitali, Waters, Watson, Wheatley, White.

NAYS—13

Table listing names of members who voted 'NAYS' (13 total). Includes names like Brownlee, Clay, Cruz, Davidson, DeLissio, Harris, J., Kim, Kinsey, McCarter, Miranda, Parker, Thomas, Youngblood.

NOT VOTING—0

EXCUSED—2

Table listing names of members who were 'EXCUSED' (2 total). Includes Evans, Smith.

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 SB 259, PN 1290, entitled:

An Act amending the act of July 20, 1979 (P.L.183, No.60), entitled "An act regulating the terms and conditions of certain leases regarding natural gas and oil," adding definitions; providing for payment information to interest owners for accumulation of proceeds from production, for apportionment and for conflicts; and making editorial changes.

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

(Bill analysis was read.)

The SPEAKER pro tempore. 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 the question of final passage, the Chair recognizes the gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

This bill, in its broadest terms, when it came over from the Senate, basically was a bill about providing more information to landowners who received payment for drilling. It was a bill by Senator Yaw, and it was basically a consumer protection bill to provide important information so that if you are a leaser of land in Bradford or Washington or Sullivan or Lycoming Counties, and you leased your land to a driller and they gave you a check in an amount to compensate you for royalties, this bill would require certain basic information so you knew that check amount was good, things like: the number of gallons of gas extracted, the sales price, the production costs that were deducted - important information. That is a good consumer protection bill, and that is the bill that came over from the Senate. That is just, to get technical, PN 341.

And if you will bear with me, we are going to try, at the end of my talking about this, to do a series of procedural motions that are going to let us take a clean vote on that good bill and

get it right to the Governor's desk before we break from Harrisburg Sunday or Monday. However, in the process of the committee process, a second provision came in. The good provision, which was already there, was payment information to owners. The bad piece that came in in the House Environmental Committee is something called the apportionment provision. And that is a little complicated, so let me try to use the words, not my own words, but the words of the National Association of Royalty Owners Pennsylvania Chapter, to try to explain why the apportionment language is not in the best interest of landowners.

Here is a letter dated June 26, 2013, signed by the National Association of Royalty Owners Pennsylvania Chapter. This is what it says: "In the opinion of our committee, Section 2.1, the 'Apportionment' section" – and they refer to HB 1414, but it is the same language – "is troubling to the mineral owners of Pennsylvania...."

Going down a few paragraphs, I am quoting now: "This," and they are referring to the apportionment section, "is a substantial end-run attempt around the mineral owner/producer contract, which should be protected. If a lease, which is historically held-by-production, needs to be updated to accommodate Marcellus development, the producer should be negotiating this provision privately with the mineral owner, not seeking a back-door authorization through the legislature."

I am continuing to quote: "This section has now been introduced as an amendment to SB 259." So what the National Association of Royalty Owners is calling the apportionment section of this bill, they are calling it a back-door authorization. They are calling it an end-run attempt, an end-run attempt.

Let me, if I could, just take another second. I wanted to quote from another group, who again is much more familiar with this situation than I am, referring, describing the situation in the apportionment language. And this is what they say. These are not my words. "The only leverage the landowner has to get an upfront bonus for the shale gas under these old leases...is the fact that the lease lacks a unitization clause that the developer leads. By giving companies the right to unitize their mineral interests, this legislation," and they are referring to SB 259, "eliminates any leverage that an individual landowner may have to negotiate with the drilling company absent expensive litigation over whether the old shallow gas lease conveyed the right to access...."

Now, there are others, or at least one, who is going to, who has firsthand experience with this, and they will explain this a little better. But essentially, I view this legislation in terms of two provisions. One provision, the information to, the payment information to landowner, which was in the original bill, which is good and consumer-protective. And then the second piece is this bad, this bad language, which essentially undercuts the leverage of property owners here to negotiate, which is in their financial benefit. There is also a second problematic piece to this apportionment language, and I do not want to get too deeply into the weeds, but, and let me see if I can just find this really quickly, if there are two adjacent landowners – I am looking at page 3, line 22 – this gives the driller the right to determine how to allocate royalties between the two landowners. The better way to do it, I am told, is to have some objective standard. So the second problem with this apportionment clause is it really gives too much discretion and does not have an objective standard for allocating royalties between adjacent landowners.

What I would like to do, at some point in this debate I am going to make a motion to get this back to second and revert to the prior printer's number, but before I do that, I think there may be at least one other person who may want to speak on that, and they—

The SPEAKER pro tempore. The gentleman, Mr. Vitali, should be advised that we are on third consideration—

Mr. VITALI. Okay.

The SPEAKER pro tempore. —and if you intend to ask for a suspension of the rules, please present that motion. I think it would be courteous to the members of this chamber, if that is your goal, to have a suspension of the rules, to proceed there directly, although you are certainly not obliged to extend that courtesy.

Mr. VITALI. I understand.

No, instead of that, I think there has been some prior discussion. What we have done, we have filed a motion to reconsider the vote on which second consideration was given.

The SPEAKER pro tempore. Do you wish to proceed with that motion to reconsider, Mr. Vitali?

Mr. VITALI. I do want to proceed with that motion right now.

#### DECISION OF CHAIR RESCINDED

The SPEAKER pro tempore. As a courtesy to you, Mr. Vitali, without objection, the Chair will rescind its third consideration on SB 259, and I hope you will take note of this courtesy and be brisk.

On the question recurring,

Will the House agree to the bill on third consideration?

#### MOTION TO RECONSIDER SECOND CONSIDERATION OF SB 259

The SPEAKER pro tempore. We have in our hands a motion to reconsider the voice vote by which SB 259 was agreed to for the second time on the 27th day of June, and the request, signed by two members, would be in order for a motion to reconsider.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On the question of reconsideration, the Chair recognizes the gentleman from Delaware County, Representative Vitali. You may proceed.

Mr. VITALI. Okay. The reason I would ask you to support this motion is because if this succeeds, it will be brought back to second consideration, and then if that succeeds, we are going to do a motion to revert to prior printer's No. 341. And if that happens, 341, that printer's number has the good language. It has the payment information to property owner language—

The SPEAKER pro tempore. The gentleman will suspend.

On the motion to reconsider, your comments need to be specifically to the question of why reconsideration is appropriate, not as to the underlying substance of any of the matters that are before us.

You may proceed.

Mr. VITALI. Okay.

Now, the reason— If you support this, we can put this in a position to get this right to the Governor's desk with only the good language in it, because by going back to second consideration and reverting to a prior printer's number, it will be in the same form as it came from the Senate, which will put it in a position so it is ready, once we approve that, to go right to the Governor, but it will have the added advantage of not having the bad language in it, not having the apportionment language in it, which takes leverage rights away from the landowner.

So this is a necessary step in cleaning the bill up, getting the excess bad stuff off it, putting it in a position where it can get to the Governor's desk almost right away. So that is why I would ask for you to support this motion to bring this back to second consideration. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority whip, who asks that the gentledady from Luzerne County, Representative BOBACK, be placed on leave for the balance of the day. Without objection, that leave is granted.

CONSIDERATION OF SB 259 CONTINUED

The SPEAKER pro tempore. On the question of reconsideration, the Chair recognizes the gentleman, Representative Everett.

Mr. EVERETT. Thank you, Mr. Speaker.

I rise to oppose the motion for reconsideration. I would point out that the amended language that was put into the bill in committee was requested by the prime sponsor over in the Senate, Senator Yaw. And this language that was inserted simply makes it clear that folks with existing gas leases can reap the benefits of being included in horizontal drilling by being put into production units. And I would also point out that this language was put in in committee by a unanimous vote of the committee, including the gentleman who is now making the motion to take the language out.

So I would, on those grounds— This is good language. This is a great bill. It is good for landowners in that it allows them to take their conventional leases and have them used for the unconventional activity and be paid their royalties for that. And for that reason I would ask everybody to oppose the motion.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the motion for reconsideration, the Chair recognizes the gentleman, Mr. Metzgar.

Mr. METZGAR. Thank you, Mr. Speaker.

I rise in support of the motion to reconsider by the gentleman from Delaware County. If one takes notice, on page 3 there is a provision in this particular bill that forces pooling, and what that means is that the individual, even though that individual is not subject to a horizontal drilling provision at this point, could be subject to horizontal drilling without that being specifically in his lease. I think that that is tantamount to a taking, and therefore, we should amend the bill. Please support the motion to reconsider.

The SPEAKER pro tempore. On the question of reconsideration, the Chair recognizes the gentleman from Washington, Representative White.

Mr. WHITE. Thank you, Mr. Speaker.

I rise in this now bipartisan support for the Vitali motion to reconsider. This bill is clearly designed to benefit landowners who lease specifically in the Marcellus Shale. And I think when we get notice from the Pennsylvania chapter of the national royalty owners of America, that they want this out, that they do not feel this is good for royalty owners, we have to take that into consideration. We cannot stand here and say this is good for landowners when the landowners themselves are saying—

The SPEAKER pro tempore. Will the gentleman suspend.

The Chair will remind the gentleman, the question before the House is reconsideration, not the substance of the underlying measures.

Mr. WHITE. Thank you, Mr. Speaker.

I will keep it simple. This is a good bill without the language. It needs to be the best bill possible, which is why we need to go back, take that language out, and truly protect the landowners who lease their property for gas drilling.

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

The following roll call was recorded:

YEAS-92

Bishop	DeLuca	Kirkland	Parker
Boyle, B.	Dermody	Kotik	Pashinski
Boyle, K.	Donatucci	Lawrence	Petri
Bradford	Fabrizio	Lucas	Quinn
Briggs	Farina	Mahoney	Ravenstahl
Brooks	Flynn	Markosek	Readshaw
Brown, V.	Frankel	Matzie	Roae
Brownlee	Freeman	McCarter	Roebuck
Caltagirone	Gainey	McGeehan	Rozzi
Carroll	Galloway	McNeill	Sabatina
Clay	Gillen	Mentzer	Samuelson
Cohen	Grell	Metzgar	Santarsiero
Conklin	Haggerty	Miller, D.	Schlossberg
Costa, D.	Hanna	Mirabito	Schreiber
Costa, P.	Harkins	Miranda	Sims
Cruz	Harper	Molchany	Sturla
Cutler	Harris, J.	Mullery	Thomas
Daley, M.	Hennessey	Mundy	Truitt
Davidson	Kavulich	Mustio	Vitali
Davis	Keller, F.	Neilson	Waters
Dean	Keller, W.	Neuman	Wheatley
Deasy	Kim	O'Brien	White
DeLissio	Kinsey	Painter	Youngblood

NAYS-108

Adolph	Farry	Knowles	Pyle
Aument	Fee	Kortz	Rapp
Baker	Fleck	Krieger	Reed
Barbin	Gabler	Kula	Reese
Barrar	Gergely	Longietti	Regan
Benninghoff	Gibbons	Mackenzie	Rock
Bizzarro	Gillespie	Maher	Ross
Bloom	Gingrich	Major	Saccone
Brown, R.	Godshall	Maloney	Sainato
Burns	Goodman	Marshall	Sankey
Causar	Greiner	Marsico	Saylor
Christiana	Grove	Masser	Scavello
Clymer	Hackett	McGinnis	Simmons
Corbin	Hahn	Metcalfe	Snyder
Cox	Haluska	Miccarelli	Sonney

Culver	Harhai	Micozzie	Stephens
Daley, P.	Harhart	Millard	Stern
Day	Harris, A.	Miller, R.	Stevenson
DeLozier	Heffley	Milne	Swanger
Denlinger	Helm	Moul	Tallman
DiGirolamo	Hess	Murt	Taylor
Dunbar	Hickernell	O'Neill	Tobash
Ellis	James	Oberlander	Toepel
Emrick	Kampf	Payne	Toohil
English	Kauffman	Peifer	Turzai
Evankovich	Keller, M.K.	Petrarca	Vereb
Everett	Killion	Pickett	Watson

NOT VOTING—0

EXCUSED—3

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

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

The SPEAKER pro tempore. 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—167

Adolph	Everett	Kinsey	Peifer
Aument	Fabrizio	Kirkland	Petrarca
Baker	Farina	Knowles	Petri
Barbin	Farry	Kortz	Pickett
Barrar	Fee	Kotik	Pyle
Benninghoff	Fleck	Kula	Quinn
Bizzarro	Flynn	Lawrence	Rapp
Bloom	Frankel	Longietti	Ravenstahl
Bradford	Gabler	Lucas	Readshaw
Brown, R.	Gainey	Mackenzie	Reed
Brown, V.	Galloway	Mahoney	Reese
Burns	Gergely	Major	Regan
Caltagirone	Gibbons	Maloney	Rock
Carroll	Gillespie	Markosek	Ross
Causar	Gingrich	Marshall	Rozzi
Christiana	Godshall	Marsico	Saccone
Clay	Goodman	Masser	Sainato
Clymer	Greiner	Matzie	Sankey
Cohen	Grove	McGeehan	Saylor
Conklin	Hackett	McGinnis	Scavello
Corbin	Haggerty	McNeill	Schlossberg
Costa, D.	Hahn	Mentzer	Simmons
Costa, P.	Haluska	Miccarelli	Sims
Cox	Hanna	Micozzie	Snyder
Cruz	Harhai	Millard	Sonney
Culver	Harhart	Miller, D.	Stephens
Daley, P.	Harkins	Miller, R.	Stern
Davidson	Harper	Milne	Stevenson
Davis	Harris, A.	Mirabito	Sturla
Day	Heffley	Miranda	Swanger
Deasy	Helm	Molchany	Tallman
DeLozier	Hennessey	Moul	Taylor
DeLuca	Hess	Murt	Tobash

Denlinger	Hickernell	Neilson	Toepel
Dermody	James	Neuman	Toohil
DiGirolamo	Kampf	O'Brien	Turzai
Donatucci	Kauffman	O'Neill	Vereb
Dunbar	Kavulich	Oberlander	Waters
Ellis	Keller, M.K.	Painter	Watson
Emrick	Keller, W.	Parker	Wheatley
English	Killion	Pashinski	Youngblood
Evankovich	Kim	Payne	

NAYS—33

Bishop	DeLissio	McCarter	Sabatana
Boyle, B.	Freeman	Metcalfe	Samuelson
Boyle, K.	Gillen	Metzgar	Santarsiero
Briggs	Grell	Mullery	Schreiber
Brooks	Harris, J.	Mundy	Thomas
Brownlee	Keller, F.	Mustio	Truitt
Cutler	Krieger	Roae	Vitali
Daley, M.	Maher	Roebuck	White
Dean			

NOT VOTING—0

EXCUSED—3

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

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

**BILLS RECOMMITTED**

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

- HB 473;
- HB 665;
- HB 796;
- SB 10;
- SB 351;
- SB 492;
- SB 963; and
- SB 964.

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

**BILLS REMOVED FROM TABLE**

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that the following bills be removed from the tabled calendar and placed on the active calendar:

- HB 556;
- HB 993;
- SB 1;
- SB 638;
- SB 700;

SB 725;  
 SB 726;  
 SB 727;  
 SB 728;  
 SB 729;  
 SB 914; and  
 SB 1002.

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

### CALENDAR CONTINUED

#### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1157, PN 1796**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for operational provisions; and providing for an income tax checkoff to provide funding for the Children's Trust Fund.

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

#### BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves HB 1157 be removed from the active calendar and placed on the tabled calendar.

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

#### BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves HB 1157 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.

#### REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentlelady from Susquehanna County, the chairman of the Republican Caucus, for the purpose of an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus tomorrow, on Saturday, at 11 a.m. I would ask our Republican members to please report to our caucus room at 11 a.m. tomorrow. We would be prepared to come on the floor at 1 p.m.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

#### DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, the minority leader, Representative Dermody, for the purpose of an announcement.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, the Democrats will also caucus at 11 a.m. We will caucus at 11 a.m. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For the information of the members, we anticipate no further recorded votes today.

Are there any further announcements?

#### BILLS AND RESOLUTIONS PASSED OVER

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

#### ADJOURNMENT

The SPEAKER pro tempore. Seeing no further business, the Chair happily recognizes the gentleman from Clearfield County, Representative Sankey, and thanks him for his motion that we do adjourn until Saturday, June 29, 2013, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
 Will the House agree to the motion?  
 Motion was agreed to, and at 5:47 p.m., e.d.t., the House adjourned.